

THE COMMON COUNCIL  
CITY OF HARDIN, MONTANA

January 5, 2010 - Minutes

**COUNCIL MEETING:** The Regular Council Meeting for January 5, 2010 was called to order at 7:30 p.m. Mayor Hammond presiding.

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: Superintendent of Public Works Larry Vandersloot, City Attorney Bob Snively, City Clerk Rochelle Angevine and Finance Officer Michelle Dyckman

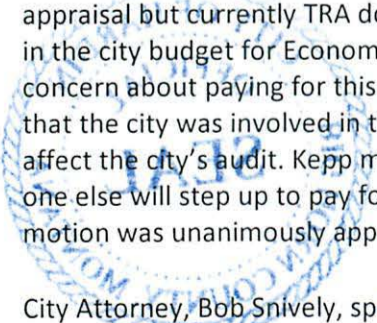
**MINUTES OF PREVIOUS MEETING:** Steinmetz made the motion to approve the minutes as written from the December 15, 2009 meeting. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

**PETITIONS AND COMMUNICATIONS:** N/A

STAFF REPORTS

- **Public Works:** Larry Vandersloot received Stop Work Order at 4:59pm today, to shutdown Phase 1a of the Sewer project to be effective for 20 days or until January 25, 2010. Kepp made motion to approve the Stop Work Order. Motion seconded by Steinmetz. On a voice vote, the motion was unanimously approved.
- **Law Enforcement:** Big Horn County Deputy Sheriff submitted a report and briefed the council on the call volume increase and the hiring of new staff. He also spoke about the training status of the current staff.
- **Finance/Administration:** Michelle spoke about the closing of draw 1 on January 15, 2010. She explained that Loan "A" (\$194,965) was stimulus money to be forgiven and Loan "B" (\$53,973) was a low interest loan of stimulus fund to be repaid by the city. Michelle asked the Council to approve to proceed with the funding source for both loans. Kepp made motion to approve motion as stated above. Motion seconded by Steinmetz. On a voice vote, the motion was unanimously approved.
  - ~~Harry Steinmetz spoke to the council on behalf of Sue Murphy asking that her contract be converted to a part time employee status. Due to concerns by Tim & Sue Murphy in regards to protect Sue from possible litigation. And to prevent possible conflicts of interest, since Tim Murphy has shown interest in becoming the president of the TRA board. Currently Sue is contracted to TRA and to the City independently. Steinmetz moved to convert Sue's current contract to city and then the City would bill TRA for any time Sue spends doing TRA business. Approximate cost to the city should remain the same at \$500 per month for Sue's services. Motion seconded by Colstad. On a voice vote, the motion was unanimously approved.~~
  - Steinmetz then spoke about the need for an appraisal of the detention center and how by not having one on file affects the City's audit status, making it a "qualified" audit. The need for an update appraisal comes from the building being currently empty and not used for intended purposes. Jeff McDowell from TRA stated he can get an appraisal for approximately \$5000. And McDowell's intent was to ask the bond holders and James Parkey first to help pay for the appraisal but currently TRA does not have that type of funds. Steinmetz stated that there is a line in the city budget for Economic development and this item will cover costs. Kepp showed concern about paying for this because the building is not owned by the city. Steinmetz explained that the city was involved in the beginning of the process and the appraisal or lack of one will affect the city's audit. Kepp made motion to approve paying up to \$5000 for the appraisal, if no one else will step up to pay for said audit. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved
- **Legal:** City Attorney, Bob Snively, spoke about how in June 2004 the city council approved the change to the Home Occupancy Ordinance to delete the requirement that the application be process thru the City/County Planning Board before being presented to the City Council. However the change to ordinance was never completed. Bob's opinion was that a motion was not needed; he just asked if this was still the direction desired per the vote in 2004. The Council unanimously agreed that this was still their desire.
- **Economic Development:** n/a

Rescinded  
Feb 2, 2010  
AA



**NEW BUSINESS:** Mike Martinsen spoke briefly about the history of the property owned by his family. He then asked the Council to consider amending the no horse agreement made between his parents Roy and Mary Martinsen and the City of Hardin.

Jon Matovich from Matovich Oil & Propane asked the Council to amend the city ordinance prohibiting above ground flammable tanks. Matovich want to add a propane tank to their business property off of Mitchell Ave. Larry Vandersloot said as Fire Chief he did not oppose this change, with the only restriction being that the tanks not be allowed in residential areas. And that any tank installed must follow all guidelines imposed by the most recent federal regulations. Snively said there could not be a variance to the current ordinance. The ordinance needs to be redone. Snively will draft an ordinance and proceed with the public notices.

**OLD BUSINESS:** None

**PUBLIC COMMENT:** None

**COMMITTEE REPORTS**

- **Law Enforcement:** Nothing to report
- **Streets & Alleys:** COP started to work on the 2<sup>nd</sup> lift station in the Industrial Park on Monday.
- **Sewer & Water:** Nothing to report
- **Finance:** Harry Steinmetz, Jr. moved to approve claim as presented. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved
- **Parks & Playgrounds:** Nothing to report

**RESOLUTIONS & ORDINANCES**

**SPECIAL COMMITTEE REPORTS:** Mayor Hammond entertained the motion for approval of appointment of Jim Eshelman and Jeff McDowell to the City-County Planning Board as City representative. Steinmetz moved to approve the above appointments. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved

**MAYOR:**

Mayor Hammond stated that per the Council's approval she recommends that the current committee heads remain the same with Jeremy Krebs taking over Harry Kautzman's place. Steinmetz moved to approve the committee head appointments. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved

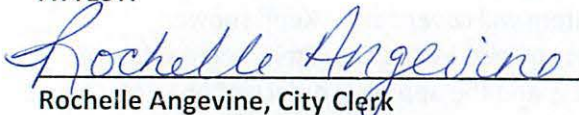
Mayor Hammond asked the Council to approve the City becoming a member of the Hardin Chamber of Commerce at the cost of membership of \$150. Steinmetz moved to approve. Motion seconded by Colstad. On a voice vote, the motion was unanimously approved

There being no further business, the meeting was adjourned at 8:10 p.m.



Kimberly Hammond, Mayor

**ATTEST:**



Rochelle Angevine, City Clerk



**COUNCIL MEETING:** The Regular Council Meeting for January 19, 2010 was called to order at 7:30 p.m.  
with Mayor Hammond presiding.

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: Superintendent of Public Works Larry Vandersloot, City Attorney Bob Snively, City Clerk Rochelle Angevine and Finance Officer Michelle Dyckman.

**MINUTES OF PREVIOUS MEETING:** Steinmetz made the motion to approve the minutes as written from the January 5, 2010 meeting. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

**MAYOR:** Mayor Hammond asked for the Council to approve a change to the agenda to include a place for the Mayor to speak at the beginning of each meeting on items that may affect items discussed later in the meeting. Steinmetz made the motion to approve modifying the agenda layout. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

**PETITIONS AND COMMUNICATIONS:** N/A

#### STAFF REPORTS

- **Public Works:** Larry Vandersloot spoke to the Council about a letter received from Trevino asking that a water bill be waived due to Trevino being out of town. Vandersloot recommended since Trevino is a good paying customer, the one month with no water usage could be waived with a stipulation that it be a onetime occurrence. Stobaugh made motion to approve waiving the bill. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.  
Larry then informed the Council about the Pre-bid for the Koyama sewer and water project on January 26, 2010 at 2pm and the Bid-opening on February 2, 2010 at 2pm.
- **Law Enforcement:** Hammond mentioned that the City has received four applications from as far away as Florida, New Jersey and Missouri. Hammond also stated that do to a hiccup in advertising locally; it was decided to extend the deadline from January 26<sup>th</sup> to February 5<sup>th</sup>, 2010.
- **Finance/Administration:** Michelle asked the Council to consider doing claims before each meeting so to cover any bills that have odd billings cycles. By doing it twice a month, there should be a smaller batch to go through. No motion needed. The council agreed to do claims before each council meeting.
  - Michelle then handed out two vouchers for council. Relating to the Draw 1 of the sewer construction in conjunction with the bond closing. A small amount will go into reserve.
- **Legal:** City Attorney, Bob Snively, indicated that Town Pump has submitted an off premise beer and wine liquor license. Objections to this need to be filed by February 7, 2010. This item will be tabled until the next Council meeting.
  - Snively then informed that Leroy Not Afraid has 90 days as of January 6, 2010 to pursue his case against the City via the EAA Notice of Rights.
  - Snively then informed the Council that committee meetings are public meetings do require public notification. Snively suggests holding committee meetings before every Council meeting at the same set time and place. And making one public notification stating the regular meeting times. If there is

no reason to meet then committees do not have to meet. Stobaugh moved to approve to have committee meetings at 6:30pm on the first Tuesday of the month and at 7:00pm on the third Tuesday of the month. Motion seconded by Kepp. On a voice vote, the motion was unanimously approved.

- Snively also brought up if Sue was to become a City employee, as stated in the January 5, 2010 minutes, we would have to advertise the position. Harry stated that he did not say he wanted Sue to become an employee as the minutes stated. And the minutes would need to be corrected. The issue was briefly discussed and then Steinmetz asked that we table the issue until he could speak with Sue Murphy.

- **Economic Development:**

- Jeffrey McDowell spoke about the appraisal conducted for the Detention Center. The facility was appraised at \$23 million.
- Mayor Hammond then asked for the board to approve a Memorandum of Understanding with Beartooth RC&D. Steinmetz made the motion to approve the MOU with Beartooth RC&D and to pay the \$1750 in yearly dues. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved

**NEW BUSINESS:** NONE

**OLD BUSINESS:** Steinmetz moved to adhere to the agreement between the City of Hardin and Roy and Mary Martinsen. ~~And uphold the Growth Management plan set in the 1980's.~~ Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

*Corrected Feb 2, 2010 PA*

**PUBLIC COMMENT:** Mike Martinsen asked if the council followed Roberts Rules and Mayor Hammond said yes. He then asked who was paying for the Koyama sewer and water project. Vandersloot said it all is funded by the Industrial Park Bond.

**COMMITTEE REPORTS**

- **Law Enforcement:** Nothing to report
- **Streets & Alleys:** Krebs reported they were continuing to blade the snow off the streets. He is still working on a Snow removal plan
- **Sewer & Water:** Kepp said the industrial park lift station will fire up on Friday.
- **Finance:** Harry Steinmetz, Jr. moved to approve claim as presented. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved
- **Parks & Playgrounds:** Colstad stated the parks were snowy & icy

**RESOLUTIONS & ORDINANCES**

**SPECIAL COMMITTEE REPORTS:** N/A  
**MAYOR:**

There being no further business, the meeting was adjourned at 8:14 p.m.

Kimberly Hammond, Mayor

**ATTEST:**

Rochelle Angevine, City Clerk



**COUNCIL MEETING:** The Regular Council Meeting for February 2, 2010 was called to order at 7:30 p.m. with Mayor Hammond presiding.

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: Superintendent of Public Works Larry Vandersloot, City Attorney Bob Snively, City Clerk Rochelle Angevine and Finance Officer Michelle Dyckman.

**MINUTES OF PREVIOUS MEETING:** Steinmetz made the motion to approve the minutes from the January 19, 2010 meeting with correction to *Old Business* section, deleting the *second sentence*. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

Steinmetz then moved to rescind the motion made during the January 5, 2010 meeting regarding Sue Murphy. Paragraph Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved. This motion is located under the *Finance / Administration section, first sub-bullet in the January 5, 2010 minutes*.

**MAYOR:** N/A

**PETITIONS AND COMMUNICATIONS:** N/A

#### **STAFF REPORTS**

- **Public Works:**
  - Larry Vandersloot announced that on Wednesday there would be a meeting here with the "Watson Drive" people to find out if they want to proceed.
  - Vandersloot then asked the Council to approve the final pay estimate for \$25,322.90 to Ridgeview Construction for the Fire Hall, pending the City receiving the required final documents. Kepp made motion to approve. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.
- **Law Enforcement:** N/A
- **Finance/Administration:** Michelle gave the Council a mid-year report. The City's Oil & Gas revenues are down from last year.
- **Legal:**
  - City Attorney, Bob Snively, asked the council to decide on their standing on the liquor license request from Town Pump. Steinmetz moved that the city should not allow Town Pump to obtain a liquor license to sell liquor outside the casino for consumption. Motion seconded by Hert. On a voice vote, the motion was unanimously approved. Snively will submit an objection on behalf of the city to the state regarding Town Pump's request to amend their current liquor license for off premise beer and wine liquor license.
  - Snively updated the Council regarding proposed Code changes for DUIs and zoning changes within the City to I-2.
- **Economic Development:** Jeffrey McDowell announced that the Coal board denied TRA's grant application.

**NEW BUSINESS:** NONE

**OLD BUSINESS:** Steinmetz asked that we table the Sue Murphy discussion until Murphy can meet with the Council.

**PUBLIC COMMENT:** NONE

**COMMITTEE REPORTS**

- **Law Enforcement** Mayor Hammond stated that we currently have 23 applications for the position of Chief of Police. The deadline is February 5<sup>th</sup>, and the Committee will meet next Thursday to narrow down the top applicants for interviewing.
- **Streets & Alleys:** Krebs proposed a possible ordinance for snow removal. Points of discussion were to separate businesses from residential property expectations and to make the Public Works Superintendent the facilitator of the snow removal process for those who do not follow ordinance.
- **Sewer & Water:** Kepp reported the bid opening for the Koyama sewer & water project and that the low bid came in at \$107,000, which is below the engineer's estimate of \$210,000.
- **Finance:** Harry Steinmetz, Jr. moved to approve claim as presented. January Payroll \$104,832.66 Total: \$299,311.15. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.
- **Parks & Playgrounds:** Colstad asked that once the weather warms up the "NO DOGS ALLOWED" signs be removed from the public parks. Kepp recommended the City look into taking a proactive approach to the Pine Beetle infestation of trees.

