

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

**COUNCIL MEETING: The Regular Council Meeting for January 5, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present by virtual meeting: Harry Kautzman, Clayton Greer, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs.

Also present by virtual meeting: Finance Officer/City Clerk Andrew Lehr, Public Works Director Rock Massine, Deputy City Clerk Angela Zimmer, City Attorney Jordan Knudsen and several members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Kautzman made the motion to approve the Council minutes as written for December 15, 2020. Motion seconded by Krebs. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for January 5, 2021:

	CLAIM No.		Monthly Total
October, 2020	26622	\$	285.35
November, 2020	26624	\$	9,939.91
December, 2020	26619 - 26621, 26623 26625 - 26640, 26666 - 26683	\$	349,344.87
January, 2021	26641 - 26665	\$	<u>9 180.83</u>
Expenditures Transfer funds	26623	\$	237,998.41
<b>Claims Total (Expenditures)</b>		<b>\$</b>	<b>606,894.02</b>
Transfer		\$	(237,998.41)
December, 2020 Payroll		\$	<u>147,416.23</u>
<b>TOTAL Submitted</b>		<b>\$</b>	<b>516,311.84</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:**

**MAYOR:**

Mayor Purcell introduced Heidi Christison of Interstate Engineering. Christison provided an update on the Downtown Revitalization Project. She reported they have currently received one hundred and sixty responses to the City of Hardin Growth Management Plan survey. She added the responses currently received from the survey have provided a combined interest in what the community would like to see. Christison reported that they have not held large public meetings due to COVID-19. She is currently working on the Growth Management Plan. Mayor Purcell asked what the timeline was for the project. Christison noted it is due in October.

Mayor Purcell reported the floor has been painted and the shelving has been installed in the new storage room at City Hall.

**COMMITTEE REPORTS:**

**Personnel Policy/City Policy:**

Mayor Purcell reported he is expecting a recommendation from the Police Commission regarding a Chief of Police. He extended a "Thank You" to the commission and to Lehr for their contributions to the process.

Mayor Purcell reported the Maintenance Worker II position remains open.

Mayor Purcell read a letter that was submitted by Public Works Director Rock Massine. Massine will retire from the City on the 15<sup>th</sup> of January. In the letter Massine noted he will miss working for the City, and with his friends and colleagues. He thanked the City for the support he received during his employment. Mayor Purcell extended a "Thank You" to Massine for his years of service and added he didn't want to see him go. Molina asked Massine what it would take to make him stay. Massine voiced she would have to call the Mayor. Each Council member thanked Massine for his years of service.

Greer noted the limitations for alley clean up exclude items that contain freon and tires. He asked if the City could start picking up tires. He added that he sees them everywhere. Massine agreed it is a problem. Greer voiced the tires collect water, draw mosquitoes, and they are a nuisance. Massine noted the City could maybe pick up tires one time a year. A landfill committee meeting will be scheduled for further discussion.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

Massine reported the City crew has picked up Christmas trees and the City is currently working on the alleys for Alley Clean-up.

Krebs asked when Council will be returning to the Council Chambers for meetings. Mayor Purcell reported the goal for the next meeting is to have Council present in Council Chambers and the public can attend the meetings virtually.

**Parks & Playgrounds:**

Krebs asked for a committee meeting to be scheduled for the second Council meeting in February.

**Finance/Landfill:**

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

**UNFINISHED BUSINESS:**

Mayor Purcell reported the draft for the curb stop ordinance will be updated by Knudsen.

**NEW BUSINESS:**

Knudsen submitted a request for records disposal for legal. Sharpe motioned to approve the request. Espinoza seconded. On a voice vote the motion was unanimously approved.

**STAFF REPORTS:**

**Public Works:**

Massine reported the City crew has been doing alley clean up and the Christmas tree in the Plaza has been removed. He reported the control cabinet in Industrial Park has been replaced and the fire hydrant has been fixed. They were damaged last year.

Massine noted the City is close to completing the installation of the fence at the landfill. He added that Barry Damschen, of Engineering Consulting Services, had recommended in the past for a fence to be put up to keep livestock out of the landfill.

**Finance:**

Lehr reported the Annual Financial Report (AFR) has been submitted. He reviewed the Management's Discussion and Analysis (MD&A), a review of the AFR.

**Legal:**

**Economic Development:**

Mayor Purcell reported that Interstate Engineering is conducting a survey for the City of Hardin Growth Management Plan. To take the online survey, visit <https://interstateeng.com/hardin> or visit their Facebook page for the survey and for virtual meeting information at <https://www.facebook.com/hardingrowthplan/>.

Mayor Purcell asked Massine about the Pre-Bid Conference for the Sewer Main Replacement Project that was scheduled for today. Massine provided a review.

**RESOLUTIONS & ORDINANCES:**

**ANNOUNCEMENTS:**

Mayor Purcell announced the City of Hardin will be closed Monday, January 18<sup>th</sup> in Observance of Martin Luther King Day.

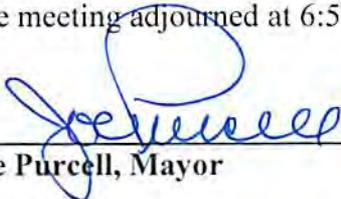
The Maintenance Worker II position is open until filled. The Police Chief position is pending a recommendation from the Police Commission.

The Pre-Bid Conference for the Phase I Sewer Main Replacement Project was held today at 1:00 p.m. and the Public Opening of Bids is scheduled for January 13, 2021 at 2:00 p.m. The Public Opening of Bids will be held by virtual meeting.

Mayor Purcell noted the current plan is to have the next meeting in Council Chambers.

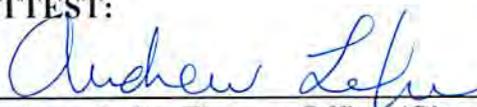
Sharpe motioned to adjourn the meeting. Molina seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 6:57 p.m.

  
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Joe Purcell, Mayor



ATTEST:

  
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Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING:** The Regular Council Meeting for January 19, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Chris Sharpe and Antonio Espinoza.

The following Aldermen were present by virtual meeting: Harry Kautzman and Clayton Greer. Karen Molina and Jeremy Krebs were excused.

Also present: Finance Officer/City Clerk Andrew Lehr, Assistant Public Works Director Michael Hurff, and Deputy City Clerk Angela Zimmer.

Also present by virtual meeting: City Attorney Jordan Knudsen and several members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Sharpe made the motion to approve the Council and committee minutes as written for January 5, 2021. Motion seconded by Espinoza. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for January 19, 2021:

	CLAIM No.	Monthly Total
December, 2020	26684 - 26691, 26696 - 26697 26703, 26705 - 26706	\$ 53,237.92
January, 2021	26692 - 26695, 26698 - 26702 26707 - 26709	\$ <u>2,076.71</u>
<b>TOTAL Submitted</b>		<b>\$ 55,314.63</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:**

**MAYOR:**

Mayor Purcell reported there is a Legislative Hearing scheduled for tomorrow regarding Wastewater Treatment Plant Project funds; there are currently two grant applications that are pending for the Hardin Police Department; and records have been moved into the supply room at City Hall. Mayor Purcell extended a "Thank You" to Braaton Construction for their work and for completing the project under the estimate amount.

Mayor Purcell thanked Rock Massine for his years of service to the City of Hardin and added he is already missed. He also thanked Hurff for assuming the duties and responsibilities of Massine's former position.

**COMMITTEE REPORTS:**

**Personnel Policy/City Policy:**

Mayor Purcell reported he is waiting for a recommendation from the Police Commission for the Chief of Police position.

Mayor Purcell noted the Maintenance Worker II position is currently pending pre-employment qualifications and ads have been placed for the Public Works Director position.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

**Parks & Playgrounds:**

**Finance/Landfill:**

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

A newsletter was received from Montana Municipal Interlocal Authority (MMIA).

**UNFINISHED BUSINESS:**

Sharpe voiced he has spoken with quite a few citizens about the proposed curb stop ordinance and they were upset about the fee being mandatory. He asked if it would be possible to make it optional like an insurance policy, raise the fee to \$3 - \$4 a month, and have it where contributions would need to be made for a year before qualifying to use the program. Greer noted he did not believe the fee could be optional if the City wanted to repair curb stops. Debbie Winburn asked why pay other peoples' bills when she has to pay her own. She suggested to put the repair costs on the taxes. Laurie Tschetter noted she agreed with Winburn. Kautzman voiced it should be everybody or nobody. Knudsen noted that to match Montana Statute a program like this would be to charge all or no one a fee; all or nothing is the intent. The consensus was to table the draft ordinance and schedule a committee meeting for further discussion.