**RESOLUTIONS & ORDINANCES:** N/A

**SPECIAL COMMITTEE REPORTS:** N/A


**MAYOR:** N/A

There being no further business, the meeting was adjourned at 8:20 p.m.



**Kimberly Hammond, Mayor**

**ATTEST:**

  
**Rochelle Angevine, City Clerk**

**COUNCIL MEETING:** The Regular Council Meeting for February 16, 2010 was called to order at 7:30 p.m.

With Mayor Hammond presiding.

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: Superintendent of Public Works Larry Vandersloot, City Attorney Bob Snively, City Clerk Rochelle Angevine and Finance Officer Michelle Dyckman.

**MINUTES OF PREVIOUS MEETING:** Steinmetz made the motion to approve the minutes as written from the February 2, 2010 meeting. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENTS:** None

**MAYOR:** Mayor Hammond asked for the Council to approve a request to use Custer Park on April 4, 2010 for annual Easter egg hunt. Steinmetz made the motion to approve. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

**PETITIONS AND COMMUNICATIONS:** N/A

#### **STAFF REPORTS**

- **Public Works:**

- Larry Vandersloot asked the Council to approve reducing Richard Morissette's at 740 South 2<sup>nd</sup> St. sewer bill by \$200.56 due to a water leak. Steinmetz made the motion to approve. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.
- \*Vandersloot recommended to the Council that we change Matovich's land off of Mitchell (Lot 1 of the LL subdivision) from a Zone C2 to an I2. Steinmetz made the motion to approve. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.
- \*Vandersloot recommended to the Council to award the Koyama water and sewer project to COP Construction in the amount of \$107,000. Kepp made the motion to approve. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved

- **Law Enforcement:** None

- **Finance/Administration:**

- Claims were submitted for approval by the City Council.
- Michelle asked the Council to allow her to pay off the water bond. Kepp made the motion to approve. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

- **Legal:** City Attorney, Bob Snively, indicated that Town Pump was NOT asking to sell alcohol off premise but was actually changing ownership so essentially NOTHING was changing to the distribution of alcohol.

- Snively then informed that the City County Planning Board has recommended putting a moratorium on the selling of medical marijuana in a residential area.

Snively then presented five (5) new ordinances for the first reading. These will be posted in three (3) public locations until the Public hearing on March 2, 2010.

- 2010-01 (prohibiting slaughter houses within City limits) Ordinance was tabled. Changes required to include that no Horse slaughter plants will be allowed and that any other slaughter house will be limited on number of kills per week.
  - 2010-02 (Home Occupations Zoning) Colstad and Krebs voted Nay; Hert, Kepp, Stobaugh and Steinmetz voted Yea. First reading passed 4/2
  - 2010-03 (adoption of Uniform Fire Code) on an individual voice vote, the motion was unanimously approved.
  - 2010-04 (snow and ice removal) on an individual voice vote, the motion was unanimously approved.
  - 2010-05 (adoption of current Montana building codes) on an individual voice vote, the motion was unanimously approved.
- **Economic Development:** Jeff McDowell reported that TRA got E&O coverage

**NEW BUSINESS:** NONE

**OLD BUSINESS:** NONE

**PUBLIC COMMENT:** NONE

**COMMITTEE REPORTS**

- **Law Enforcement:** Interviews on Thursday. Mayor Hammond invited the Council to join in the interviewing process.
- **Streets & Alleys:** Krebs reported the roads are pretty tore up from the construction going on.
- **Sewer & Water:** Kepp said the sewer project seems to be going pretty good.
- **Finance:** Harry Steinmetz, Jr. moved to approve \$16,463.85 claim as presented. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved
- **Parks & Playgrounds:** Colstad stated the parks were snowy & icy

**RESOLUTIONS & ORDINANCES:** NONE

**SPECIAL COMMITTEE REPORTS:** N/A

**MAYOR:**

There being no further business, the meeting was adjourned at 8:22 p.m.



**Kimberly Hammond, Mayor**

**ATTEST:**



**Rochelle Angevine, City Clerk**





**COUNCIL MEETING:** The Regular Council Meeting for March 2, 2010 was then called to order with Mayor Hammond presiding.

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: Superintendent of Public Works Larry Vandersloot, City Attorney Bob Snively, City Clerk Rochelle Angevine and Finance Officer Michelle Dyckman.

**MINUTES OF PREVIOUS MEETING:** Steinmetz made the motion to approve the minutes as written from the February 16, 2010 meeting. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENTS:** Bill Hodges from the BHC Hospital asked the council how they felt about the possibility of closing Miles down between 1st & Division to allow a future breeze-way to be built between the Hospital and the Clinic.

Jennifer Chavez resident of N. Miles and employee of the hospital strongly feel that the current conditions of the crosswalk are dangerous and really hard on patients that need to be transported between buildings in snow and rain and wind. The City Council encouraged Hodges to proceed with a plan for consideration.

Martinson expressed concern about hiring a Chief of Police without requiring him to live here in Big Horn County. Mayor Hammond stated that at this time she did not have a recommendation for a chief police for the City Council.

Sherry Noel stood and highly recommended Larry Reinlasoder for the position of Chief of Police.

Z. Benoit from The Gazette asked if there was going to be a closed session regarding the hiring of Chief of Police. Hammond said 'no'.

**CHAMBER OF COMMERCE** Bill Hodges spoke to the Council about the City and Country Banquet coming up on March 19. He also mentioned a Bass tournament coming up and possibly a new function happening in mid July called "Kick back at six"

**MAYOR:** as times change...so does a city/town and so we are looking at choosing a new City motto. Suggestions can be sent to Rochelle.

#### STAFF REPORTS

**Public Works:** Larry Vandersloot recommended that the Council approve the Pay Estimate #1 for COP Construction in the net amount of \$196,160.72. Kepp made the motion to approve. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

Vandersloot also suggested that the Sewer & Water Committee meet regarding the Phase 1B Sewer Project and the Watson Drive annexation issue. Kepp agreed to have the meeting at 6:30pm on March 16<sup>th</sup> during the regularly committee meeting time slot.

Vandersloot informed the City Council that the County wants to 'gift' the old Stockman's lot (Original Town Block 2 Lot 7) to the City on behalf of the HRC Main Street & Beyond organization with the designation that it is to be a park. Vandersloot said HRC has some really good ideas for that area and it is his recommendation to accept the lot and then to write an agreement with HRC to maintain the lot. Steinmetz made the motion to approve. Motion seconded by Stobaugh and Krebs. On a voice vote, the motion was unanimously approved.

Vandersloot presented a Memorandum of Understanding between the City and Two Rivers Authority. The MOU states that the City will collect all funds above the bond payment amount and the City will allocate the necessary funds back to TRA for operation. Steinmetz made the motion to approve the MOU. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

There will be two Public Hearings at 7:00 and 7:15 p.m. on March 16, 2010 about the Water PER and applying for grants for Water improvements.

**Law Enforcement:** Mayor Hammond stated that back ground checks are done on next round of applicants.

**Finance/Administration:** Michelle asked the Council to approve Draw 2 on Loan A (\$195,734.54 - *forgiven*) & Loan B (\$27916.52 - +) There are both COP Construction and Great West invoice in this Draw. Steinmetz made the motion to approve the Draw #2. Motion seconded by Kepp. On a voice vote, the motion was unanimously approved.

Michelle presented a Pledge Securities report from Little Horn State Bank and asked the Council to approve the pledge with the correction of \$750,000.00 instead of the \$1 million. Steinmetz made the motion to approve the report as presented. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

Stobaugh made the motion to approve the Finance Meeting as written from 2/2/10 and 2/16/10. Motion seconded by Steinmetz. On a voice vote, the motion was unanimously approved.

**Legal:** City Attorney, Bob Snively, announced the\* 1<sup>st</sup> reading Ordinance 2010-01 (Limitation on slaughter houses within City limits) Steinmetz made the motion to approve the first reading. Motion seconded by Hert. On an individual voice vote, the motion was unanimously approved.

**Economic Development:** Jeff McDowell reported that Gary Arneson resigned as President of TRA. Al Peterson was elected acting President until his term is over in June. Bill Joseph was elected and Vice President until the new board is in place, at that time there will be an election of officers.

**NEW BUSINESS:** NONE

**OLD BUSINESS:** NONE

**COMMITTEE REPORTS**

- **Law Enforcement:** Hammond stated that at this time she did not have a recommendation for a chief police for the City Council.
- **Streets & Alleys:** Krebs reported that repair on potholes and street swept within the next couple of weeks.
- **Sewer & Water:** Kepp said the sewer project should be completed by June.
- **Finance:** Harry Steinmetz, Jr. moved to approve \_\_\_\_\_ claim as presented. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved
- **Parks & Playgrounds:** Colstad stated ice skating season is over.

**RESOLUTIONS & ORDINANCES:**

- Steinmetz made the motion to approve Resolution 1901 (moratorium on medical marijuana). Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.
- Steinmetz made the motion to approve Resolution 1902 (special interest district). Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

Second and final reading on the following ordinances was as follows:

- 2010-02 (Home Occupations Zoning) Colstad voted Nay; Hert, Kepp, Stobaugh, Steinmetz and Krebs voted Yea. Ordinance 2010-02 passed 5/1
- 2010-03 (adoption of Uniform Fire Code) on an individual voice vote, Ordinance 2010-03 was unanimously approved.
- 2010-04 (snow and ice removal) on an individual voice vote, Ordinance 2010-04 was unanimously approved.
- 2010-05 (adoption of current Montana building codes) on an individual voice vote, Ordinance 2010-05 was unanimously approved.

**MAYOR:**

There being no further business, the meeting was adjourned at 8:41 p.m.



Kimberly Hammond, Mayor

**ATTEST:**



Rochelle Angevine, City Clerk



**COUNCIL MEETING:** The Regular Council Meeting for March 16, 2010 was then called to order with Mayor Hammond presiding.

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: Superintendent of Public Works Larry Vandersloot, City Attorney Bob Snively, City Clerk Rochelle Angevine and Finance Officer Michelle Dyckman.

**MINUTES OF PREVIOUS MEETING:** Stobaugh made the motion to approve the minutes as written from the March 2, 2010 meeting. Motion seconded by Steinmetz. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENTS:** N/A

**MAYOR:** N/A

#### STAFF REPORTS

**Public Works:** Larry Vandersloot informed the Council of a pre-bid on the CTEP Custer Park sidewalk project, March 23, 2010, 1:30pm at Custer Park. Bid opening will be April 1, 2010 at 1:30.

Vandersloot also recommended that the Council approve a Memorandum of Understanding between the City of Hardin and HRC Main Street & Beyond. Steinmetz made the motion to approve. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

Vandersloot announced that there will be several Public Hearings starting at 7:00pm on April 6, 2010.

**Law Enforcement:** Under Sheriff Karen Molina gave a break-down of calls received last month. She also reported that two deputies are being deployed this summer so the Department will be short staffed. Molina then invited the Council to ride along with any officer or even work in dispatch, just need to sign a waiver.

**Finance/Administration:** Michelle asked for a clarification on accounting services. Steinmetz did move to leave Sue Murphy as an independent contractor for the City. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

Steinmetz made the motion to approve Finance meeting minutes from March 2, 2010. Motion seconded by Kepp. On a voice vote, the motion was unanimously approved. Michelle then presented the Water Bond payoff note.

**Legal:** City Attorney, Bob Snively, announced the\* 1<sup>st</sup> reading Ordinance 2010-06 (Signage) Snively per request from the Council will include a section for signage during special events. Steinmetz made the motion to approve the first reading. Motion seconded by Stobaugh. On an individual voice vote, the motion was unanimously approved.

Snively, announced the\* 1<sup>st</sup> reading Ordinance 2010-07 (Community Decay) Snively stated that this rewrites the current community decay ordinance to streamline the process and take action on an area without initial public complaint. Krebs made the motion to approve the first reading. Motion seconded by Steinmetz. On an individual voice vote, the motion was unanimously approved.

**Economic Development:** none

**NEW BUSINESS:** NONE

**OLD BUSINESS:** NONE

**COMMITTEE REPORTS**

- **Law Enforcement:** none.
- **Streets & Alleys:** Krebs reported that the city is sweeping the streets and patching potholes. And that Bill Hodges will submit a report on the Hospital's potential breezeway to the Council on April 6<sup>th</sup> meeting.
- **Sewer & Water:** Kepp said he has spoke to COP about more emphasis on cleaning as they go.
- **Finance:** Harry Steinmetz, Jr. moved to approve claims as presented. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved
- **Parks & Playgrounds:** Colstad reminded the Council about the Easter egg hunt on April 4<sup>th</sup> and HRDC function on June 11. If the new sidewalk project at Custer Park conflicts with this function, HRDC can move to South Park

**RESOLUTIONS & ORDINANCES:**

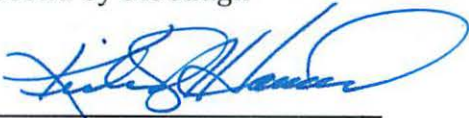
- Steinmetz made the motion to approve Resolution 1903 (Federal requirement to inform City). Motion seconded by Stobaugh and Krebs. On a voice vote, the motion was unanimously approved.

Second and final reading on the following ordinance was as follows:

- Steinmetz moved to approve Ordinance 2010-01 (Slaughter House Restrictions). Motion seconded by Krebs. On an individual voice vote, Ordinance 2010-01 was unanimously approved.

**MAYOR:** Hammond presented training offered by MMIA for elected officials and strongly recommended that the Council utilize this opportunity.

There being no further business, the meeting was adjourned at 8:22 p.m. upon motion by Steinmetz and second by Stobaugh



Kimberly Hammond, Mayor

ATTEST:

  
Rochelle Angevine, City Clerk

**COUNCIL MEETING:** The Regular Council Meeting for April 6, 2010 was called to order with Mayor Hammond presiding.

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: Superintendent of Public Works Larry Vandersloot, City Attorney Bob Snively, City Clerk Rochelle Angevine and Finance Officer Michelle Dyckman.

**MINUTES OF PREVIOUS MEETING:** Steinmetz made the motion to approve the minutes as written from the March, 2010 meeting. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENTS:**

**CHAMBER OF COMMERCE** Bill Hodges spoke to the Council about the Bass tournament coming up on Memorial Day.

**MAYOR:**

**STAFF REPORTS**

**Public Works:** Larry Vandersloot recommended to the Council to approve the pay estimate #2 for phase 1 sanitary sewer project for COP Construction in the net amount of \$242,997.92. Kepp motioned to accept the pay estimate #2. Motion seconded by Krebs and Stobaugh. On a voice vote, the motion was unanimously approved.

Vandersloot submitted for approval Change Order #3 for for \$28,711, phase 1 sanitary sewer project. Kepp motioned to accept Change Order #3 Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

The City received nine (9) bids for the CTEP –Custer Park Sidewalk project. Vandersloot asked the Council to award the bid to AV Construction for the amount of \$51,953.54 pending CTEP approval. Kepp motioned to award project bid. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

Vandersloot recommended approval for the contract with Great West to be amended (#5) to include grant writing services for proposed water projects. Stobaugh motioned to approve Amendment #5 thru Great West. Motion seconded by Kepp. On a voice vote, the motion was unanimously approved.

Stobaugh motioned to approve the State HWY contract to overlay Center Avenue and East 3<sup>rd</sup> Street. Motion seconded by Steinmetz. On a voice vote, the motion was unanimously approved.

Vandersloot recommended approval for the Landfill Consulting annual contract with Damshen to be renewed. Steinmetz made the motion to approve. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

**Law Enforcement**

**Finance/Administration:** Michelle asked the Council to approve Draw 3 for \$313,346.28. Kepp made the motion to approve the Draw #3. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

Michelle informed the council that Budget time is coming up. It was the Councils recommendation that on "off" Tuesdays in June the Council would meet the 1<sup>st</sup> night being Revenues and the 2<sup>nd</sup> night being Expenditures.

**Legal:** City Attorney, Bob Snively asked how the Council felt in enforcing the State statue of off-site selling of liquor. The Council completely supports the enforcement of this

**Economic Development:** Jeff McDowell recommended the Council to approved two (2) new TRA Board members. Steinmetz made the motion to approve the appointment of (Adrian) AJ Barnes and Jon Matovich. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

**NEW BUSINESS:** Bill Hodges, Gary Robertson and Kristi Gatrell spoke to the Council on the Breeze way between The BHC Memorial Hospital and St. Vincent's Hardin Clinic. They explained the phases to build the enclosure and asked the Council's approval to close Miles Avenue between West 1<sup>st</sup> and Division.

Kepp moved to support the hospital's intentions to go on to the next step of the plan and to close Miles Avenue that one block. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

**OLD BUSINESS: NONE**

**COMMITTEE REPORTS**

- **Law Enforcement:** Hammond said that Interviews will be on Thursday for the next 4 applicants.
- **Streets & Alleys:** Krebs spoke on starting a possible petition to support the efforts in changing Center Avenue from parallel parking to angle parking. Mayor Hammond agreed with Krebs that a push should be done because the downtown businesses need more parking.
- **Sewer & Water:** Kepp still hopeful sewer project will finish on time.
- **Finance:** Harry Steinmetz, Jr. moved to approve claims as presented. Motion seconded by Krebs and Stobaugh. On a voice vote, the motion was unanimously approved
- **Parks & Playgrounds:** Colstad asked for a Parks committee meeting before June to discuss play ground options.

**RESOLUTIONS & ORDINANCES: RESOLUTIONS & ORDINANCES:**

- Steinmetz made the motion to approve Resolution 1901 Moratorium on medical marijuana. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.
- Steinmetz made the motion to approve Resolution 1904 -Adopt the Water PER. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.
- Kepp motioned to approve Resolution 1905 - Accept the Funding Strategy for proposed Water Improvements . Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.
- Kepp motioned to approve Resolution 1906 - Submitting grants for proposed Water improvements. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved
- Stobaugh motioned to approve 1907 -Updating the Capital Improvement Plan. Motion seconded by Steinmetz. On a voice vote, the motion was unanimously approved.
- Resolution 1908 for Curb and Gutter improvements. Motion made by Steinmetz, seconded by Krebs. On a voice vote, the motion was unanimously approved.

Second and final reading on the following ordinances was as follows:

- 2010-06 (Signage) on an individual voice vote, Ordinance 2010-03 was unanimously approved.
- 2010-07 (Community Decay) on an individual voice vote, Ordinance 2010-07 was unanimously approved.

**MAYOR:**

There being no further business, the meeting was adjourned at 8:39 p.m. upon motion by Steinmetz and second by Stobaugh



Kimberly Hammond, Mayor

**ATTEST:**



Rochelle Angevine, City Clerk



**COUNCIL MEETING:** The Regular Council Meeting for April 20, 2010 was called to order with Mayor Hammond presiding.

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp - ABSENT, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: Superintendent of Public Works Larry Vandersloot, City Attorney Bob Snively, City Clerk Rochelle Angevine and Finance Officer Michelle Dyckman.

**MINUTES OF PREVIOUS MEETING:** Stobaugh made the motion to approve the minutes as written from the April 6, 2010 meeting. Motion seconded by Steinmetz. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENTS:** none

**MAYOR:** Mayor Hammond presented frame of US flag and letter from Stoddard for appreciation for all of the community of Hardin has done for him and his squadron and the display will be on a rotating tour around Hardin.

#### STAFF REPORTS

**Public Works:** Larry Vandersloot announced that we have received the award notice for the CTEP Project (Custer park sidewalks).

**Law Enforcement:** Report given by Karen Molina on calls for City issues. The BHC Sheriff's Department has received 32 applications for filling 3 positions. Hammond introduced the new Chief of Police, Jeff Arntz.

**Finance/Administration:** Michelle mentioned that Loan "C" will be closing soon. And the Coal Board papers have been signed & put in the mail. Also the Next Coal Board Meeting will be here in Hardin on August 13, 2010.

**Legal:** City Attorney, Bob Snively announce the change of owner request on the Liquor license for Three Brothers Pizza. There were no objections or questions. Snively then did first reading of Ordinance 2010-08. Steinmetz moved to accept ordinance as written. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

Snively then shared that on the SID 120 and that there were three or four people stating that they did not get the notice. Snively questioned if we wanted to resend the notices with a public meeting possible on the May 18, 2010 Council meeting. Council supports resending of notices

Mayor Hammond then announced that the public hearing for Ordinance 2010-08 will be held on May 4<sup>th</sup> at 7:00pm here at the PUF building.

**Economic Development:** Jeff McDowell from TRA received renewed interest from New World Energy/Lee Hale (coal to liquids plant) . Following up on information request for Industrial Park infrastructure with Larry Vandersloot. Two letters sent regarding potential leads for locating in the Industrial Park (Advanced Litho, Great Falls; Erwin Washington, solar panel manufacturing, Colorado). Contact with Corrections Corporation of America and LaSalle Corrections, Wallace consulting re; potential interest in Detention Facility relative to potential contracts (state and federal Bureau of Prisons) Letter to chairman of Montana Legislature's Law and Justice Interim Committee re: use of facility for DUI purposes, invitation to visit, rebuttal of misinformation (dungeon, deterioration).Funding opportunity for HRC. USDA funding opportunity for Farmers Market, forwarded to Shirley Margheim at Little Horn Bank

**OLD BUSINESS:** none

**NEW BUSINESS:** none

**COMMITTEE REPORTS**

- **Law Enforcement:** Hammond asked Vandersloot if Beartooth RC&D would be able to help us find and write some police grants. Vandersloot said, yes and he would call Chris Mehus and set up a meeting with them.
- **Streets & Alleys:** Krebs said The City crews were going to start patching the potholes around town.
- **Sewer & Water:** Kepp hopeful COP will start to do clean up by June 1, 2010.
- **Finance:** Harry Steinmetz, Jr. moved to approve claims as presented. Motion seconded by Krebs and Stobaugh. On a voice vote, the motion was unanimously approved
- **Parks & Playgrounds:** Colstad reminded the need for a Parks committee meeting before June to discuss play ground options.

**RESOLUTIONS & ORDINANCES: RESOLUTIONS & ORDINANCES:**

Steinmetz made the motion to approve Resolution 1909 [Sign Guidelines] Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

**MAYOR:**

There being no further business, the meeting was adjourned at 8:09 p.m. upon motion by Stobaugh and second by Steinmetz



Kimberly Hammond, Mayor

**ATTEST:**



Rochelle Angevine, City Clerk





**THE COMMON COUNCIL  
CITY OF HARDIN, MONTANA**

**May 4, 2010 - Minutes**

**Public Hearing:** Called to order at 7:03p.m.

Resolution 2010-08 Law Enforcement Ordinance

No comments were made

Hearing closed at 7:03p.m.

**COUNCIL MEETING:** The Regular Council Meeting for May 4, 2010 was called to order at 7:30p.m. with Mayor Hammond presiding.

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp -, Bill Stobaugh A. and Jeremy Krebs. ABSENT, Harry Steinmetz Jr.

Also present: Superintendent of Public Works Larry Vandersloot, City Attorney Bob Snively, and Billing Clerk Kristi Wedel.

**MINUTES OF PREVIOUS MEETING:** Stobaugh made the motion to approve the minutes as written from the April 20, 2010 meeting. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

**MINUTES OF SPECIAL MEETING:** Carla Colstad motion to approve the special meeting minutes as written from the April 12, 2010 Meeting. Bill Hert seconded the motion. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENTS:** none

**CHAMBER OF COMMERCE:** Brian Wolf made a request asking the City to donate \$500.00 to help with the cost of LBH Days. Jeremy Krebs made the motion to approve the donation. Motion seconded by Kenton Kepp. On a voice vote, the motion was unanimously approved.

Brian also reminded the council of the upcoming Operation Sparkle and the Jail House Gallery is having their annual Collectable Treasure Sale on May 14<sup>th</sup> and 15<sup>th</sup> at the Fair Grounds.

**MAYOR:** Mayor Hammond informed the Council that the MACoHCT Insurance contract is up and needs to be renewed. There is a 14.5% increase over last year. 80% will be paid by the City and 20% by the employee Kenton Kepp made the motion to accept the new contract. Bill Stobaugh seconded the motion. On a voice vote, the motion was unanimously approved.

Mayor Hammond recommended approval to renew Grace Atwood's contract for another year with an increase of \$25.00 per month. Bill Stobaugh made motion to renew Grace's contract Kenton Kepp seconded the motion. On a voice vote, the motion was unanimously approved.

**STAFF REPORTS**

**Public Works:** Larry Vandersloot recommend approving the Pay Estimate #3 for COP Construction for Phase 1a Collection System in the net amount of \$389,809.72. Kenton Kepp made to motion to approve the payment Bill Stobaugh second the motion. On a voice vote, the motion was unanimously approved.

Larry also recommend accepting the Change Order #5 Phase 1a Collection System. For special liners that are needed in two different areas for the amount of \$11,275.00. Bill Stobaugh made the motion to accept the change order #5. Kenton Kepp seconded the motion. On a voice vote, the motion was unanimously approved.

Larry stated that Springlane Construction was the only company to bid on the Weed Mowing Contract. Bob Snively suggested removing the paragraph asking to have two lots to mow at one time Jeremy Krebs made the motion to accept the contract with the removal of said paragraph. Seconded by Bill Stobaugh. On a voice vote, the motion was unanimously approved.

**Law Enforcement:**

**Finance/Administration:** Mayor Hammond asked for approval of Draw 4 includes Loan "C" closing in the net amount of \$465,388.28. Bill Stobaugh made the motion to approve Draw 4. Motion was seconded by Kenton Kepp. On a voice vote, the motion was unanimously approved.

Bill Stobaugh made motion to accept the Finance meeting minutes from April 6, 2010. Motion was seconded by Jeremy Krebs. On a voice vote, the motion was unanimously approved.

**Legal:** Bob Snively mentioned that Lucky Lil's Casino is changing the percentage of owner-ship

**Economic Development:** none

**OLD BUSINESS:** none

**NEW BUSINESS:** none

**COMMITTEE REPORTS**

- **Law Enforcement:** Police Chief Jeff Arntz said he had gone with BHC deputies on a evening patrol and that the Sheriff's office has been very helpful and informative.
- **Streets & Alleys:** Krebs said The City crews are patching the potholes around town.
- Discussion was also brought up about North Mitchell. There is a Farm to Market agreement with the County
- **Sewer & Water:** Kepp believes that COP will be finished by June 1, 2010.
- **Finance:** Bill Stobaugh. moved to approve claims as presented. Motion seconded by Bill Hert. On a voice vote, the motion was unanimously approved
- **Parks & Playgrounds:** Custer Park will be closed for safety concerns while the sidewalks are removed and replaced. May 10, 2010 thru June 30, 2010

**RESOLUTIONS & ORDINANCES: RESOLUTIONS & ORDINANCES:**

Ordinance 2010-08 seconded reading. On a individual voice vote, the motion was unanimously approved.

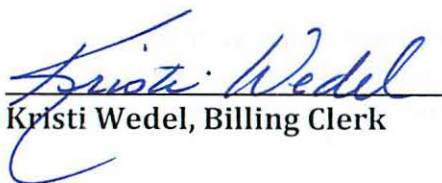
**MAYOR:**

There being no further business, the meeting was adjourned at 8:03.