**NEW BUSINESS:**

Dax Simek, of Stahly Engineering, recommended for the City of Hardin to award the construction bid for the City of Hardin Phase 1 Sewer Main Replacement Project to COP Construction LLC for the amount of \$676,956. Kautzman motioned to award the bid to COP Construction for the amount of \$676,956. Sharpe seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported Braaton Construction & Home Repair, Inc submitted a bid in the amount of \$33,099.36 for the remodel and construction of the squad room for the City of Hardin Police Department. Kautzman motioned to approve the bid. Sharpe seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed an analysis for the creation of a new CD. The analysis compared rates from Little Horn State Bank (LHSB) and First Interstate Bank. Lehr recommended to create a new CD at LHSB in the amount of \$250,000 at the rate of .35% for twenty-four months. Kautzman motioned to approve the new CD. Espinoza seconded. On a voice vote the motion was unanimously approved.

**STAFF REPORTS:**

**Public Works:**

**Finance:**

Lehr reported the CESF grant through Rural Development is interested in providing a grant to fund the project for the police department squad room, but currently the City does not meet the requirements for the grant. The City has asked for \$59,000 for the project. The General Fund shows more expenditures than revenues; CESF sees awarding the grant too high of a risk. Lehr asked Council if they want to reduce budgeted expenditures for economic development, storm maintenance, and others to meet the requirement or if they want the City to fund the project fully. Greer noted that the deficiency is only on paper, the City does have more revenues than expenditures. Lehr noted Greer is correct; the City's General Fund has resulted in positive cash flows over the last five years. Greer motioned to approve for Lehr to make the budget adjustments needed to meet requirements for the Rural Development Grant for the police department squad room. Espinoza seconded. On a voice vote the motion was unanimously approved.

Lehr reported he has submitted the last request to the CARES Act.

**Legal:**

Knudsen reported the thirty-day appeal period has passed for a civil lawsuit that was previously dismissed. It can be considered closed.

**Economic Development:**

Mayor Purcell reported that Interstate Engineering is conducting a survey for the City of Hardin Growth Management Plan. To take the online survey, visit <https://interstateeng.com/hardin> or visit their Facebook page for the survey and for virtual meeting information at <https://www.facebook.com/hardingrowthplan/>.

**RESOLUTIONS & ORDINANCES:**

**Ordinance NO. 2019-06 – Amending City Code Establishing a Curb Stop and Curb Stop Replacement Fund.** Mayor Purcell reported the ordinance was tabled and a committee meeting will be scheduled.

**ANNOUNCEMENTS:**

The Maintenance Worker II position and the Public Works Director position are open and the Police Chief position is pending a recommendation from the Police Commission.

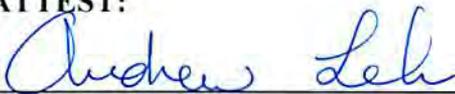
Kautzman motioned to adjourn the meeting. Sharpe seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:05 p.m.

  
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Joe Purcell, Mayor



ATTEST:

  
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Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for February 2, 2021 was called to order at 6:47 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs.

Also present: Finance Officer/City Clerk Andrew Lehr, Interim Public Works Director Michael Hurff, and City Attorney Jordan Knudsen.

Also present by virtual meeting: Deputy City Clerk Angela Zimmer and several members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Greer made the motion to approve the Council minutes as written for January 19, 2021. Motion seconded by Sharpe. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for February 2, 2021:

	CLAIM No.	Monthly Total
December, 2020	26710 - 26712 26749 - 26751	\$ 13,908.78
January, 2021	26713 - 26727 26752 - 26795	\$ 50,939.46
February, 2021	26728 - 26748 26796 - 26799	<u>\$ 3,565.94</u>
<b>Claims Total (Expenditures)</b>		<b>\$ 68,414.18</b>
<b>January, 2021 Payroll</b>		<b><u>\$ 184,325.44</u></b>
<b>TOTAL Submitted</b>		<b>\$ 252,739.62</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:** N/A

**MAYOR:**

Mayor Purcell reported the storage room is complete. The future squad room for the police department has been cleaned out and construction is anticipated to begin sometime around mid to late February.

**COMMITTEE REPORTS:**

**Personnel Policy/City Policy:**

Mayor Purcell reported the City is continuing the review process for the Chief of Police candidate and interviews will be scheduled for the Public Works Director position.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

**Parks & Playgrounds:**

**Finance/Landfill:**

**Resolutions & Ordinances:**

Mayor Purcell reported the City is currently working with Big Horn County to resume monthly law enforcement meetings.

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

**UNFINISHED BUSINESS:**

Kautzman motioned to go forward with the curb stop program. Greer seconded. On a voice vote the motion passed (5/1). Sharpe voted Nay. Knudsen noted it will need to be attached to the agenda twice for the ordinance to pass.

**NEW BUSINESS:**

Krebs motioned for approval of the Lien release for Hardin Chevrolet. Sharpe seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported there was a closed meeting to discuss the examination results for the Police Chief candidate. The guidance provided and guidelines used will be further defined and it will be on the next agenda.

Lehr asked for the approval of a deposit in the amount of \$9,757.66 for the materials for the police station remodel. Krebs added what the total amount of the project was. Lehr reported it is just over \$33,000, but under the amount the City budgeted. Molina motioned to approve the deposit up to \$10,000. Greer seconded. On a voice vote the motion was unanimously approved.

**STAFF REPORTS:**

**Public Works:**

Hurff reported the City was contacted by the United States Department of Agriculture (USDA) to be part of a study involving an invasive species of moths. South Park and Custer Park will be the locations for the study.

Hurff reported the barbwire fence has been installed at the landfill.

**Finance:**

Lehr provided a review of the Pledge Report and the Third Quarter Financial Reports.

**Legal:**

**Economic Development:**

Mayor Purcell reported that Interstate Engineering is conducting a survey for the City of Hardin Growth Management Plan. To take the online survey, visit <https://interstateeng.com/hardin> or visit their Facebook page for the survey and for virtual meeting information at <https://www.facebook.com/hardingrowthplan/>.

**RESOLUTIONS & ORDINANCES:**

**Resolution NO. 2255 - Temporarily Increasing Wages of Non-Union Employee for Fiscal Year 2020/2021.** Greer motioned to approve the resolution. Kautzman seconded. On a voice vote the motion was unanimously approved.

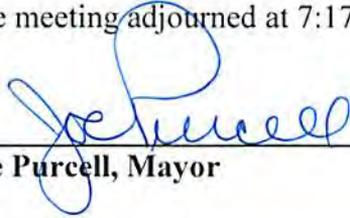
**ANNOUNCEMENTS:**

The City of Hardin will be closed Monday, February 15<sup>th</sup> in Observance of Presidents' Day; a Public Hearing to Amend the Budget for FY 2020-2021 is scheduled for Tuesday, February 16, 2021 at 6:00 p.m. by virtual meeting; and the JPT Health Screening for City employees and spouses is scheduled for February 19, 2021.

The Maintenance Worker II position has been filled. The Public Works Director position remains open and the Police Chief position is pending a recommendation from the Police Commission. The City will be looking to advertise for a General Laborer and for seasonal help.

Kautzman motioned to adjourn the meeting. Greer seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:17 p.m.

  
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Joe Purcell, Mayor



ATTEST:  
  
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Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for February 16, 2021 was called to order at 6:31 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs.

Also present: Finance Officer/City Clerk Andrew Lehr, Interim Public Works Director Michael Hurff, Deputy City Clerk Angela Zimmer, and City Attorney Jordan Knudsen.