Kimberly Hammond, Mayor

**ATTEST:**



Kristi Wedel, Billing Clerk



**COUNCIL MEETING:** The Regular Council Meeting for March 16, 2010 was then called to order with Mayor Hammond presiding.

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: Superintendent of Public Works Larry Vandersloot, City Attorney Bob Snively, City Clerk Rochelle Angevine and Finance Officer Michelle Dyckman.

**MINUTES OF PREVIOUS MEETING:** Stobaugh made the motion to approve the minutes as written from the March 2, 2010 meeting. Motion seconded by Steinmetz. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENTS:** N/A

**MAYOR:** Swearing in Chief of Police Jeff Arntz by Mayor Hammond. Hammond asked the Council's approval to pay for ½ the cost the signs being put up by the Reenactment Council. Steinmetz made the motion to approve. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

#### **STAFF REPORTS**

**Public Works:** None

**Law Enforcement:** Under Sheriff Karen Molina gave a break-down of calls received last month. She also reported the Sheriff's Department will be short staffed over the summer.

**Finance/Administration:**

**Legal:** None

**Economic Development:** Mc Dowell was not present but a report was submitted with a budget request and a status update on possible leads.

**NEW BUSINESS:** The Council reviewed the recommendations from the City/County Planning Board on two (2) applications. And the following actions were taken.

First being the annexation of property owned by Wade Bastrom: Wade Bastrom asked for one year (12 months) to annex his property, known as Camp Custer Motel and trailer Park, Hardin Eastside Subdivision Lot A, and stated that the 2 trailers not up to city code that he owns will brought up to code before they will be occupied. Stobaugh made the motion to approve giving Bastrom twelve (12) months to annex. Motion seconded by Steinmetz. On a voice vote, the motion was unanimously approved.

Second, application from Merle Redger asking for his property at 1219 N Custer, known as Lot 2, COS 135, from R2, General Residential District, to be changed from a Zone R2 to a C2. Steinmetz made the motion to approve. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

The City/County Planning Board also submitted a request for the City Council to budget \$8000 to the City Council Planning Board for FY 2011.

**OLD BUSINESS:** NONE

#### **COMMITTEE REPORTS**

- **Law Enforcement:** Hammond briefly discussed the upcoming Octane Addiction event in August; with 100% of the proceeds will go to the Police Department.
- **Streets & Alleys:** Krebs reported that COP is done and repairing of the streets have begun. Hanser's project is on schedule, it should take 60 days total. Krebs announced that there are over 350 signatures in support of the angle parking for downtown and that he would like to take this proposal to the next level. The Council supported this effort.

- **Sewer & Water:** Kepp mentioned the need for a pump engineering report. Vandersloot said he needs to check on Great West's fee.
- **Finance:** Harry Steinmetz, Jr. moved to approve claims as presented. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved
- **Parks & Playgrounds:** Colstad mentioned the idea of maybe installing a Frisbee golf course in Wilson Park.

**RESOLUTIONS & ORDINANCES:**

- 2010-09 Title 1, Chapter 8, General Penalty Ordinance

Steinmetz made the motion to approve. Motion seconded by Stobaugh. On an individual voice vote, the motion was approved, with Kenton Kepp voting Nay.

- 2010-10 Title 1 Chapter 18, CITY JUDGE

Steinmetz made the motion to approve. Motion seconded by Krebs. On an individual voice vote, the motion was unanimously approved.

- 2010-11 City Ordinance Regarding Public Drinking

Steinmetz made the motion to approve with the added verbiage of applicants being compliant to the guidelines set forth by resolution. Motion seconded by Colstad. On an individual voice vote, the motion was at a tie vote with Krebs, Stobaugh and Kepp voting Nay. The mayor broke tie with a "yes" vote, the motion was approved.

- 2010-12 Change language from Sheriff's Office to Police Department

Steinmetz made the motion to approve. Motion seconded by Stobaugh. On an individual voice vote, the unanimously motion was approved

**MAYOR:** None

There being no further business, the meeting was adjourned at 9:03 p.m. upon motion by Steinmetz and second by Stobaugh



**Kimberly Hammond, Mayor**

**ATTEST:**



**Rochelle Angevine, City Clerk**



*PUBLIC HEARING: Ordinance 2010-09, 2010-10, 2010-11, 2010-12. Called to order with Mayor Hammond presiding at 7:00pm. With no discussion the hearing closed at 7:01pm.*

**COUNCIL MEETING: The Regular Council Meeting for June 1, 2010 was called to order at 7:30 pm with Mayor Hammond presiding.**

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: Superintendent of Public Works Larry Vandersloot, City Attorney Bob Snively, City Clerk Rochelle Angevine City Judge Deb Winburn, Police Chief Jeff Arntz and Finance Officer Michelle Dyckman.

**MINUTES OF PREVIOUS MEETING:** Steinmetz made the motion to approve the minutes as written from the May 18, 2010 meeting. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENTS:** none

**CHAMBER OF COMMERCE:** Bass Tournament started today.

**MAYOR:** Hammond on behalf of Terry Jeffers and the Jail House Galleries asked the Council to waive the Business license fees for Little Big Horn Days Vendors. Steinmetz made the motion to approve. Motion seconded by Stobaugh and Krebs. On a voice vote, the motion was unanimously approved. Jeffers handed out flyers and thanked the Council for waiving the fees.

#### **STAFF REPORTS**

**Public Works:** Larry Vandersloot recommended approval of Change Order #1 for Custer Park in the amount of \$10,339.09 Construction in the net amount of \$196,160.72. Kepp made the motion to approve. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

Vandersloot recommended approval of Pay Estimate #4 from COP in net amount of \$510,301.76. Kepp made the motion to approve. Motion seconded by Hert and Stobaugh. On a voice vote, the motion was unanimously approved.

Vandersloot requested approval from the City Council that Pennsylvania Power & Light (PPL) in Billings has about 100 tons of coal ash and would like to take it to landfill charging PPL \$28 per ton. Steinmetz made the motion to approve. Motion seconded by Krebs. On an individual voice vote, the motion was unanimously approved.

**Law Enforcement:** Chief Arntz announced that the Hardin Police Department will need to set up a Police Commission and Citizen Advisory Committee. Stobaugh made the motion to approve both the Commission and the Committee. Motion seconded by Steinmetz. On an individual voice vote, the motion was unanimously approved. Hired two officers and purchased two used vehicles.

**Finance/Administration:** Michelle asked the Council to approve Draw Request #5 - Phase 1A Collection System Rehab. \$571,642.54. Steinmetz made the motion to approve the Draw #5. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

Michelle then asked for approval to destroy documents as presented on the Request to Destroy. The Retention Schedule Law has been implemented on requested documents. Stobaugh made the motion to approve Motion seconded by Steinmetz. On a voice vote, the motion was unanimously approved. Steinmetz made the motion to approve Finance

meeting minutes from May 18, 2010. Motion seconded by Kepp. On a voice vote, the motion was unanimously approved.

**Legal:** none

**Economic Development:** none

**NEW BUSINESS:** NONE

**OLD BUSINESS:** NONE

**COMMITTEE REPORTS**

- **Law Enforcement:** Hammond stated that we received a 2004 Expedition from BHC this covers the 6 year old vehicle that the County got from the City in 1976. The City is currently working on a MOU drafted between the City and the County for dispatching services.
- **Streets & Alleys/Landfill:** Krebs reported that COP will be returning to do a better clean up and redo 3<sup>rd</sup> Street. City is currently blading alleys. Landfill passed a state inspection.
- **Sewer & Water:** Kepp said the water main should be completed today for the Koyama Project.
- **Finance:** Harry Steinmetz, Jr. moved to approve Claim numbers 12127, 12194 & 12195 for April, 2010 and Claim numbers 12122, 12137-12193 & 12196-12250 for May 2010 for a total \$797,677.57 in claims as presented. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.
- **Parks & Playgrounds:** Colstad asked the Council to approve the purchase of a nine hole Frisbee Golf package to be installed in Wilson Park. Approximate cost will be \$2500. Steinmetz made the motion to approve. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

**RESOLUTIONS & ORDINANCES:**

**\*FIRST READING - Ordinance**

2010-13 Adopt current International Energy Conservation Codes (IECC) Steinmetz made the motion to approve. Motion seconded by Stobaugh. On an individual voice vote, the motion was approved, with Stobaugh voting "NO".

**\* SECOND READING – Ordinance**

2010-09 Title 1, Chapter 8, General Penalty Ordinance Steinmetz made the motion to approve. Motion seconded by Stobaugh. On an individual voice vote, the motion was approved, with Kepp voting "NO".

2010-10 Title 1 chapter 18, CITY JUDGE. Steinmetz made the motion to approve. Motion seconded by Stobaugh. On an individual voice vote, the unanimously motion was approved

2010-11 City Ordinance, Regarding Public Drinking. Steinmetz made the motion to approve. Motion seconded by Stobaugh. On an individual voice vote, the unanimously motion was approved

2010-12 Change language from Sheriff's Office to Police Department. Steinmetz made the motion to approve. Motion seconded by Stobaugh. On an individual voice vote, the unanimously motion was approved.

**MAYOR:**

There being no further business, the meeting was adjourned at 8:31 p.m. upon motion by Steinmetz and second by Stobaugh



**Kimberly Hammond, Mayor**

**ATTEST:**

  
**Rochelle Angevine, City Clerk**

PUBLIC HEARING was called to order at 7:30pm with Mayor Hammond presiding. No discussion Public Hearing closed @ 7:31pm

**COUNCIL MEETING: The Regular Council Meeting for June 15, 2010 was called to order with Mayor Hammond presiding**

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: Superintendent of Public Works Larry Vandersloot, City Attorney Bob Snively, City Clerk Rochelle Angevine and Finance Officer Michelle Dyckman. Chief of Police Jeff Arntz

**MINUTES OF PREVIOUS MEETING:** Stobaugh made the motion to approve the minutes as written from the June 1, 2010 meeting. Motion seconded by Steinmetz. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENTS:** Jail House Galleries read a letter thanking the City Council for their support and asked for consideration on future support.

**MAYOR:** N/A

**STAFF REPORTS**

**Public Works:** Larry Vandersloot recommended that the Council approve Change Order #1 – Koyama increase of \$9570.00 Kepp made the motion to approve. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

Vandersloot also recommended that the Council approve Pay estimate #1 – AV Construction, Custer Parks - \$30,317.72 – Kepp made the motion to approve. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved

Vandersloot then recommended to the council to approve Pay estimate #1 COP – Koyama Sewer & water Project - \$ 115,413.21 Steinmetz made the motion to approve. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved

Proposed to the council for approval was a Beartooth Ford Buy/Sell Agreement for the parking lot next to the “ping” building. Cost would be \$18340. Stobaugh made the motion to approve. Motion seconded by Steinmetz. On a voice vote, the motion was unanimously approved.

Larry then asked for Council approval to purchase a 1996 GMC Service Truck for \$17,200. Stobaugh made the motion to approve. Motion seconded by Steinmetz. On a voice vote, the motion was unanimously approved

Vandersloot announced that there will be several Public Hearings starting at 7:00pm on April 6, 2010.

**Law Enforcement:** Chief announced that they will patrol during Little Big Horn Days.

**Finance/Administration:** Michelle briefed the Council on the current GASB-45 and OPEB Accounting Services - \$1000.00; this is a new part in our reporting requirement. Steinmetz made the motion to approve the contract. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

Steinmetz made the motion to approve Finance Meeting Minutes for June 1 and June 8, 2010. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved

Michelle then announced the Budget Meeting for June 29<sup>th</sup> at 7:00pm

**Legal:** none

**Economic Development:** McDowell briefed the Council that he is currently working on fixing the leaks at the detention center. He has sent out 6 recruiting letters for the Industrial Park. He is following up leads on franchise businesses downtown.

**OLD BUSINESS: NONE**  
**NEW BUSINESS: NONE**

**COMMITTEE REPORTS**

- **Law Enforcement:** Octane Addictions Days planning is moving forward. There is a meeting on Thursday @ 3pm. Mayor Hammond then told the Council about the meeting with **Governor** Brian D. Schweitzer. Larry Vandersloot, Jeff McDowell along with Mayor Hammond met with the Governor and Hammond apologized to the Governor on behalf of the citizens of Hardin that were not a part of the bus trip.
- **Streets & Alleys:** Krebs stating that there is a lot of street patching to do and the City is sweeping a lot and taking care of the weeds.
- **Sewer & Water:** N/A
- **Finance:** Harry Steinmetz, Jr. moved to approve claims as presented. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved
- **Parks & Playgrounds:** Colstad reminded the Council about the Shakespeare in the Park on July 5 in South Park at 6:30. There was then a discussion about needing more room for the disk golf and talks with the School Board about utilizing some of their Property. No further discussion

**RESOLUTIONS & ORDINANCES:**

- Steinmetz made the motion to approve Resolution 1910 – guidelines for Ordinance 2010-11 Permit Public Drinking. Motion seconded by Stobaugh and Krebs. On a voice vote, the motion was unanimously approved.
- Emergency Ordinance 2010-14 - Police Department. Motion seconded by Stobaugh. On an individual voice vote, Ordinance 2010-14 was unanimously approved.

**FIRST READING**

- Colstad moved to approve Ordinance 2010-15 Medical Marijuana Dispensary Motion seconded by Hert. On an individual voice vote, first reading of Ordinance 2010-15 was unanimously approved.

**SECOND READING**

- Stobaugh made the motion to table Ordinance 2010-13 adopting the current International Energy Conservation Codes (IECC). Motion seconded by Steinmetz. On an individual voice vote, Ordinance 2010-14 was unanimously tabled pending more information.

**MAYOR:**

There being no further business, the meeting was adjourned at 8:22 p.m. upon motion by Steinmetz and second by Stobaugh



**Kimberly Hammond, Mayor**

**ATTEST:**



**Rochelle Angevine, City Clerk**





*PUBLIC HEARING was called to order at 7:30pm with Mayor Hammond presiding. Ordinance 2010-15 Amendment of the City Ordinance Regarding Zoning. No discussion Public Hearing closed @ 7:31pm*

**COUNCIL MEETING:** The Regular Council Meeting for July 6, 2010 was called to order with Mayor Hammond presiding

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp (ABSENT), Bill Stobaugh, Harry Steinmetz Jr. (ABSENT) and Jeremy Krebs.

Also present: City Attorney Bob Snively, City Clerk Rochelle Angevine and Finance Officer Michelle Dyckman. Chief of Police Jeff Arntz.

**MINUTES OF PREVIOUS MEETING:** Stobaugh made the motion to approve the minutes as written from the June 1, 2010 meeting. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENTS:** Employee fitness Challenge -- Hospital vs. City - presented by Frank Rowland. Six week program to start in late July.

**MAYOR:** Hammond recommended to the Council to waive the business license fee for Hardin Extreme Days Vendors. Stobaugh made the motion to approve. Motion seconded by Hert. On a voice vote, the motion was unanimously approved.

**CHAMBER of COMMERCE:** N/A

#### STAFF REPORTS

**Public Works:** N/A

**Law Enforcement:** Chief informed the Council on Radio options: The estimated cost went from about \$20,000 to \$47,000 this would be for a 10 yr license, 11 digital radios, NO repeater, but \$4000 to \$5000 of software and 3 mobile (car) radios thru Industrial Communications in Billings. Officer F. Brashear indicated that the increase will still come out of the impact funds, the department is not asking for more money. With a nod the Council approved Arntz suggestion on what radios to buy.

Officer Francesca Brashear then spoke about the Police Department acquiring a K-9 unit. She explained that money from drug seizures is paid back to the department. She proposed that the school kids could name the dog. Officer Brandon Brashear would be the handler. Brashear has been talking to a Pennsylvania Company for an all inclusive start-up cost of about \$22,000. This would include the dog, training, kennel, and travel. Yearly maintenance cost should be under \$1000. With a nod the Council approved the purchase of a K-9 Unit.

**Finance/Administration:** Stobaugh made the motion to approve the finance minutes for 6/22/2010 & 6/29/2010. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved. The Final Pay estimates from AV and COP did not meet the deadline for approval.

**Legal:** Snively briefed the Council on the request submitted by Sunset Village to refund penalties, (\$75.68) for delinquent tenant accounts. The Council felt that the City followed the correct steps and no refund is warranted but the Council did suggest the need for obtaining a signed agreement between the City, the property owner and the renter. Possibly increasing the deposits should be considered and the Council also discussed the need to increase the reconnect fee and felt that option is the most preferred.

**Economic Development:** N/A

**OLD BUSINESS:** Krebs is laying out the area and design for the Frisbee golf and Snively will draft a letter to the School Board addressing their concerns.

**NEW BUSINESS:** NONE

**COMMITTEE REPORTS**

- **Law Enforcement:** N/A
- **Streets & Alleys:** Krebs explained that the street sweeper parked out front is here for a demonstration. The City is currently in the need of a new street sweeper.
- **Sewer & Water:** N/A
- **Finance:** Stobaugh moved to approve claims as presented. Motion seconded by Hert. On a voice vote, the motion was unanimously approved
- **Parks & Playgrounds:** Colstad is in negotiations with the Hospital for some playground equipment or pavilion. This is in exchange for the use of the block of Miles Avenue.

**RESOLUTIONS & ORDINANCES:**

**SECOND READING**

- A motion by Stobaugh to delete "and operating" from page 3, paragraph E in Ordinance 2010-15 Medical Marijuana Dispensary. Motion seconded by Hert. With this approved change, on an individual voice vote Ordinance 2010-15 was unanimously approved.
- Removed from table was Ordinance 2010-13 adopting the current International Energy Conservation Codes (IECC). On an individual voice vote, Ordinance 2010-13 was unanimously approved information.

**MAYOR:**

There being no further business, the meeting was adjourned at 8:22 p.m. upon motion by Stobaugh and second by Krebs.



**Kimberly Hammond, Mayor**

**ATTEST:**

*Michelle Dyckman, Finance Officer*  
**Rochelle Angevine, City Clerk**



**COUNCIL MEETING:** The Regular Council Meeting for July 20, 2010 was called to order at 7:30 p.m. with Mayor Hammond presiding.

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: Superintendent of Public Works Larry Vandersloot, City Attorney Bob Snively, Judge Deb Winburn, Police Chief Jeff Arntz and Finance Officer Michelle Dyckman.

**MINUTES OF PREVIOUS MEETING:** Stobaugh made the motion to approve the minutes as written from the July 6, 2010 meeting. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENTS:** Moved to end of meeting.

**MAYOR:** Resolution 1911 regarding expenditures by department heads will be brought up later in the meeting.

The office for Custer's Last Stand Re-enactment requested help with a bill for \$450 for ambulance services. Motion by Stobaugh. There was no second.

#### **STAFF REPORTS**

##### **Public Works:**

Larry Vandersloot recommended to the Council approve Change Order #6 for the Phase 1A Collection system at a decrease of \$27,206.74. Stobaugh motioned. Second by Krebs. On a voice vote, the motion was unanimously approved.

Vandersloot requested approval for Pay Estimate #5 for \$127,606.21 to COP Construction. Steinmetz motioned. Stobaugh seconded. Since this is a final payout, it was recommended that the motion be amended to be contingent upon receipt of final lien waivers. Steinmetz amended the motion. Second by Stobaugh. On a voice vote, the motion was unanimously approved.

Change Order #2 for the Custer Park sidewalks was presented in the amount of \$1,115.96. Krebs motioned to accept the Change Order. Second by Stobaugh. On a voice vote, the motion was unanimously approved.

Vandersloot requested approval of Pay Estimate #2 for AV Construction in the amount \$32,456.78. This is also a final pay estimate and has been adjusted for repairs made by the City. Lien waivers have been received. Steinmetz motioned, seconded by Krebs. On a voice vote, the motion was unanimously approved.

##### **Law Enforcement:**

Arntz presented the overtime policy for the Police Department. The Fair Labor Standards Act (FLSA) allows an exemption for law enforcement personnel. This allows law enforcement personnel to be paid overtime after working 171 hours in a 28 day period. Steinmetz indicated he wanted to see the policy in writing. Snively recommended that the Council go ahead and approve for now, as there is payroll to be processed. Steinmetz motioned, seconded by Stobaugh. Kepp requested that Snively check with the State for compliance. Steinmetz amended motion to "subject to checking with the State." Seconded by Krebs. On a voice vote, the motion was unanimously approved.

##### **Finance/Administration:**

There will be a Budget meeting on Tuesday, July 27 at 7 p.m.

The Audit has been received for the Fiscal Year ended June 30, 2009. Copies will be available upon request.

**Legal:**

City Attorney, Bob Snively, presented the Medical Marijuana Dispensary Application. Part of the application process will include review by the City County Planning Board. Discussion was held on making the application available on August 5 when the moratorium is lifted so everyone will have equal access. Steinmetz made the motion to approve the Medical Marijuana Dispensary Application and hand out on August 5. Second by Stobaugh. On a voice vote, the motion was unanimously approved.

Snively then discussed implementing Ordinance 2010-15 regarding Medical Marijuana. The new Business License application was submitted for approval. It now includes an Exhibit A for businesses related to Medical Marijuana to disclose employee information which could be verified with the DPHHS (Montana's Department of Public Health and Human Services). Motion by Steinmetz. Second by Krebs. On a voice vote, the motion was unanimously approved.

A letter regarding community decay was submitted by Jeani Feller. It should have been addressed as an abandoned vehicle on a right-of-way and orange tagged. The vehicle has been removed.

**Economic Development: None****OLD BUSINESS:**

Council reviewed an invoice for disc golf materials in the amount of \$3690.95. This amount may require updating the budget. Colstad motioned. Second by Hert. On a voice vote, the motion was unanimously approved.

**NEW BUSINESS:**

Terry Jeffers of the Jailhouse Gallery thanked the Council for their support during Little Big Horn Days. On Friday, August 6, there will be a Duck Derby. This requires closing Center Avenue on the 200 block. Motion by Steinmetz to close the street for the derby. Second by Stobaugh. On a voice vote, the motion was unanimously approved.

Agreements were submitted for creating a disc golf course. One agreement is with the School District, the other with LLM Inc. (Melville). Motion by Steinmetz to approve the agreements. Second by Krebs. On a voice vote, the motion was unanimously approved.

Spirits Casino submitted a Special Events application Motion by Steinmetz to accept the application. Second by Stobaugh. On a voice vote, the motion was unanimously approved.

ALLTEL submitted information about building a cell tower off of 3<sup>rd</sup> and Mitchell on a lot north of Janelle's Kennels. The information explains why they cannot do a co-locate. Motion by Steinmetz to refer to the City-County Planning Board. Second by Stobaugh. On a voice vote, the motion was unanimously approved.

**COMMITTEE REPORTS**

- **Law Enforcement:** Hammond said there would be a Law Enforcement meeting on Thursday morning at 7:30 a.m.
- **Streets & Alleys:** Krebs said the streets are being patched.
- **Sewer & Water:**
- **Finance:** Steinmetz moved to approve claims as presented. Seconded by Stobaugh. On a voice vote, the motion was unanimously approved
- **Parks & Playgrounds:** Colstad reported that Gary Robertson of the hospital is authorized to spend up to \$4999 that could be used to build a pavilion in South Park.

**RESOLUTIONS & ORDINANCES:**

- **Resolution 1911** - Resolution to Establish the City's Policy on Authorizing Expenditures by the City. Stobaugh motioned. Second by Hert. On a voice vote, the motion was unanimously approved. Discussion regarding payroll indicated that Council wanted to approve all new hires and expanding staff.

- **Ordinance 2010-16 – First Reading** – Amendment of Title 1, Chapter 16 Regarding Law Enforcement. This replaces the emergency ordinance that is effective for 90 days. Steinmetz motioned. Seconded by Stobaugh. On a roll call vote, the motion was unanimously approved.

**MAYOR:**

There will be a Public Hearing on Ordinance 2010-16 on August 3, 2010 at 7:30 p.m.

**PUBLIC COMMENTS:**

Al Sargent invited the City to consider purchasing his building. He would be willing to work out an exchange with the City that would involve the Ping building or sell it outright for \$147,000. Anyone who was interested could contact him for a tour.

There being no further business, the meeting was adjourned at 8:34 p.m. upon motion by Stobaugh and second by Steinmetz.



**Kimberly Hammond, Mayor**

**ATTEST:**

 *Finance Officer*  
**Rochelle Angevine, City Clerk**



**THE COMMON COUNCIL  
CITY OF HARDIN, MONTANA**

*PUBLIC HEARING was called to order at 7:30pm with Mayor Hammond presiding. Ordinance 2010-16 Regarding Law Enforcement. No discussion Public Hearing closed @ 7:31pm*

**COUNCIL MEETING: The Regular Council Meeting for August 3, 2010 was called to order at 7:30 p.m. with Mayor Hammond presiding.**

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: Superintendent of Public Works Larry Vandersloot, City Attorney Bob Snively, City Clerk Rochelle Angevine, Police Chief Jeff Arntz and Finance Officer Michelle Dyckman.

**MINUTES OF PREVIOUS MEETING:** Steinmetz made the motion to approve the minutes as written from the July 20, 2010 meeting. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENTS:** none

**MAYOR:** none

**STAFF REPORTS**

- **Public Works:** none
- **Law Enforcement:** Arntz proposed an overtime policy that will be incorporated into the City Policy.
- **Finance/Administration:** Steinmetz made the motion to approve Draw 7 – Collection System \$49,379.38. Motion seconded by Kepp. On a voice vote, the motion was unanimously approved.  
Finance minutes for July 6 and July 20. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.
- **Legal:** Attorney Snively asked the Council for direction on how to proceed with confirming allegations towards the Street Outreach Shelter. Steinmetz stated he was very in favor on closing the shelter. The rest of the Council recommended Snively proceed.  
Fee for Medical Marijuana application to City County Planning Board was discussed. Colstad recommended the fee be raised to \$500. After further discussion Steinmetz moved the fee be set for \$300.
- **Economic Development:** McDowell stated that he has deferred his annual raise and he will continue to pay his own health insurance and cell phone bill as a sign of his dedication. Plans to winterize Detention Center on or before October 1. Larry Bell has been paying utility bills. Steinmetz move to approve the quarterly disbursement of \$17,500. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

**OLD BUSINESS:**

**NEW BUSINESS:**

- Hardin Chevrolet proposed to move their dealership to the Industrial Park. Jamie is asking the City to put a street out there to proposed site. Mayor Hammond asked for more information. Krebs set meeting for Street and Alley Committee for August 10, 2010 at 7pm.

- Steinmetz move to approve Special Beer Permit for Spirits Casino /The Extreme Days event. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.
- Krebs moved to waive the \$50 fee for special permit for Spirits Casino /The Extreme Days event. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved

**COMMITTEE REPORTS**

- **Law Enforcement:** Efforts to integrate services with Big Horn County Sheriff continue. Police have ordered a Swift System \$1200 per license. Hammond presented an Oath of Honor document which is 6 pages long. Mayor Hammond also formed a committee to discuss City Policy Manual, she asked Kepp and Stobaugh to serve on this committee. Both agreed.
- **Streets & Alleys:** Krebs said City crews currently working on preparation for Hardin Extreme days. Krebs plans to install the disk golf course are set for September 23.
- **Sewer & Water** – Kepp stated nothing new to report
- **Finance:** Steinmetz moved to approve claims as presented. Seconded by Stobaugh. On a voice vote, the motion was unanimously approved
- **Parks & Playgrounds:** Colstad reported that she would like to see a pavilion in South Park but it will need more negotiating with the hospital.