Also present by virtual meeting: Several members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Kautzman made the motion to approve the Council minutes as written for February 2, 2021. On a voice vote the motion was unanimously approved. Kautzman made the motion to approve the Closed Meeting minutes as written for February 2, 2021. Motion seconded by Krebs. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for February 16, 2021:

	CLAIM No.		Monthly Total
December, 2020	26803	\$	245,000.00
January, 2021	26802, 26804 - 26808 26811 - 26814, 26819 - 26820 26823 - 26825	\$	32,078.23
February, 2021	26800 - 26801, 26809 - 26810 26815 - 26818, 26821 - 26822 26826 - 26828	\$	<u>10,242.48</u>
<b>TOTAL Submitted</b>		<b>\$</b>	<b>287,320.71</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:**

Laurie Tschetter voiced that she wanted Council to know that public comment was trying to be offered during the last committee meeting, but there were technical difficulties. She added that she wants for it to be documented that she is against the curb stop ordinance and that she does not want to pay \$25 a month out of her pocket for a program she will not be able to use. Mayor Purcell reported she will not have to pay into the fund, the program is designed for meters that are 2" or less. Tschetter expressed that it is not how she reads it. Mayor Purcell reviewed paragraph two of the proposed ordinance. It was noted that the meters at Tschetter's trailer parks are a 3" and a 4". She will not be included in the ordinance.

**MAYOR:**

Mayor Purcell reported the PING building is ready for the remodel to begin for the police department.

**COMMITTEE REPORTS:**

**Personnel Policy/City Policy:**

Mayor Purcell reported the City has scheduled interviews for the Public Works Director position. The General Laborer position is currently being advertised.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

Kautzman asked Hurff to relay a message to the City crew that he really appreciates the work they have done with the cold weather we have had.

**Parks & Playgrounds:**

**Finance/Landfill:**

Greer noted the City set up a new CD with Little Horn State Bank.

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

Mayor Purcell reported the City received a newsletter from Vision Zero and the map for the City Priority Snow Routes is included in the packet.

**UNFINISHED BUSINESS:**

Lehr noted the Pledge Report was presented to Council at the last meeting, but it was not brought to a vote. Lehr reported he had contacted First Interstate Bank in Polson to review the Landfill Trust Account. First Interstate Bank corrected a miscalculation that had been created by their software. There is \$120 more in the trust account than had been presented at the last meeting. Molina motioned to approve Pledge Report to include the amendment as described by Lehr. Espinoza seconded. On a voice vote the motion was unanimously approved.

**NEW BUSINESS:**

**STAFF REPORTS:**

**Public Works:**

Hurff reported he has been contacted by Evan VanOrder. VanOrder would like to get the Farmers Market going again this year.

**Finance:**

Lehr reported he has followed up on the last request the City submitted for the CARES Act. The state is currently working to process previous submissions.

**Legal:**

**Economic Development:**

Mayor Purcell reported that Interstate Engineering is conducting a survey for the City of Hardin Growth Management Plan. To take the online survey, visit <https://interstateeng.com/hardin> or visit their Facebook page for the survey and for virtual meeting information at <https://www.facebook.com/hardingrowthplan/>.

**RESOLUTIONS & ORDINANCES:**

**Ordinance NO. 2021-01 – Establishing A Curb Stop and Curb Stop Replacement Fund.** Kautzman motioned to approve the ordinance. Greer seconded. On a voice vote the motion was approved (4/2). Sharpe and Espinoza voted Nay.

**ANNOUNCEMENTS:**

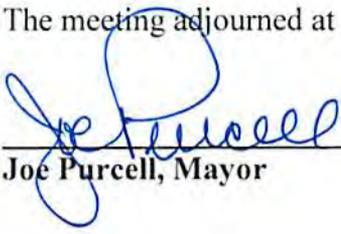
Mayor Purcell announced the following employee anniversaries for February: Jacob Bishop and Andrew Lehr, 1 year and Trevor Lutt, 9 years.

A Public Hearing and Special Council Meeting to Amend the Budget for FY 2020-2021 is scheduled for Tuesday, February 23, 2021 at 6:00 p.m. by virtual meeting. The JPT Health Screening for City employees and spouses is scheduled for February 19, 2021.

The Police Chief position is pending, interviews have been scheduled for the Public Works Director position and the General Laborer position is being advertised.

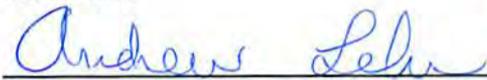
Kautzman motioned to adjourn the meeting. Greer seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 6:48 p.m.

  
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Joe Purcell, Mayor



ATTEST:

  
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Andrew Lehr, Finance Officer/City Clerk

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

**PUBLIC HEARING:** Public Hearing for **Amending the Budget for Fiscal Year 2020-2021** was opened at 6:00 p.m. by Mayor Purcell.

Present at the Hearing by virtual meeting were:

Council Members: Harry Kautzman, Chris Sharpe, Karen Molina, Antonio Espinoza (entered at 6:03 p.m.) and Jeremy Krebs (entered at 6:04 p.m.).

City Staff: Finance Officer/City Clerk Andrew Lehr, Interim Public Works Director Michael Hurff, Deputy City Clerk Angela Zimmer, and City Attorney Jordan Knudsen.

Lehr reported Rural Development (RD) has asked the City of Hardin to balance the budget in the General Fund to meet one of their requirements to be eligible for a grant for the police department squad room. Lehr reviewed the proposed amendments that would decrease the cash and expenditures to increase revenue.

Mayor Purcell asked if there was any Public Comment. There was none.

Molina asked why RD wanted the City to do the adjustments. Lehr reported RD considers the City a risk because the General Fund budget is not balanced. The City will not receive the grant through them until it is balanced.

The Public Hearing adjourned at 6:12 p.m.

**COUNCIL MEETING: The Special Council Meeting for February 23, 2021 was called to order at 6:15 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present by virtual meeting: Harry Kautzman, Clayton Greer, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs.

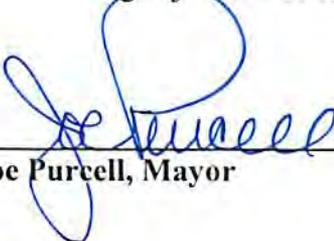
Also present by virtual meeting: Finance Officer/City Clerk Andrew Lehr, Interim Public Works Director Michael Hurff, Deputy City Clerk Angela Zimmer, and City Attorney Jordan Knudsen.

**PUBLIC COMMENT:** N/A

**RESOLUTIONS & ORDINANCES:**

**Resolution NO. 2256: Amending the Budget for Fiscal Year 2020-2021.** Kautzman motioned to approve the resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

Kautzman motioned  
The meeting adjourned at 6:17 p.m.

  
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Joe Purcell, Mayor



**ATTEST:**

  
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Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for March 2, 2021 was called to order at 6:31 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Karen Molina, Antonio Espinoza, and Jeremy Krebs. Chris Sharpe was present by virtual meeting.

Also present: Finance Officer/City Clerk Andrew Lehr, Interim Public Works Director Michael Hurff, and Deputy City Clerk Angela Zimmer.

Also present by virtual meeting: City Attorney Jordan Knudsen and several members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Kautzman made the motion to approve the Council minutes as written for February 16, 2021. Motion seconded by Greer. On a voice vote the motion was unanimously approved. Kautzman made the motion to approve the Public Hearing and Special Council minutes as written for February 23, 2021. Motion seconded by Espinoza. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for March 2, 2021:

	CLAIM No.		Monthly Total
January, 2021	26830	\$	16,525.04
February, 2021	26829, 26853, 26857 - 26886	\$	57,195.27
March, 2021	26831 - 26852, 26854 - 26856	\$	<u>3,465.94</u>
Expenditures			
Transfer funds		\$	16,209.45
<b>Claims Total (Expenditures)</b>		\$	93,395.70
Transfer		\$	(16,209.45)
February, 2021 Payroll		\$	<u>125,150.08</u>
<b>TOTAL Submitted</b>		\$	<b>202,336.33</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:** N/A

**MAYOR:**

**COMMITTEE REPORTS:**

**Personnel Policy/City Policy:**

Mayor Purcell reported the positions for the Public Works Director and Police Chief will be addressed later in the meeting.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

**Parks & Playgrounds:**

Krebs reported he has been asked if Heimat Park could be used for T-ball this May. It was noted that the parks are public and there shouldn't be a problem and there is plenty of room at Heimat Park.