**RESOLUTIONS & ORDINANCES:**

- **Resolution 1912** – Resolution to. On a voice vote, the motion was unanimously approved.
- **Ordinance 2010-16 – Second Reading** – Amendment of Title 1, Chapter 16 Regarding Law Enforcement. This replaces the emergency ordinance that is effective for 90 days. Steinmetz motioned. Seconded by Stobaugh. On a roll call vote, the motion was unanimously approved.

**MAYOR:** none

**PUBLIC COMMENTS:**

There being no further business, the meeting was adjourned at 8:45 p.m. upon motion by Stobaugh and second by Steinmetz.



**Kimberly Hammond, Mayor**

**ATTEST:**



**Rochelle Angevine, City Clerk**



**COUNCIL MEETING:** The Regular Council Meeting for August 17, 2010 was called to order with Mayor Hammond presiding.

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, and Harry Steinmetz Jr. With Jeremy Krebs. (Absent)

Also present: Superintendent of Public Works Larry Vandersloot, City Attorney Bob Snively, City Clerk Rochelle Angevine and Finance Officer Michelle Dyckman, City Judge Deb Winburn and Chief of Police, Jeff Arntz.

**MINUTES OF PREVIOUS MEETING:** Stobaugh made the motion to approve the minutes as written from the August 3, 2010 meeting. Motion seconded by Steinmetz. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENTS:** N/A

**MAYOR:** None

**STAFF REPORTS**

- **Public Works:** Larry Vandersloot asked the Council for approval to proceed with a Community Transportation Enhancement Program (CTEP) grant for sidewalks at South Park. Stobaugh made the motion to approve. Motion seconded by Steinmetz. On a voice vote, the motion was unanimously approved.

Larry also asked for approval to proceed applying for a Safe Route to School grant. This is approximately \$100,000.00 grant to improve routes to the Primary and Intermediate schools to include education programs. Steinmetz made the motion to approve. Motion seconded by Hert. On a voice vote, the motion was unanimously approved.

Larry requested approval to proceed with the purchase of a new High Service Pump for the Water Treatment Plant. Kepp made the motion to approve. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

- **Law Enforcement:** Jeff Arntz asked for approval to proceed with a bid process for a City towing contract, primarily to tow vehicles tagged as community decay. Steinmetz made the motion to approve. Motion seconded by Kepp. On a voice vote, the motion was unanimously approved.

Arntz informed the Council that he currently had 5 applications for the Police Commission and would like direction from the council on how to proceed with the selection of that Commission.

Arntz then announced that the police department was awarded a Coal Board Grant for vehicles in amount of \$105,000.

- **Finance/Administration:** Steinmetz made the motion to approve August 3, 2010 Finance Minutes. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.
- **Legal:** City attorney Bob Snively asked for approval to continue with the process of rezoning I-90 Park subdivision. Council directed the attorney to proceed.

Snively asked the council to aggressively start enforcing City Ordinance 9-1-2: Sidewalk Repair. With a plan to mark violations and issuing notices with the option to place repair fees on the owners tax rolls. Council directed the attorney to proceed.

- **Economic Development:** None



**OLD BUSINESS:** None

**NEW BUSINESS:** None

**COMMITTEE REPORTS:**

- **Law Enforcement:** Mayor announced the meeting for August 19, 2010 would be cancelled due to lack of attendees. Meetings will resume the following week.
  
- **Streets & Alleys:**
  - Kepp stated that before the City would commit to paving 300 feet proposed Heth Access Road. The City would need a firm full commitment from Hardin Chevrolet to move out to the Hardin Industrial Park.
  - Per request from Duane Walker from the Hardin High School announcing the desired change of Bus Loading Zone from Miles to Terry. Kepp made a motion to approve this temporary change due to construction on the high school. Seconded by Stobaugh. On a voice vote, the motion was unanimously approved.
  
- **Sewer & Water:** Vandersloot recommended for approval to start the engineering process and put out for bid for the construction of the water main loop from Purple Cow area to Park Road . Kepp made the motion to approve. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.
  
- **Finance:** Steinmetz made the motion to approve all claims as presented. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.
  - Steinmetz made the motion to approve the Utilities and Fuel claims as presented. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.
  
- **Parks & Playgrounds:** Colstad discussed the budgeting for a pavilion for South Park.

**RESOLUTIONS & ORDINANCES:**

**Ordinance 2010-17 – First Reading** – Amendment of Title 9, Chapter 2 Regarding Weeds. Steinmetz motioned to approve. Seconded by Stobaugh. On a roll call vote, the motion was unanimously approved.

**MAYOR:** Announced that there would be Public Hearings on September 7 at 7:00pm regarding the Resolutions on Levies, SILDS, Assessments and Budgets. At 7:30pm there will be a Public Hearing on the Second Reading of Ordinance 2010-17.

There being no further business, the meeting was adjourned at 9:03 p.m. upon motion by Steinmetz and second by Stobaugh



**Kimberly Hammond, Mayor**

**ATTEST:**



**Rochelle Angevine, City Clerk**



*PUBLIC HEARING was called to order at 7:00pm with Mayor Hammond presiding, to discuss the following Resolutions:*

- 1914 – Street Maintenance Dist #2 *No discussion Public Hearing closed @ 7:00pm*
- 1915- Street Maintenance Dist #3 *No discussion Public Hearing closed @ 7:01pm*
- 1916 – Special Improvement Lighting Dist # 33 *No discussion Public Hearing closed @ 7:01pm*
- 1917 – Special Improvement Lighting Dist # 46 *No discussion Public Hearing closed @ 7:01pm*
- 1918 – Special Improvement Lighting Dist # 54 *No discussion Public Hearing closed @ 7:02pm*
- 1919 – Assessing tax to support the Two Rivers Trade Port Authority (TRA) *A letter of support was presented by Jeff McDowell, Director of TRA. No further discussion Public Hearing closed @ 7:03pm*
- 1920 – Assessing the cost of Garbage Disposal *No discussion Public Hearing closed @ 7:03pm*
- 1921 – Levies on taxable Properties *No discussion Public Hearing closed @ 7:04pm*
- 1922 - Adoption of Budget for Fiscal Year 2010-2011 *No discussion Public Hearing closed @ 7:04pm*

*PUBLIC HEARING was called to order at 7:30pm with Mayor Hammond presiding, to discuss ORDINANCE: 2010-17 Amendment of Title 9, Chapter 2 Regarding Weeds. No discussion Public Hearing closed @ 7:31pm*

**COUNCIL MEETING: The Regular Council Meeting for September 7, 2010 was then called to order with Mayor Hammond presiding:**

Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: City Attorney Bob Snively, City Clerk Rochelle Angevine, Public Works Superintendant Larry Vandersloot, City Judge Deb Winburn and Finance Officer Michelle Dyckman.

**MINUTES OF PREVIOUS MEETING:** Steinmetz made the motion to approve the minutes as written from the August 17, 2010 meeting. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

#### **STAFF REPORTS**

- **Public Works:** Vandersloot recommended approval to accept Agreement with Great West Engineering –Amendment 7 addressing the alley behind the 4 Aces: Kepp made the motion to approve. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

Vandersloot requested approval to begin the bid process for the Street Sweeper: Kepp made the motion to approve. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

Vandersloot then updated the Council on Mitchell Road. The County started the engineering process to have Mitchell rebuilt With the City possibly doing from Town Pump to 13<sup>th</sup> Street and the County doing from Town Pump to 3<sup>rd</sup> Street, hoping to begin in spring of 2011.

- **Law Enforcement:** N/A
- **Finance/Administration:** Steinmetz moved to approve the financial meeting minutes for 8/17/2010 and 8/31/2010. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.
- **Legal:** N/A

- **Economic Development:** McDowell informed the Council that he is working on water resources availability for Industrial Park; building database of companies (added another five to list) to recruit; pursuing two avenues re: potential contracts for Detention Facility (I was supposed to meet with a consultant this morning but she bailed out on me); have presentation scheduled next week re: Detention Facility; have nearly completed repairs to plumbing..

**OLD BUSINESS:** Carla Colstad reported on behalf of the City/County Planning Board that the regular board meeting had to be pushed back a week due to the public notice not published in the newspaper. There will be a public meeting September 27, 2010 at 7:30pm at the Public Utility Facility to discuss the proposed Cell Tower in Hardin.

**NEW BUSINESS:** NONE

**COMMITTEE REPORTS:**

- **Law Enforcement:** Mayor N/A
- **Streets & Alleys:** Krebs reported that the City crews are blading roads and alleys preparing for winter. Disc Golf is up and running. Installation was labor cost free.
- **Sewer & Water:** Kepp announced that the water pump has been ordered.
  - **Finance:** Steinmetz moved to approve CLAIMS 12557 – 12693 / #12630 – VOID/ - TOTALLING \$ 321,551.98. The motion also noted specific approval for claims over \$5,000 (included above total): A&I Distributors, \$14,376.00; Great West Engineering , \$27,642.20; Mason Brothers Electric, \$7,309.21; Northwestern Energy, \$17,002.92.
- **Parks & Playgrounds:** Colstad N/A

**RESOLUTIONS & ORDINANCES:**

**RESOLUTIONS:**

- Steinmetz made the motion to approve Resolution 1913. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved
- Steinmetz made the motion to approve Resolution 1914. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.
- Stobaugh made the motion to approve Resolution 1915. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.
- Stobaugh made the motion to approve Resolution 1916. Motion seconded by Steinmetz. On a voice vote, the motion was unanimously approved.
- Stobaugh made the motion to approve Resolution 1917. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved
- Stobaugh made the motion to approve Resolution 1918. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved
- Krebs made the motion to approve Resolution 1919. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved
- Steinmetz made the motion to approve Resolution 1920. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.
- Steinmetz made the motion to approve Resolution 1921. Motion seconded by Kepp. On a voice vote, the motion was unanimously approved.
- Stobaugh made the motion to approve Resolution 1922. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

**Ordinance 2010-17 – Second Reading** – Amendment of Title 9, Chapter 2 Regarding Weeds. Steinmetz motioned to approve. Seconded by Stobaugh. On a roll call vote, the motion was unanimously approved.

**MAYOR:** None

There being no further business, the meeting was adjourned at 7.58 p.m. upon motion by Steinmetz and second by Krebs and Stobaugh.



**Kimberly Hammond, Mayor**

**ATTEST:**



**Rochelle Angevine, City Clerk**





Attest: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date

**COUNCIL MEETING: The Regular Council Meeting for September 21, 2010 was called to order at 7:30 p.m. with Mayor Hammond presiding:**

Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: City Attorney Bob Snively, Finance Officer Michelle Dyckman, Public Works Superintendent Larry Vandersloot, City Judge Deb Winburn and Police Officer Brandon Brashear.

**MINUTES OF PREVIOUS MEETING:** Steinmetz made the motion to approve the minutes as written from the September 7, 2010 meeting. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

### **STAFF REPORTS**

- **Public Works:**

Matovich Oil was the only vendor to submit a bid for the August 13, 2010 fuel bid opening. Vandersloot recommended approval. Motion by Steinmetz, second by Kepp. On a voice vote, the motion was unanimously approved.

Vandersloot found a mower for \$11,500 from Titan Machinery. The old one will be sold. Motion for approval to purchase the mower from Titan Machinery was made by Steinmetz. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

Great West prepared a probable cost of \$58,438 for fixing storm water drainage issues by the Four Aces. Vandersloot has contacted the State about funding. They will not help fund the project. Discussion concerned the liability this area presents, that it does need to be addressed, and pursuing State support. Steinmetz made a motion to go to bid at this time. Second by Stobaugh. On a voice vote, the motion was unanimously approved.

S Bar S submitted a bid for a 24X30 pavilion in South Park for \$8,826. This includes labor to build it. Krebs made a motion to accept the bid. Second by Colstad. The bid does not include concrete. The hospital has indicated they could help with \$4,999. Krebs amended motion to include going to bid for the concrete. Second by Colstad. On a voice vote, the motion was unanimously approved.

A conditional use permit was submitted by Wade Bastrom to bring in a 1984 Fleetwood mobile home. Dallas Eidem, Building Inspector, wrote a letter about needed improvements. Colstad noted concerns with allowing a mobile home older than 20 years into the City. Steinmetz made a motion to approve the Conditional Use Permit as long as Eidem's recommendations were followed. Second by Kepp. Motion passed 5/1 (Colstad dissent).

- **Law Enforcement: N/A**

Police Officer Brandon Brashear reported on his training in Helena last week.

- **Economic Development:** McDowell informed the Council that he sent letters to three alternative vendors for the Industrial Park: an ATV manufacturer, and internet education service, and a high-tech manufacturer. He did a Tribal Leaders Council presentation last week and may have found a potential population for the Detention Center.

- **Finance/Administration:** Steinmetz moved to approve the Finance Meeting minutes for September 7, 2010. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

To use the State's Cooperative Purchasing program, Dyckman recommended the Memorandum of Understanding between the State and the City be approved. Motion by Steinmetz, with a second by Stobaugh. On a voice vote, the motion was unanimously approved.

- **Legal:** N/A

#### **OLD BUSINESS:**

#### **NEW BUSINESS:**

Carolyn Hays spoke on behalf of her daughter who has a property in Hardin, but lives in Spokane. She questioned the weed removal process. Vandersloot recommended that the owner pay the cost for mowing, waiving the administrative costs for this time only. It was noted that a property owner has a responsibility to know ordinances related to upkeep of a property. Motion by Colstad, second by Krebs. Motion passed 5/1 (Hert dissent).

Steinmetz made a motion: "that Council ratify the action that the Mayor took based upon legal advice and the City's Personnel manual on August 31, 2010 in terminating probationary employees Jeff Arntz and Francesca Brashear. The Council on August 31<sup>st</sup> unanimously agreed with the Mayor's action in terminating probationary employees Jeff Arntz and Francesca Brashear. To make it clear to the public I move that Council now confirm their earlier discussion that the Mayor's termination of Jeff Arntz and Francesca Brashear was with the approval of the City Council." Second by Stobaugh. On a voice vote, the motion was unanimously approved.

#### **COMMITTEE REPORTS:**

- **Law Enforcement:**

Based upon the September 16<sup>th</sup> Law Enforcement meeting, Mayor Hammond recommended that the Council re-open the Chief of Police position. It would be published on September 23 and 30, with a closing date of October 7. Motion by Steinmetz, second by Krebs. On a voice vote, the motion was unanimously approved.

Hammond presented Police Department policies for Electronic Control Devices; Use of Force; and Vehicular Pursuit for approval. Motion by Steinmetz, second by Stobaugh. On a voice vote, the motion was unanimously approved.

Discussion ensued as to what Council would direction the Police Department should take and how to coordinate with Big Horn County Sheriff Department. The consensus was to try to get Officer Brandon Brashear out on the street, working with the Sheriff's office like an additional officer, with both the Sheriff and Police departments backing up each other.

The Mayor indicated she would like to recuse herself from the hiring process of the Police Chief. Council President Harry Steinmetz Jr. will preside over the hiring process

- **Streets & Alleys:** Krebs indicated that some of the streets needing repairs will be done next year. He mentioned that he will be hosting a Disc Golf Fun Day on Saturday, September 25 from 11-2.
- **Sewer & Water:** Kepp reported that the basins are getting full and will be flushed tomorrow.
- **Finance:** Steinmetz made the motion to approve claims as presented including those over \$5,000: City-County Planning Board for \$5,000; RCI Energy for \$21,506.82; School District for \$31,000 and the proposal submitted by Judge Winburn for the point to point system needed for the court for \$14,826.99 (Big Horn County has committed a match of \$31,372.00). Second by Stobaugh. On a voice vote, the motion was unanimously approved.

- **Parks & Playgrounds:** Colstad asked about restrooms. To move the ones at South Park would be difficult because of where the sprinkler controls are located. It would be fairly easy to install some at Heimat Park because there are lines stubbed in already.

**RESOLUTIONS & ORDINANCES:**

**RESOLUTION NO. 1923:** Resolution of Intention of the City of Hardin, Montana to Increase rates and Charges for the Users of the Water and Sewer Systems.

Dyckman informed Council this proposed 3% increase would raise the average residential bill (7,300 gallons per month usage) by \$1.82. The minimum residential bill (3,000 gallons per month) would increase \$1.48.

Stobaugh made a motion to approve the resolution and change the minimum to include 7,300 gallons of water per month. Second by Kepp.

In the course of discussion, it was noted that currently a 7,000 gallon per month usage is \$10.00 per month more than the minimum of 3,000 gallons. Steinmetz thought that revenues could decrease. With no aye votes, the motion failed.

Steinmetz moved to approve Resolution No. 1923 as presented. Second by Colstad. Motion passed 5/1 (Stobaugh dissent).

**MAYOR:** None

There being no further business, the meeting was adjourned at 8:44 p.m. upon motion by Stobaugh and second by Steinmetz.



**Kimberly Hammond, Mayor**

**ATTEST:**



**Rochelle Angevine, City Clerk**







7:30 p.m. **BID OPENING:** Mayor Hammond opened the one bid received for the street sweeper. Titan Machinery submitted a bid for \$181,910.63.

**COUNCIL MEETING: The Regular Council Meeting for October 5, 2010 was then called to order with Mayor Hammond presiding:**

Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: City Attorney Bob Snively, Finance Officer Michelle Dyckman, Public Works Superintendent Larry Vandersloot, City Judge Deb Winburn and Police Officer Brandon Brashear.

**MINUTES OF PREVIOUS MEETING:** Steinmetz made the motion to approve the minutes as written from the September 21, 2010 meeting. Seconded by Krebs. On a voice vote, the motion was unanimously approved.

**STAFF REPORTS**

• **Public Works:**

Vandersloot recommended that Council award the bid for the street sweeper to Titan Machinery pending review. Motion made by Steinmetz, seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

The mower for \$11,500 from Titan Machinery has been found to need about \$5,000 of hydraulic pump repairs. By allowing \$3,000 for a trade-in, Titan can get the net cost to the City to \$13,500. Vandersloot recommended proceeding. Motion made by Steinmetz, seconded by Stobaugh. Motion passed 5/1 (Kepp dissent).

Different lifts have been demoed by the City. H & E Equipment has a 2006 model for \$38,500 that will meet our needs. Steinmetz made a motion to purchase, seconded by Colstad. On a voice vote, the motion was unanimously approved.

The Mitchell Road Improvement plan was reviewed. This was referred to the Streets and Alleys committee.

• **Law Enforcement:**

Police Officer Brandon Brashear has been out patrolling for the last two weeks, working with the County.

• **Economic Development:** N/A

• **Finance/Administration:** Steinmetz moved to approve the Finance Meeting minutes for September 21, 2010. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

• **Legal:** District Court Judge Jones denied Hochhalter's petition for an injunction against the City.

**OLD BUSINESS:**

**NEW BUSINESS:**

Colstad noted that although the City-County Planning Board recommended on a 4-2 vote to allow the cell tower to proceed at Janelle Enzminger's site, the two adjoining land owners (Larry Dorn and Betty Wooten) had protested.

Patrick Doyle of Tower Engineering Professionals indicated that this site met the objectives of the engineers for AT&T.

Discussion indicated that the Growth Management Plan provides for residences in the proposed area, and a cell tower would not be appealing in a residential area. Mayor Hammond asked if anyone would make a motion granting approval of the Enzminger site for the cell tower. No motion was made.

Mr. Doyle was invited to meet with Vandersloot to view other sites or to pursue options with the school district.

**COMMITTEE REPORTS:**

• **Law Enforcement:**

The Law Enforcement Hiring Committee will meet on Thursday at 5:30 p.m. The change from morning to evening allows for all applications to be reviewed after the 5:00 closing.

- **Streets & Alleys:** Grading of the alleys has been done. Krebs scheduled a Streets and Alleys committee meeting for Wednesday, October 13 at 6:30 p.m.

- **Sewer & Water:** N/A

- **Finance:** Steinmetz made the motion to approve claims as presented including those over \$5,000: Mason Brothers Electric for \$6,958.40, Melville Ready Mix for \$7,593.50, MT Department of Environmental Quality for \$12,893.90 and Reporter Big Sky Office Inc for \$5,864.11. Seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

- **Parks & Playgrounds:** The start of construction for the pavilion is scheduled for November 1. The restrooms have been closed for the year, meaning the vandals are now painting the outside.

**MAYOR:** There will be a Public Hearing for Water and Sewer rate increases on October 19 at 7:00 p.m.

There being no further business, the meeting was adjourned at 8:13 p.m. Motion made by Steinmetz and seconded by Stobaugh.

  
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**Kimberly Hammond, Mayor**

**ATTEST:**

  
**Rochelle Angevine, City Clerk**



*PUBLIC HEARING on Water and Sewer Rate Increase was called to order at 7:00pm with Council President Harry Steinmetz, Jr. presiding.*

*Audience member Michael Martinson asked how much of this rate was to maintain the Industrial Park. Larry Vandersloot stated the Industrial Park was built from a bond infrastructure. Martinson then asked was his increase based on Commercial or residential rate. Michelle Dyckman stated he was zoned as residential so it should be based on that.*

*With no further discussion the Public Hearing CLOSED at 7:06pm*

**COUNCIL MEETING: The Regular Council Meeting for October 19, 2010 was called to order at 7:30 p.m. with Council President Steinmetz presiding:**

Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs. Mayor Hammond absent.

Also present: City Clerk Rochelle Angevine, Finance Officer Michelle Dyckman, Public Works Superintendent Larry Vandersloot, City Judge Deb Winburn and Police Officer Brandon Brashear.

**MINUTES OF PREVIOUS MEETING:** Stobaugh made the motion to approve the minutes as written from the September 7, 2010 meeting. Motion seconded by Krebs and Kepp. On a voice vote, the motion was unanimously approved.

**STAFF REPORTS**

**Public Works:** Vandersloot asked per a request by Bruce Hammond that Hammond be granted a water tap to city water in exchange for 1 acre of land adjacent to the Water Towers. Hammond would be responsible for the cost of installation as well as his monthly use of water. Kepp moved to approve. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

Vandersloot requested approval to grant Big Horn County an eighteen (18) inch right-of-way on the East side entrance of the Courthouse due to construction of a handicap ramp. Krebs moved to approve. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

Vandersloot informed the Council that he spoke to the County and that they will accept Mitchell Avenue's Option 1 (City's contribution of \$250,000) but that the City will maintain the 910 feet North of Town Pump. Krebs moved to approve. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

Wade Bastrom submitted a letter to have his sewer charges waived. After reviewing the average sewer charges for same property over the last two (2) years, it was Vandersloot's recommendation to the Council to waive \$746.35 of Bastrom's sewer bill. Stobaugh moved to approve. Motion seconded by Colstad. On a voice vote, the motion was unanimously approved.

**Law Enforcement:** Police Officer Brandon Brashear reported that he has his winter gear in and that the SWIFT program is working. Steinmetz announced that the Chief of Police job opening has been extended to October 29, 2010.

**Finance/Administration:** Stobaugh moved to approve the Finance Meeting minutes for October 5, 2010. Motion seconded by Kepp. On a voice vote, the motion was unanimously approved.

**Legal:** N/A

**Economic Development:** McDowell reported on a possible re-entry program interest for the detention center. And that TRA was still operating well within their budget.

**OLD BUSINESS:** N/A

**NEW BUSINESS:** Leslie Gorey from Tower Engineering Professional on behalf of AT&T and property owner Janelle Enzminger spoke to the Council about the design and intention of the cell tower proposed. Gorey stated the tower would be a Mono-pole with no tension wires. The proposed position of the tower was ideal to complete the necessary coverage needed for the Downtown area. Steinmetz entertained a motion. None was made.

Gorey then asked the Council what the next step would be. She was advised to speak with the City Attorney Bob Snively regarding the next step options.

**COMMITTEE REPORTS:**

- **Law Enforcement:** n/a
- **Streets & Alleys:** Krebs indicated that there will be an notice in the paper regarding Alley clean-up
- **Sewer & Water:** Kepp noted that the utility billing increases are being decided tonight.
- **Finance:** Kepp made the motion to approve claims as presented including those over \$5,000: Second by Stobaugh. On a voice vote, the motion was unanimously approved.
- **Parks & Playgrounds:** Colstad announced that color and location of the new pavilion in South Park will be decided this week.
- 

**RESOLUTIONS & ORDINANCES:**

**RESOLUTION NO. 1924:** The City of Hardin, Montana to Increase rates and Charges for the Users of the Water and Sewer Systems. Krebs moved to approve. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

**RESOLUTION NO. 1925** – Regarding City Credit Cards. Increasing the number of City credit cards to six (6) ) by adding Debbie Winburn with each card having a \$1500 limit. Kepp moved to approve. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

**MAYOR:** N/A

There being no further business, the meeting was adjourned at 8:07 p.m. upon motion by Stobaugh and second by Krebs



**Kimberly Hammond, Mayor**

**ATTEST:**



**Rochelle Angevine, City Clerk**



**COUNCIL MEETING: The Regular Council Meeting for November 2, 2010 was called to order with Mayor Hammond presiding:**

Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: City Clerk Rochelle Angevine, City Attorney Bob Snively, Finance Officer Michelle Dyckman, and City Judge Deb Winburn.

**MINUTES OF PREVIOUS MEETING:** Steinmetz made the motion to approve the minutes as written from the October 18 meeting to include the correction of adding a *d* to the word *approve* in the RESOLUTION & ORDINANCE section; Resolution 1925 in sentence four (4). Seconded by Stobaugh/Krebs. On a voice vote, the motion was unanimously approved.

Snively asked that The Council approve the addition of Resolution 1927 regarding the amending of water rate increase to the agenda. Steinmetz made the motion. Seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

**STAFF REPORTS**

**Public Works:** Snively asked for approval of the Interstate Engineering contract amendment addressing the water loop on behalf of Larry Vandersloot. Kepp made the motion to approve the amendment. Seconded by Krebs. On a voice vote, the motion was unanimously approved.

**Law Enforcement:** N/A

**Finance/Administration:** Dyckman asked the council to approve Draw 8 (TSEP) for the sewer project for \$32,006.10. Steinmetz made the motion to approve the Draw 8. Seconded by Krebs. On a voice vote, the motion was unanimously approved.

**Legal:** N/A

**Economic Development:** Chris Mehus from Beartooth RC & D presented an annual update on what RC&D has done over the last year.

**OLD BUSINESS:** Steinmetz requested the Cell Tower construction be revisited. At the last Council meeting it was explained that the Tower would be a POLE along with the fact that the proposed area is properly zoned for this. Steinmetz moved to approve the Cell Tower with the conditions that AT&T would light the tower for aircraft safety and add shrubs around the fence. Kepp asked the AT&T representatives if these conditions were acceptable and they indicated that there was no problem. Motion was then seconded by Krebs. On a voice vote, the motion was approved. (5/1) With Colstad voting Nay

**NEW BUSINESS:**

**COMMITTEE REPORTS:**

- **Law Enforcement:** None
- **Streets & Alleys:** Krebs announced that alley clean up will be November 1-12.
- **Sewer & Water:** Kepp spoke briefly on Resolution 1927 which will amend Resolution 1924.
- **Finance:** Steinmetz made the motion to approve claims as presented including Interstate Engineering Claim for \$5367.60. Seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

- **Parks & Playgrounds:** The start of construction for the pavilion is scheduled for end of November. And the Sidewalks for South Park are scheduled to start in spring of 2011.