**Finance/Landfill:**

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

Steve Simonson, of Beartooth RC&D, reported he has met with Big Horn County Commissioners regarding a Rural Development (RD) grant that is available through the U.S. Department of Agriculture (USDA). The County would like to partner with the City in establishing an Economic Development position and to provide affordable housing for the City and County workforce to include essential workers. The application is due March 22<sup>nd</sup>. Simonson reported it is a three-year fund proposal and the grant matches 1:1. The grant amount would be \$120,000. Kautzman asked how many years the \$240,000 would sustain the position. Simonson noted that after three years, the position would be self-sustaining. Kautzman asked how much the County is asking for the City to match. Simonson reported the County has \$83,500 that could be utilized if the City could fund the remaining \$37,000 and there would be no commitment until the grant is approved. Sharpe voiced the City budget is already tight. It was noted that this would fall into the next Fiscal Year. Sharpe added that with starting a City Police Department the budget is tight. Krebs noted that it is a commitment of about \$12,000 a year to have something the City has been looking into. Krebs motioned to support the grant as a co-applicant with Big Horn County for the USDA grant. Kautzman seconded. On a voice vote the motion was unanimously approved.

Greer motioned to renew the contract, Amendment NO. 23, with Barry Damschen Consulting, LLC. Kautzman seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported he and Knudsen restructured the guidelines for the City of Hardin Police Commission. The Commission met on Friday, February 26<sup>th</sup>. They will not certify Dan Gilles for the Chief of Police position. The City will advertise again for the position.

Mayor Purcell noted the City received three applications for the Public Works Director position. He recommended Michael Hurff, who currently holds the Interim Public Works Director position, to be hired as the Public Works Director. Mayor Purcell added that Hurff had a good mentor and he is impressed with how he has handled filling the Public Works Director position. Mayor Purcell noted that upon approval of Hurff, an Assistant Public Works position will be advertised. Greer motioned to approve the recommendation. Espinoza seconded. On a voice vote the motion was unanimously approved.

**STAFF REPORTS:**

**Public Works:**

Hurff reported the City held a pre-construction meeting, for the first phase of the Wastewater Treatment Plant Project (WWTP), with COP Construction and Dax Simek of Stahly Engineering.

Hurff noted that he made an adjustment to the garbage pick-up schedule. Garbage will be picked up on the following holidays: Martin Luther King Day, President's Day, Columbus Day, and Veteran's Day. Hurff reported that Alley Clean-Up will be held the first week in April.

**Finance:**

Lehr reported the City received the annual Landfill Closure/Post Closure report from Damschen. The life expectancy of the Landfill is approximately 38 years, this includes the future expansion. The life expectancy of the Coal Ash Cell is 4 years. The

Coal Ash expansion will add an additional 20 years.

Lehr reported the City will receive a reimbursement from the CARES Act in the amount of \$4,076.

Lehr reported The Treasure State Endowment Program (TSEP) grant for the City WWTP Upgrade is at the Legislature as House Bill 11 (HB11). The City is fifth in line to be funded. Lehr also reported the next payment for the Tax Increment Finance District (TIFD) will be paid this week and the continuing disclosure documents will be reported at the next meeting.

Krebs asked if CARES Act funding was still available. Lehr reported it is in the Senate and it is anticipated there will be funds allocated to each City and Town. Krebs asked about a special solution for spraying the park restrooms. Lehr reported the City has purchased a solution that could be used for that purpose.

Mayor Purcell noted that he did want to report that all three applicants for the Public Works Director position were interviewed.

**Legal:**

**Economic Development:**

Mayor Purcell reported that Interstate Engineering is conducting a survey for the City of Hardin Growth Management Plan. To take the online survey, visit <https://interstateeng.com/hardin> or visit their Facebook page for the survey and for virtual meeting information at <https://www.facebook.com/hardingrowthplan/>. Mayor Purcell reported the Growth Management Plan is expected to be completed by this Fall. Lehr noted that he has requested an extension to October for the grant and an extension to the end of 2021 for the Montana Main Street Grant. The requests are pending at the State.

**RESOLUTIONS & ORDINANCES:**

**Resolution NO. 2257 – Adopting The 2018 International Energy Conservation Code.** Kautzman motioned to approve the resolution. Greer seconded. On a voice vote the motion was unanimously approved.

**Resolution NO. 2258 – Authorizing The Mayor to Sign a Contract for Phase 1 of the Wastewater Treatment System Upgrade.** Greer motioned to approve the resolution. Sharpe seconded. On a voice vote the motion was unanimously approved.

**Ordinance NO. 2021-01 – Establishing A Curb Stop and Curb Stop Replacement Fund.** Kautzman motioned to approve the second reading of the ordinance. Greer seconded. Krebs asked about the \$1 fee. Lehr reported the fee will be set by resolution. On a voice vote the motion was approved (4/2). Sharpe and Espinoza voted Nay.

**ANNOUNCEMENTS:**

The City-County Planning Board is holding a Public Hearing for a Medical Marijuana Dispensary Application on Monday, March 8, 2021 at 7:00 p.m. by virtual meeting.

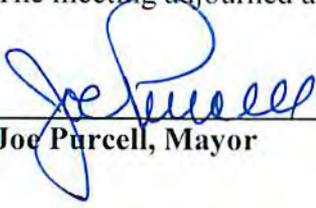
A Public Hearing and Special Council Meeting to Amend the Budget for FY 2020-2021 is scheduled for Tuesday, February 23, 2021 at 6:00 p.m. by virtual meeting. The JPT Health Screening for City employees and spouses is scheduled for February 19, 2021.

The Police Chief position will be re-advertised, an Assistant Public Works Director position will be advertised and the General Laborer position is open until filled.

Mayor Purcell reported a letter requesting Letters of Interest to serve on the City of Hardin Police Commission will be notice to the public later this month. The City is required to make a new appointment to the Police Commission in May of each year.

Greer motioned to adjourn the meeting. Espinoza seconded. On a voice vote the motion was unanimously approved.

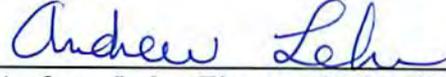
The meeting adjourned at 7:05 p.m.



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Joe Purcell, Mayor



ATTEST:



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Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for March 16, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., and Deputy City Clerk Angela Zimmer.

Also present by virtual meeting: City Attorney Jordan Knudsen and several members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Greer made the motion to approve the Council minutes as written for March 2, 2021. Motion seconded by Sharpe. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for March 16, 2021:

	CLAIM No.	Monthly Total
February, 2021	26888 - 26897, 26899 26901 - 26904, 26908 26910 - 26914, 26922 26924 - 26925	\$ 33,908.77
March, 2021	26887, 26898, 26900 26905 - 26907, 26909 26915 - 26921, 26923	<u>\$ 276,328.35</u>
<b>TOTAL Submitted</b>		<b>\$ 310,237.12</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:**

Mayor Purcell reported discussion can be made regarding the Application for a Medical Marijuana Dispensary, but no action can be taken. The application was not included in the agenda packet. There will be a Special Council Meeting Tuesday, March 23, 2021 to give time for the application to be noticed to the public.

Chris Young, attorney, noted that he represents Bloom and others, but he does not represent Silverleaf Cannabis Co. He voiced that Bloom operates outside of the City limits and had applied for a license on October 6, 2020 and was ultimately denied. Young provided a summarization of the State laws that apply to marijuana use. He noted that the Department of Health and Human Services can provide information on the compliance of Bloom facilities. Young addressed some concerns of letters that were in opposition of a medical marijuana dispensary.

Megkian Doyle, Director, Regional Community Action Team at One Health, voiced the first concern is how to educate the community on addiction. Currently there is access to Bloom making medical marijuana available to those who need it. There are just over 300 patients that have medical cards and 18 of them have cancer. She added there is concern of the amount of monitoring that would have to be done by the City and County with an additional dispensary. Doyle reviewed information from a 2020 Montana Prevention Needs Assessment Survey. She noted that the legislation is working out regulation plans for these businesses and suggested for the decision to be tabled until the details are worked out at the State.

**MAYOR:**

Mayor Purcell reported the American Rescue Plan, signed by President Joe Biden, will provide the City of Hardin with an estimate of approximately \$917,000 over a two-year period. The parameters are not finalized yet. The money can be used for infrastructure and capital improvements. He noted that he and Lehr will compose a pamphlet to present to Council.

Mayor Purcell reported Braaton Construction is continuing to work on the remodel for the squad room; the Medical Marijuana Application will be addressed at a Special Council Meeting on Tuesday, March 23, 2021 at 6:00 p.m.

**COMMITTEE REPORTS:**

**Personnel Policy/City Policy:**

Mayor Purcell reported the City has received two applications for Chief of Police, the application deadline for the first review is April 9<sup>th</sup>. The City has received two Internal applications for Assistant Public Work Director, the first review is March 26<sup>th</sup>. The General Laborer position is open until filled.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

Kautzman reported there is a garage that is leaning really bad, next to the alley, at the old M&W Plumbing building. He expressed concern that someone may get hurt. Mayor Purcell noted he will forward the information to the building inspector.

**Parks & Playgrounds:**

Krebs asked for a committee meeting to be scheduled on April 6th to discuss ideas on the old ice-skating rink.

**Finance/Landfill:**

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

The City-County Planning Board (CCPB) submitted a recommendation letter for approval of a Medical Marijuana Dispensary at 305 N. Center Avenue. A letter from Colleen Moullet and Dee Ann Sargent was attached to the recommendation. Colleen Moullet voiced that she owns the building next door to the proposed location. She added that she is opposed to having a medical marijuana dispensary on Main Street where many events are held like the Farmer's Market and Bible study in her building for adults and kids. Moullet noted that there is already a lot of problems in the community.

Landa Uffelman, local business owner, voiced that she too is opposed to having the dispensary in downtown Hardin. She added that it is against Federal law and not sure if it would create an issue for the City to receive Federal grants. Uffelman noted that the medical marijuana and the medical card has been abused, although it can help people. She added there is already an addiction problem.

Cal Cumin, Planning Advisor for the CCPB, noted that if 25% of the adjacent property owners were to object, per MCA 76-2-305(2) requires a two-thirds approval vote if the Council so decides.

Mayor Purcell reported the application will be addressed at a Special Council Meeting on Tuesday, March 23, 2021 at 6:00 p.m.

Conrad Yerger reported he and Nora Lee Yerger submitted a proposal to the City to move forward on the Kokomo Road construction per a Subdivision Improvements Agreement dated September 13, 2016. Yerger asked what more information he and the City may need from each other. Hurff reported he has forwarded the letter to Dax Simek, of Stahly Engineering. There are a few things needed before construction begins. Knudsen reported that he and Yerger have spoken and he has requested an indemnification for the City and for the road and materials to be granted to the City in the agreement. Krebs asked if the only commitment from the City would be the back-fill. Mayor Purcell confirmed it will. Kautzman motioned to approve for Yerger to move forward with the proposal as explained and with the guidance of the City Attorney, as presented earlier. Krebs seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported the City Ordinance for the curb stop and curb stop box replacement program will be effective in April. Lehr reviewed an analysis of curb stop fees. Krebs expressed concern about the \$1.00 fee staying the same. He added the sump pump fee started at \$5.00 and has been raised, which he thinks is wrong. Molina reported it had been previously raised along with the percentage of water increases. Sharpe noted that there are accounts that are not on all year, mostly during the summer, that will raise the amount that will go into the fund. Krebs asked how that would work; those accounts would only pay \$3.00 and everyone else would by \$12.00 a year. Mayor Purcell reported those accounts will pay a reconnect fee of \$50.00. Kautzman noted the \$1.00 fee is adequate at this point in time. Greer motioned for the fee to be a \$1.00 on all metered accounts that are 2" or less. Sharpe seconded. On a voice vote the motion was unanimously approved.

#### **STAFF REPORTS:**

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

Hurff reported COP Construction began the sewer project March 1<sup>st</sup>. They began work at the 6<sup>th</sup> Street lift station and have reached 7<sup>th</sup> Street. Another crew is replacing manholes on 13<sup>th</sup> Street. He added the bypass pump has been set up on 10<sup>th</sup> street.

Hurff noted that Alley Clean up is scheduled for the week of April 5<sup>th</sup>.

##### **Finance:**

Lehr reported the City reviewed the annual Landfill Closure/Post Closure report.

Lehr provided an update of the Continuing Disclosure for the Tax Increment Finance District (TIFD). He reported it has been posted on the MSRB Emma website, [emma.msrb.org](http://emma.msrb.org).

##### **Legal:**

Knudsen asked Council to submit any questions to him they may have regarding the Special Council Meeting that is scheduled for next week.

##### **Economic Development:**

Mayor Purcell reported that Interstate Engineering is conducting a survey for the City of Hardin Growth Management Plan. To take the online survey, visit <https://interstateeng.com/hardin> or visit their Facebook page for the survey and for virtual meeting information at <https://www.facebook.com/hardingrowthplan/>. Mayor Purcell noted that Interstate Engineering has put out a flyer titled "Community in Photos" asking for individuals to submit photos of the community.

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

**Resolution NO. 2259 – Establishing Wages of a Non-Union Employee for the Remainder of FY 2020/2021.** Greer motioned to approve the resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

**Resolution NO. 2260 – Setting Fees for the Curb Stop and Curb Stop Box Replacement Fund.** Kautzman motioned to approve the resolution. Greer seconded. On a voice vote the motion was unanimously approved.

**Resolution NO. 2261 – State Revolving Fund 2021 Series A & B Bonds.** Lehr provided a review of the resolution. Kautzman motioned to approve the resolution. Sharpe seconded. On a voice vote the motion was unanimously approved.

**ANNOUNCEMENTS:**

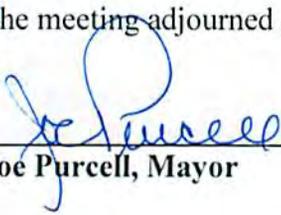
Mayor Purcell announced the following employee anniversaries for March: Antonio Abril, 2 years; Merle Johns, 4 years; Ross Miller, 2 years; and Michael Stimpson, 23 years.

Mayor Purcell reported the application deadline for first review of applications for Police Chief is April 9<sup>th</sup>, the first review of applications for the Assistant Public Works Director position is March 26<sup>th</sup>, and the General Laborer position is open until filled.

Mayor Purcell noted a letter requesting Letters of Interest to serve on the City of Hardin Police Commission will be noticed to the public.

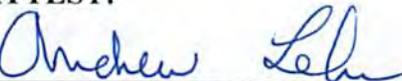
Greer motioned to adjourn the meeting. Kautzman seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:26 p.m.

  
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Joe Purcell, Mayor



**ATTEST:**

  
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Andrew Lehr, Finance Officer/City Clerk

**CITY of HARDIN, MONTANA**

**SPECIAL COUNCIL MEETING: The Special Council Meeting for March 23, 2021 was called to order at 6:00 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Chris Sharpe, Antonio Espinoza, and Jeremy Krebs. Karen Molina was present by virtual meeting.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, and City Attorney Jordan Knudsen.

Also present by virtual meeting: Several members of the public.

**PUBLIC COMMENT:**

Mayor Purcell reported the Special meeting is for the recommendation of the City-County Planning Board to approve a Medical Marijuana Dispensary at 305 N. Center Avenue.

Bill Hodges, of Big Horn Hospital Association, referenced and reviewed information from the 2020 Montana Prevention Needs Assessment Survey. He added as a citizen and Public Health Director, he does not approve of the medical marijuana application, there is a rising trend of alcohol and marijuana use across the nation, and it is too risky for the community, let alone the location.

Mary Slattery, local business owner, voiced that she wanted to go on record that she really disagrees for a medical marijuana dispensary to be on Main Street in Hardin. She added that it would open the door to sell recreational marijuana.

Sierra Davis, business owner, noted that she has a State licensed daycare that is within 600 feet of the proposed building. She added that she will lose her license. This would leave many families without childcare. She has been in business since August 2020 and has been full since the second week she opened. Davis voiced that the dispensary would jeopardize her business, she is against it.

Nola Vandersloot reported that a petition asking Council to deny the application has forty-three signatures from people who work or live on Center Street. They are all against having a medical marijuana dispensary on Center Street. Vandersloot shared a tragic personal experience that involved a family member. She noted that if even one life is lost due to the sale of marijuana, it is not worth the tragedy to another family.

Larry Curtis, healthcare retiree, voiced that he is well aware of the medical benefits of medical marijuana and he is also aware there are many health risks. He added there is too much medical marijuana availability, there is already one near Hardin.

Kautzman voiced that the majority of residents he has talked to are against having the dispensary uptown.

Molina noted that she received an email that was against the dispensary and she has had other citizens express the same to her.