**RESOLUTIONS & ORDINANCES:**

RESOLUTIONS: 1926 – Resolution to approve Assessments being placed on the real property tax rolls as a special assessment. Steinmetz made the motion to approve. Seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

RESOLUTIONS: 1927 – Amendment to Resolution 1924 which increased rates and charges for the users of the water and sewer systems. Krebs made the motion to approve. Seconded by Stobaugh/Kepp. On a voice vote, the motion was unanimously approved.

**MAYOR:** N/A

There being no further business, the meeting was adjourned at 8:02 p.m. Motion made by Steinmetz and seconded by Stobaugh.



**Kimberly Hammond, Mayor**

**ATTEST:**

  
**Rochelle Angevine, City Clerk**

**COUNCIL MEETING:** The Regular Council Meeting for November 16, 2010 was called to order at 7:30 p.m. with Mayor Hammond presiding:

Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: City Clerk Rochelle Angevine, Finance Officer Michelle Dyckman, Public Works Superintendent Larry Vandersloot, and other interested parties.

**MINUTES OF PREVIOUS MEETING:** Steinmetz made the motion to approve the minutes as written from the November 2, 2010 meeting. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENTS:** None

**MAYOR:** Mayor Hammond re appointed Tom Zelka as a representative of the City of Hardin to the City-County Planning Board.

Hammond asked for those interested in the newly opened position as City's representative to the Big Horn Conservation District, submit a letter of interest to the City Council at 406 N Cheyenne.

#### STAFF REPORTS

**Public Works:** N/A

**Law Enforcement:** N/A

**Finance/Administration:** Dyckman announced to the council the acceptance of 6/30/09 Audit response.

Steinmetz moved to approve the Finance Meeting minutes for November 2, 2010. Motion seconded by Kepp. On a voice vote, the motion was unanimously approved.

**Legal:** N/A

**Economic Development:** McDowell reported that a new franchises and a new business have opened up in Hardin. McDowell is continuing to work on the Detention Center and TRA's audit requirements for the City auditor.

**OLD BUSINESS:** N/A

**NEW BUSINESS:** City-County Planning Board recommended to the City Council to approve Yellowstone Patient Care to establish a medical marijuana dispensary in the City of Hardin at 115 E Railroad Street.

Owner/operator Kevin Wold asked to address the Council; he dispensed an information packet and pictures of his other offices, to show how he plans to set this office up in Hardin. After some discussion, Mayor Hammond entertained a motion to approve this business. Colstad made the motion to approve with three (3) conditions. 1) The signage on the building will be just like the other Yellowstone Patient Care's offices. Pictures were presented at the meeting and copies of those photos will be placed in the November 2010, Council Packet. 2) The hours of operation are Monday, Wednesday and Friday from 10:30am to 6:30pm. 3) That Yellowstone Patient Care will never dispense marijuana that was grown in Big Horn County. Mr. Wold agreed to these conditions. Seconded by Krebs. On a voice vote the motion was passed 4/2 with Hert and Kepp voting 'nay'.



**COMMITTEE REPORTS:**

- **Law Enforcement:** N/A
- **Streets & Alleys:** Krebs reported that the crews had finished up with the Alley clean-up And the repairing of the streets are done until spring.
- **Sewer & Water:** Kepp stated nothing new to report
- **Finance:** Steinmetz made the motion to approve claims as presented including those over \$5,000: Second by Stobaugh. On a voice vote, the motion was unanimously approved.
- **Parks & Playgrounds:** Colstad mentioned that construction of the pavilion may be postponed until spring.

**RESOLUTIONS & ORDINANCES:**

**MAYOR:** Hammond announced the 3<sup>rd</sup> Annual HRC Main Street & Beyond Christmas Stroll will be December 3, 2010 from 5pm until 8pm.

There being no further business, the meeting was adjourned at 7:47p.m. upon motion by Stobaugh and second by Krebs



**Kimberly Hammond, Mayor**



**ATTEST:**



**Rochelle Angevine, City Clerk**

**COUNCIL MEETING:** The Regular Council Meeting for December 7, 2010 was called to order with Mayor Hammond presiding.

**ROLL CALL:** Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: Public Works Superintendent Larry Vandersloot, City Attorney Bob Snively, City Clerk Rochelle Angevine and Finance Officer Michelle Dyckman.

**MINUTES OF PREVIOUS MEETING:** Steinmetz made the motion to approve the minutes as written from the November 17, 2010 meeting. Motion seconded by Stobaugh and Kepp. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENTS:** Michelle Dyckman thanked the Council for passing the snow removal ordinance.

**MAYOR:** Hammond asked the council how they felt about her, on behalf of the City, signing a letter of support for a Health Care Center in Hardin. The Council encouraged Mayor Hammond to proceed.

**CHAMBER of COMMERCE:** N/A

#### STAFF REPORTS

**Public Works:** Vandersloot recommended the Council to approve the CTEP project for South Park sidewalk. Krebs made that motion. Motion seconded by Kepp. On a voice vote, the motion was unanimously approved

**Law Enforcement:** Officer Brashear gave a report about his latest training in Helena.

**Finance/Administration:** Steinmetz moved to approve the Financial Meeting minutes for November 17, 2010. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved. Dyckman then informed the Council on some MMIA Training available.

**Legal:** N/A

**Economic Development:** McDowell stated the old Sugar Factory building is coming down. Yochum Contracting plans to keep the city informed.

#### **OLD BUSINESS:**

**NEW BUSINESS:** Approval to take steps to destroy (on/after January 1, 2011) the following documents:

TIME RECORDS: All prior to December 31, 2006

BUSINESS LICENSE COPIES: All prior to December 31, 2006

Liquor License all prior to December 31, 2000

CLAIMS: All prior to December 31, 2000

W-2 Forms: All prior to December 31, 2000

CRIMINAL CASE FILES: All prior to December 31, 2000 was given by motion Stobaugh. . Motion seconded by Kepp. On a voice vote, the motion was unanimously approved

#### COMMITTEE REPORTS

- **Law Enforcement:** Hammond reported the city is still in the process of hiring a Chief of Police.

- **Streets & Alleys:** Krebs reported the City is grading the road and continues to remove snow. Mitchell Avenue project plans to be ready by end of January, beginning of February.
- **Sewer & Water:** Kepp stated the water pump is in route Interstate Engineering is working on the Water loop Project.
- **Finance:** Steinmetz made the motion to approve claims as presented including those over \$5,000: Motion seconded by Kepp. On a voice vote, the motion was unanimously approved.  
Steinmetz also moved to approve allowing the City Court no more than 32 hours of overtime to transfer documents from Image Silo. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved  
Steinmetz then moved to resubmit the janitorial contract for the city. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved
- **Parks & Playgrounds:** N/A

**RESOLUTIONS & ORDINANCES:** N/A


**MAYOR:** Reminded the Council that the City Christmas Party was Friday December 10 and donations would be appreciated.

There being no further business, the meeting was adjourned at 7:53 p.m. upon motion by Steinmetz and second by Stobaugh.



\_\_\_\_\_  
Kimberly Hammond, Mayor

ATTEST:

  
\_\_\_\_\_  
Rochelle Angevine, City Clerk

**COUNCIL MEETING: The Regular Council Meeting for December 21, 2010 was called to order at 7:30 p.m. with Mayor Hammond presiding:**

Upon roll call the following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Harry Steinmetz Jr. and Jeremy Krebs. Bill Stobaugh was sick.

Also present: City Attorney Bob Snively, Finance Officer Michelle Dyckman, Public Works Superintendent Larry Vandersloot, and City Judge Deb Winburn.

**MINUTES OF PREVIOUS MEETING:** Steinmetz made the motion to approve the minutes as written from the December 7, 2010 meeting. Motion seconded by Kepp. On a voice vote, the motion was unanimously approved.

Mayor Hammond presented a letter to Council indicating that Officer Brashear will be allowed limited personal use of the patrol car.

She asked for Council to review the City's policy on charges for copies and releasing information. Newspaper Editor Jamie Spainhower noted that she has never been required to pay for a meeting packet.

#### **STAFF REPORTS**

- **Public Works:**

Vandersloot noted that the well at the wastewater treatment plant was shot. Estimated costs for a new well run from \$3000 - -\$3500. The motor also needs replacing. A reconditioned one is about \$1800 and a new one is \$2300. These costs were not considered in the budget. Motion by Steinmetz for well replacement and a new motor, second by Krebs. On a voice vote, the motion was unanimously approved.

Vandersloot requested approval for Phase 1B: 2010 Wastewater UV Disinfection Improvements to the lowest responsible bidder of Dick Anderson Construction for a base bid of \$352,468. Motion by Kepp, second by Steinmetz. On a voice vote, the motion was unanimously approved.

- **Law Enforcement:** N/A

- **Economic Development:** N/A

- **Finance/Administration:** Steinmetz moved to approve the Finance Meeting minutes for December 7, 2010. Motion seconded by Krebs. On a voice vote, the motion was unanimously approved.

- **Legal:** Snively requested the City implement a policy regarding releasing information to the press. Mayor Hammond wanted to know if Council would want to appoint a media representative for the City. This will be addressed at the next meeting.

#### **OLD BUSINESS:**

#### **NEW BUSINESS:**

Bill Hodges, Treasurer for the Chamber of Commerce requested Council review the contract between them and the City. The current contract states the Chamber is responsible for taxes and assessments. Until recently this had not been enforced and the City was paying it. Colstad motioned to waive the taxes for this year and modify the existing contract. Second by Steinmetz. On a voice vote, the motion was unanimously approved.

**COMMITTEE REPORTS:**

• **Law Enforcement:**

Snively outlined the Dispatch Agreement with the County. The City will be responsible for salary and benefits for 3 dispatchers. This will be based on the average of dispatchers. Credits will be given for 911 money and taxes assessed by the County. Net cost to the City should be around \$50,000 and will be adjusted annually. Motion by Steinmetz, second by Kepp. On a voice vote, the motion was unanimously approved.

• **Streets & Alleys:** Krebs reported that the streets are being sanded and surveying along Mitchell Avenue is being done for the road improvement project.

• **Sewer & Water:** Kepp reported that the pump is in for the water plant and the generator for the lift station.

• **Finance:** Steinmetz made the motion to approve claims as presented including those over \$5,000:

| Claim No.         | Vendor                       | Purpose   | Amount       |
|-------------------|------------------------------|---|--------------|
| 13116             | Big Horn County              | MOU less wages & benefits                       | \$94,753.28  |
| 13102             | Denning, Downey & Associates | 2010 Audit                                      | \$11,950.00  |
| 13108             | First Interstate Bank        | SID #119  | \$6,022.50   |
| 13109             | Little Horn State Bank       | SID #119  | \$6,022.50   |
| 13082             | US Bank                      | Landfill Loan<br>(includes additional \$30,000) | \$98,162.50  |
| 13105             | US Bank                      | Sewer loan                                      | \$72,712.50  |
| 13106             | US Bank                      | Sewer loan                                      | \$9,320.00   |
| 13107             | US Bank                      | Sewer loan                                      | \$22,512.50  |
| 13117             | Waterworks Industries Inc    | Pump & spare parts kit                          | \$40,233.01  |
| TOTAL over \$5000 |                              |   | \$361,688.79 |

**TOTAL of all claims presented: \$374,835.95**

Second by Krebs. Motion passed 4/1 (Kepp dissent)

• **Parks & Playgrounds:** N/A

**RESOLUTIONS & ORDINANCES:**

**Ordinance No. 2010-18:** An Ordinance Authorizing the Amendment of Title 10, Chapter 2 Regarding Traffic Regulations

This Ordinance basically will adopt the State's traffic regulations for the City. Motion by Steinmetz, second by Hert. On an individual voice vote, the first reading of the ordinance was unanimously approved. There will be a Public Hearing on Tuesday, January 4, 2011 at 7:00 p.m. for this Ordinance.

**Ordinance No. 2010-19:** An Ordinance Authorizing the Amendment of Title 4, Building Regulations, to Require Street Numbers

This Ordinance will require uniform house numbering so emergency services can find buildings easier. Non-compliance of any ordinance is subject to a fine of up to \$500 or six months. Motion by Steinmetz, second by Kepp. On an individual voice vote, the first reading of the ordinance was unanimously approved. There will be a Public Hearing on Tuesday, January 4, 2011 at 7:00 p.m. for this Ordinance.

**MAYOR:**

There being no further business, the meeting was adjourned at 8:15 p.m. upon motion by Steinmetz and second by Krebs.



Kimberly Hammond, Mayor

**ATTEST:**



Michelle Dyckman, Finance Officer





**THE COMMON COUNCIL  
CITY OF HARDIN, MONTANA**

December 28, 2010 - Minutes

**COUNCIL MEETING: The Special Council Meeting for December 28, 2010 was called to order at 7:00 p.m. with Mayor Hammond presiding:**

The following Aldermen were present: Carla Colstad, Bill Hert, Kenton Kepp, Bill Stobaugh, Harry Steinmetz Jr. and Jeremy Krebs.

Also present: City Attorney Bob Snively, and Finance Officer Michelle Dyckman.

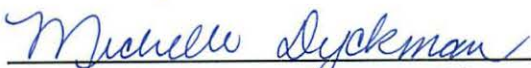
Ten business submitted applications for different types of liquor licenses. Snively clarified that the ordinance indicates that licenses are to be submitted by January 1. Since this is a holiday, the next business day of January 3, 2011 becomes the final due date for licensing. Steinmetz made the motion to approve the licenses submitted and include those that submit and pay by January 3, 2011. Motion seconded by Stobaugh. On a voice vote, the motion was unanimously approved.

There being no further business, the meeting was adjourned at 7:07 p.m. upon motion by Steinmetz and second by Stobaugh.



**Kimberly Hammond, Mayor**

**ATTEST:**



**Michelle Dyckman, Finance Officer**