Knudsen asked Davis if her business was considered a preschool? Davis voiced that she has state funding for a preschool and daycare. Davis added that ten of the twelve children enrolled receive funding from the State.

Knudsen voiced to Council, because she has a preschool and is receiving state funding for a preschool, it would be in violation of zoning to approve the application.

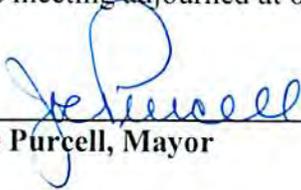
Molina motioned to not approve the medical marijuana application. Greer seconded. On a voice vote the motion was unanimously approved.

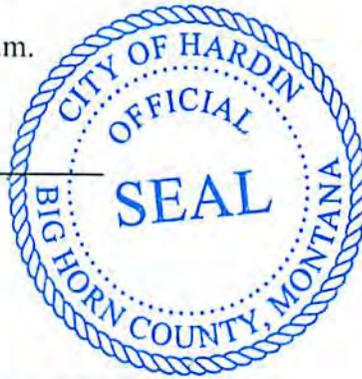
Molina asked to have a committee meeting on the Medical Marijuana ordinance. A meeting will be scheduled for the second meeting in April.

Luella Brien, General Manager and Editor of the Big Horn County Newspaper, asked if the application was denied due to the location or all together. Mayor Purcell reported that it was denied based on how the application was presented.

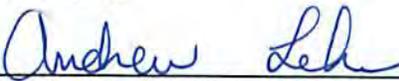
Sharpe motioned to adjourn the meeting. Kautzman seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 6:17 p.m.

  
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Joe Purcell, Mayor



ATTEST:

  
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Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for April 6, 2021 was called to order at 6:33 p.m. with Mayor Joe Purcell presiding, virtually, by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, and City Attorney Jordan Knudsen.

Also present by virtual meeting: Several members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Greer made the motion to approve the Council minutes as written for March 16, 2021. Motion seconded by Sharpe. On a voice vote the motion was unanimously approved. Sharpe motioned to approve the Special Council minutes as written for March 23, 2021. Greer Seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for April 6, 2021:

	CLAIM No.	Monthly Total
March, 2021	26926 - 26948, 26971 - 26979 26984 - 26998, 27000	\$ 70,383.33
April, 2021	26949 - 26970, 26980 - 26983	\$ <u>9,280.83</u>
<b>Claims Total (Expenditures)</b>		\$ 79,664.16
<b>March, 2021 Payroll</b>		\$ <u>139,514.24</u>
<b>TOTAL Submitted</b>		\$ 219,178.40

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:** N/A

**MAYOR:**

**COMMITTEE REPORTS:**

**Personnel Policy/City Policy:**

Mayor Purcell reported four interviews were held for the Assistant Public Works position. The position is pending pre-employment screening.

Mayor Purcell reported the City held a meeting with Interstate Engineering about the Growth Management Plan and Main Street Project. Interstate Engineering was seeking input from the City for opinion and direction. They are looking to have a final plan by this fall.

Mayor Purcell reported the City has received four applications for Chief of Police, the application deadline for the first review is Friday, April 9<sup>th</sup>.

**Sewer & Water:**

Sharpe noted it looks like Phase 1 of the Wastewater project is going well.

**Law Enforcement:**

**Streets & Alleys:**

Kautzman reported the City if having Alley Clean-Up this week. He noted that he has spoke with Hurff about patching holes in the streets when it warms up.

**Parks & Playgrounds:**

Options for use of the ice-skating rink area at South Park were discussed.

**Finance/Landfill:**

**Resolutions & Ordinances:**

Molina confirmed that a committee meeting to discuss the medical marijuana ordinance is scheduled to be held before the next Council meeting.

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

The City received a Vision Zero Newsletter from the Montana Department of Transportation.

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

Nola Vandersloot, of Healthy Hardin Community Development Partnership, requested temporary road closure on the 200 block of North Center Avenue in front of the Plaza for the River Valley Farmers Market between the hours of 3:30 p.m. and 8:30 p.m. every Thursday in August and the first two Thursdays in September. In addition, they request a handicap accessible restroom, a handwashing station, and picnic tables. Krebs motioned to approve the request. Espinoza seconded. Kautzman asked if the restrooms were going to be sanitized somehow. Vandersloot will contact Public Health for guidance. On a voice vote the motion was unanimously approved.

Lehr reviewed Pay Application #1, to COP Construction LLC, in the amount of \$465,844.07, for the Wastewater Project. Kautzman motioned to approve the Pay Application as presented by Lehr. Molina seconded. On a voice vote the motion was unanimously approved.

Hurff reported the City was contacted by Bill Ruegsegger, Executive Manager of Hanser's Family of Companies. He is requesting permission to bring in molasses contaminated dirt to the City Landfill at the rate of \$42.50 per ton. Krebs asked if it could be used for daily cover. Hurff reported it cannot and Greer pointed out that it is an attractant for animals. Hurff reported he has been in contact with DEQ and Barry Damschen; they both approved for the soil to be disposed of at the landfill. Greer motioned to approve to accept the molasses mixed with soil as presented in the letter. Molina motioned to approve. On a voice vote the motion was unanimously approved.

Hurff reviewed the three mower bids. He noted the City currently has attachments for the Grasshopper mower. Molina asked Rock Massine if he had experience with the other mowers, Massine noted he has not. Espinoza asked what the maintenance has been for the "hopper" mower. Steve Hopes reported the maintenance has been low and that he wouldn't run anything else. Krebs motioned to approve the bid for the Grasshopper mower. Sharpe seconded. On a voice vote the motion was unanimously approved.

**STAFF REPORTS:**

**Public Works:**

Hurff reviewed the timelines provided by Stahly and COP Construction for Phase 1 of the sewer project. He reported he has contacted them about the damage to the road. Hurff reported he has received a letter from Deb Stoddard noting that the ditch on 10<sup>th</sup> Street is planned to be turned on by the 16<sup>th</sup> of April. He added that COP Construction is anticipating to be done by then.

**Finance:**

Lehr reported the deadline for the Treasure State Endowment Program (TSEP) grant for the City Wastewater Treatment Plant Upgrade, House Bill 11 (HB11), has been moved to the 27<sup>th</sup> of April; the Coal Board is now funded and the City will receive the grant during the second phase of the Wastewater Treatment Plant Project; and he expects to hear from Joint Powers Trust (JPT) soon regarding healthcare renewal. He will be seeking employee input about the current healthcare plan.

Lehr reported that he will be giving preliminary budget information to each department for them to review soon.

**Legal:**

**Economic Development:**

Mayor Purcell reported that Interstate Engineering is conducting a survey for the City of Hardin Growth Management Plan. To take the online survey, visit <https://interstateeng.com/hardin> or visit their Facebook page for the survey and for virtual meeting information at <https://www.facebook.com/hardingrowthplan/>. Mayor Purcell noted that Interstate Engineering has put out a flyer titled "Community in Photos" asking for individuals to submit photos of the community.

**RESOLUTIONS & ORDINANCES:**

**ANNOUNCEMENTS:**

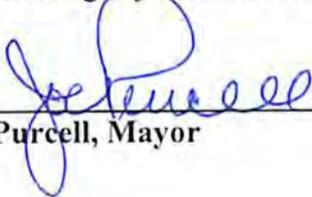
Mayor Purcell reported the Police Chief, Assistant Public Works Director, and General Laborer positions are open until filled; Alley Clean-Up is scheduled for this week; and the deadline to submit a Letter of Interest to serve on the City of Hardin Police Commission is April 15, 2021.

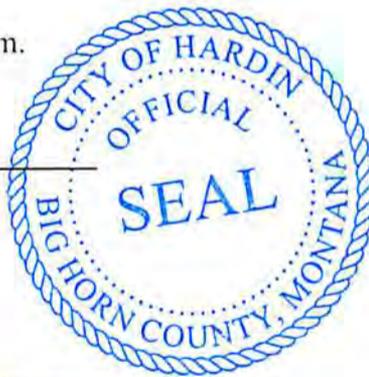
Mayor Purcell reported that the next Council meeting will open for the public to attend at Council Chambers. The public will have to wear a mask and social distancing will be implemented. Molina asked how many will be able to attend. It was noted there will be a limit.

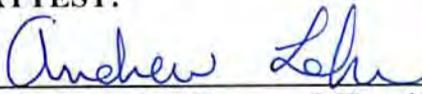
Kautzman noted that he would like for the ad for Alley Clean-Up to be advertised sooner, a couple of weeks in advance.

Kautzman motioned to adjourn the meeting. Greer seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:07 p.m.

  
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Joe Purcell, Mayor



**ATTEST:**  
  
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Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for April 20, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, and City Attorney Jordan Knudsen.

Also present physically and by virtual meeting: Several members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Greer made the motion to approve the Council minutes as written for April 6, 2021. Motion seconded by Sharpe. On a voice vote the motion was unanimously approved. Kautzman motioned to approve the Committee minutes as written for April 6, 2021. Espinoza Seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for April 20, 2021:

	CLAIM No.		Monthly Total
February, 2021	27017 - 27018	\$	5,239.75
March, 2021	27001 - 27011, 27014, 27016 27019 - 27022, 27028	\$	67,375.48
April, 2021	26999, 27013, 27015 27023 - 27027, 27029 - 27031	\$	<u>13,770.88</u>
<b>TOTAL Submitted</b>		<b>\$</b>	<b>86,386.11</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:**

Cory Kenney noted that the double gutter at 7<sup>th</sup> Street and Crook Avenue is crumbled and likewise the corner at 6<sup>th</sup> Street and Crook Avenue. Mayor Purcell reported that Hurff has been working with COP Construction regarding those areas.

Kenney expressed that he would like to see the City establish the Plaza as a City park so it does not get sold. He noted it is used all the time for local events. Kenney added that his mom donated a portion of that land to the City.

Kenney asked why the Assistant Public Works position did not come to Council for approval. Mayor Purcell noted the assistant position does not go before council.

Landa Uffelman asked the Mayor if he was going to be doing the Get Trashed with the Mayor this year. Mayor Purcell reported he will hold the event this year and a date will be scheduled.

**MAYOR:**

Mayor Purcell reported the construction for the Police Department squad room is complete.

**COMMITTEE REPORTS:**

**Personnel Policy/City Policy:**

Mayor Purcell reported there are five applicants for the Chief of Police position. He and Knudsen met with each candidate through Zoom for an informal meet and greet. A Special meeting

will be held Tuesday, April 27<sup>th</sup> to give Council and the community the opportunity to meet the candidates and have open question and answer sessions.

Mayor Purcell reported the City currently has job openings for General Laborer and Seasonal Parks and Animal Control.

**Sewer & Water:**

Sharpe voiced the work on Phase 1 of the Wastewater project looks really good.

**Law Enforcement:**

**Streets & Alleys:**

Kautzman reported Alley Clean-Up went well. He asked Hurff to let the City crew know that they did a good job and it is appreciated very much. Kautzman noted the City will be patching holes in the streets when it warms up.

Greer suggested, if authorized, to chip seal at 8<sup>th</sup> Street and Lessard Avenue. Hurff noted it would be a wise decision.

**Parks & Playgrounds:**

Krebs asked for a committee meeting to be scheduled for May 4<sup>th</sup> to continue talks about the options that were discussed at the last meeting of how to utilize the ice-skating rink area at South Park.

**Finance/Landfill:**

**Resolutions & Ordinances:**

Molina reported the committee discussed Ordinance 11-1-2-5, regarding Medical Marijuana Dispensaries. The consensus is to get rid of the ordinance until it is worked out at the State level. Knudsen will draft the ordinance.

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

The City received the City-County Planning Board minutes for the March 8, 2021 Public Hearing and regular meeting.

**UNFINISHED BUSINESS: N/A**

**NEW BUSINESS:**

Mayor Purcell reported that a letter was received from Thomas Kelly of North Star Land Services, P.C. for Weaver Works LLP. The letter requests for a six-month extension of time for the approval of the Weaver Amended Plat. Greer motioned to approve the extension. Kautzman seconded. Kelly reported that he hasn't had the opportunity to do the final survey due to the quarantine. On a voice vote the motion was unanimously approved.

Mayor Purcell reported the City received a letter from the Hardin Volunteer Fire Department (HVFD) requesting a grant in the amount of \$8,000. Molina motioned to approve the request. Sharpe seconded. On a voice vote the motion passed 5-1. (Krebs abstained)

Landa Uffelman reported that she is working with the Chamber of Commerce to host Little Big Horn Days on June 25<sup>th</sup> and 26<sup>th</sup>. Uffelman provided information from a letter she submitted to the City requesting street closure of the 200 block, garbage cans, portable restrooms, and use of the electricity in the Plaza. She also reviewed planned activities for the event. Uffelman reported that Fort Custer Golf Course will be catering the event and will apply for the permits for the beer garden. Krebs motioned to approve the requests. Greer seconded. On a voice vote the motion was unanimously approved.

Knudsen reported he and Hurff met with Big Horn County Representatives to discuss the Farm to Market Agreement, a 1986 interlocal agreement between the City of Hardin and Big Horn County. The meeting was to discuss storm water and culvert crossings for any of the Farm to Market roads or County roads within City limits. The culvert at 10<sup>th</sup> and Mitchell is collapsing and will have to be repaired. Kenney asked if the County was voluntarily responsible. Knudsen explained that the City is responsible for the base and the County is responsible for paving. There was more discussion on irrigation ditches and how the Farm to Market Agreement was impacted by those. Knudsen explained that irrigation ditches have superior property rights. The ditch company would be responsible for the maintenance of the ditch on each side of the culvert, but the Farm to Market Agreement would be responsible for the road and culvert. The City is responsible for the road base and would be responsible for the culvert.

**STAFF REPORTS:**

**Public Works:**

Hurff reported the City is currently working on a culvert behind the detention facility; Phase 1 of the wastewater project is near completion; the valley gutter at 7<sup>th</sup> Street and Crook Avenue was replaced, and concrete was poured at 6<sup>th</sup> Street and Crook Avenue.

**Finance:**

Lehr reported he is waiting for guidance from the Treasury about the American Rescue Plan and the final closing date for the State Revolving Bonds loan is April 22<sup>nd</sup>. Stage 1 of the sewer project funding will be closed.

**Legal:**

**Economic Development:**

Mayor Purcell reported there will be a proposal presented to Council at the May 4<sup>th</sup> meeting from an individual with economic interests.

Mayor Purcell reported Interstate Engineering is working to finish the Growth Management Plan. Lehr reported the grants for the Growth Management and Downtown Revitalization project have been extended to the end of the year.

Interstate Engineering is conducting a survey for the City of Hardin Growth Management Plan. To take the online survey, visit <https://interstateeng.com/hardin> or visit their Facebook page for the survey and for virtual meeting information at <https://www.facebook.com/hardingrowthplan/>.

**RESOLUTIONS & ORDINANCES:**

**ANNOUNCEMENTS:**

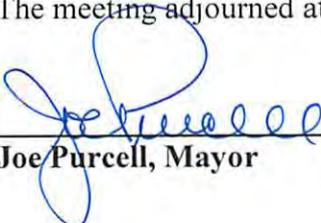
Mayor Purcell announced that Kristi Wedel is celebrating a 15-year anniversary with the City.

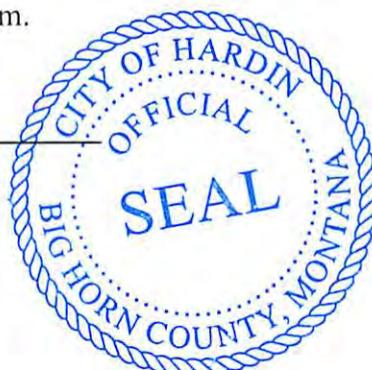
Mayor Purcell reported the Police Chief, General Laborer and combined Seasonal Parks and Animal Control positions are open until filled.

Mayor Purcell announced a Special Meeting will be scheduled for Tuesday, April 27, 2021 for an open question and answer session with the Chief of Police Candidates. The time will be noticed.

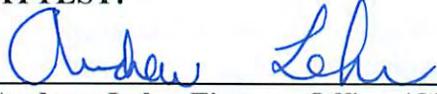
Kautzman motioned to adjourn the meeting. Greer seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:12 p.m.

  
\_\_\_\_\_  
Joe Purcell, Mayor



ATTEST:



Andrew Lehr, Finance Officer/City Clerk



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

**COUNCIL MEETING: The Regular Council Meeting for May 4, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Chris Sharpe, Antonio Espinoza, and Jeremy Krebs. Karen Molina was excused.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, and City Attorney Jordan Knudsen.

Also present physically and by virtual meeting: Several members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Sharpe made the motion to approve the Council minutes as written for April 20, 2021. Motion seconded by Greer. On a voice vote the motion was unanimously approved. Greer motioned to approve the Personnel Committee minutes as written for April 27, 2021. Krebs Seconded. On a voice vote the motion was unanimously approved. Kautzman motioned to approve the Resolutions or Ordinances Committee minutes as written for April 20, 2021. Sharpe seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for May 4, 2021:

	CLAIM No.	Monthly Total
March, 2021	27012	\$ 465,844.07
April, 2021	27032 - 27048 27074 - 27093	\$ 49,602.52
May, 2021	27049 - 27073	<u>\$ 3,465.94</u>
<b>Claims Total (Expenditures)</b>		<b>\$ 518,912.53</b>
April, 2021 Payroll		<u>\$ 157,431.01</u>
<b>TOTAL Submitted</b>		<b>\$ 676,343.54</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:** N/A

**MAYOR:**

Mayor Purcell extended condolences to Karen Molina and Family for their loss.

Mayor Purcell reported the following are up for re-election: Ward 1, Molina; Ward 2 Greer and Espinoza; Ward 3, Kautzman; and himself, Mayor.

Mayor Purcell noted that Braaton Construction did a nice job remodeling for the squad room. The grant that was received for the Hardin Police Department to purchase radios will be utilized when a Police Chief is in place.

Mayor Purcell reported there has been some new growth and inquiries in economic development. There is a bakery opening in the Ranch House building; there is activity at the old Shopko building; the slaughter house East of town is being upgraded to open, the server farm continues to grow; the joint grant for the City and Big Horn County to fill a position for Economic Development is in progress; Interstate Engineering is continuing to work on the Growth Management Plan and the Montana Main Street Project to revitalize downtown; the PRCA Rodeo

is planned for this summer; the Chamber has many events planned for Little Big Horn Days; the Demolition Derby is scheduled for mid-June; and the "Get Trashed with the Mayor" event is scheduled for May 22<sup>nd</sup> from 10:00 a.m. to 2:00 p.m. and will be held in the Plaza.

**COMMITTEE REPORTS:**

**Personnel Policy/City Policy:**

Mayor Purcell reported three of the five Chief of Police candidates will interview for the position. The final selection will be brought to Council.

Mayor Purcell reported the City hired Josh Freeman as the Assistant Public Works Director and Richard Jefferson was hired for the General Laborer position. Mayor Purcell reported the City currently has job openings for General Laborer and Seasonal Parks/Animal Control.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

Kautzman reported the City has been patching holes in the streets and street sweeping.

**Parks & Playgrounds:**

Krebs reported there was going to be a committee meeting this evening to discuss options for the ice-skating rink area at South Park, but will be re-scheduled for May 18<sup>th</sup>.

Krebs announced the park restrooms will be open by Mother's Day.

**Finance/Landfill:**

Greer noted the landfill is taking in ash again. The landfill needs another employee.

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

The City received a newsletter from Montana Municipal Interlocal Authority (MMIA).

**UNFINISHED BUSINESS: N/A**

**NEW BUSINESS:**

Mayor Purcell reported there is interest in building a meat packing plant in Industrial Park and Gary Guesman, President of Controlled Environments Construction, Inc., asked to speak with Council to let them know what their plans are and to get their thoughts before going to the application stage. Guesman voiced they are looking to build a 200,000 sq. ft. building and employ a baseline of about two hundred and fifty people. They currently have 107 acres of land under contract for the project. He noted that there are investors. He offered to make a formal written proposal, of what they want to do and how they will do it, to present to Council. He voiced there will be an impact on the community. Mayor Purcell asked what the water usage and waste disposal would be, about bodily fluid, and what would the smell impact be. Guesman noted you will not hear the manufacturing outside of the facility, they will use about half a million gallons a day, there will be a pre-cleaning requirement for discharge and if the infrastructure cannot handle that then there would be money to help upgrade the infrastructure. Krebs asked if the meat packing plant were to be here would there be grants available if the City had to increase the capacities of the water and sewer treatment plants. Guesman noted they would not want to place a burden here, they would put in a bigger line, and do what

they needed to do. He added it is a three thousand to four thousand head facility. Winburn voiced that her home is at the West end of the property, she is not against it, but Whitman Coulee floods and that she is worried that if they build there she will get flooded out. Winburn asked if there would be a feed lot and Guesman confirmed there will be. Mayor Purcell asked what the timeline was from the first hole to operation. Guesman voiced about twenty-four months. Mayor Purcell invited Guesman to submit a proposal and noted that Council will review City ordinances.

Mayor Purcell recommended the re-appointment of Kevin Cannon to serve on the City of Hardin Police Commission for a three-year term and to appoint Rock Massine to the Police Commission to serve the remaining two years of a three-year term left vacant by the resignation of Devaney Buffalo Mischel. Massine voiced that he does plan to run for the Ward 3 Council position. Greer motioned to approve the recommendations. Kautzman seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported Joint Powers Trust (JPT) submitted a proposal to renew the contract for Health Insurance. He noted that Lehr conducted an employee survey and 73% of the employees agreed to continue with JPT. Cyndy Maxwell, representative of JPT, provided a review of changes to the policy. Maxwell voiced that she would like to schedule an onsite training for the employees. Greer motioned to approve Option 1 of the proposal. Sharpe seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed the Pledge Report and asked for Council approval. Greer motioned to approve the report. Espinoza seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported there has been some requests to have chickens within the City limits. The City Code from Billings, MT was reviewed. Billings allows up to six hens and no roosters at a single-family dwelling, they must be in a predator proof cage, and there are fines if they are caught at large. Sharpe voice that he believes an individual should talk to their neighbors first. Debbie Winburn asked about ducks and geese. It was noted they are more vocal than hens. Winburn voiced that Colstrip passed an ordinance and they began to have an influx of skunks and other predators coming into town. Kautzman voiced that there already is enough problems with dogs and cats. Mayor Purcell asked if Council wanted to hold another meeting to look into it further. He added one individual that came to him voiced that her chickens are therapy for her like a dog or cat and that it treats her depression. Krebs noted that he personally doesn't have a problem with it and Sharpe agreed. A Resolutions or Ordinances Committee will be scheduled.

### **STAFF REPORTS:**

#### **Public Works:**

Hurff reported that Coal Country Little League has installed the shed at Heimat Park and Phase I of the Wastewater Treatment Plant Project is complete.

#### **Finance:**

Lehr reviewed the Third Quarter Financial Reports.

Lehr reported House Bill 11, funding for the Treasure State Endowment Program (TSEP) Grant for the City Wastewater Treatment Plant Upgrade, passed and the City is number five of twenty to be funded.

Lehr noted that House Bill 632 passed and it will provide additional money for capital improvement projects through the American Rescue Plan. Lehr voiced that section 28 of the plan reduces the amount of funding that can be received if the local government has more strict guidelines for Covid-19 in place than the State at the time the grant is awarded. Mayor Purcell reported he and Lehr are working on a plan of how to implement the money received and it will be submitted to Council.

#### **Legal:**

#### **Economic Development:**

Interstate Engineering is conducting a survey for the City of Hardin Growth Management

Plan. To take the online survey, visit <https://interstateeng.com/hardin> or visit their Facebook page for the survey and for virtual meeting information at <https://www.facebook.com/hardingrowthplan/>.

**RESOLUTIONS & ORDINANCES:**

**Resolution NO. 2262 – Appointing a Resident to the Hardin Police Commission -** Greer motioned to approve the appointment for Kevin Cannon to serve a three -year term. Sharpe seconded. On a voice vote the motion was unanimously approved.

**Resolution NO. 2263 – Appointing a Resident to the Hardin Police Commission –** Greer motioned to approve the appointment for Rock Massine to serve the remaining two years of a three- year term. Espinoza seconded. On a voice vote the motion was unanimously approved.

**Ordinance NO. 2021-02 – Amending the Zoning Ordinance Regarding Medical Marijuana –** Knudsen reviewed House Bill 701 that passed in the Legislature and recommended for the City to wait for the law to be established before amending the ordinance. Greer motioned to not approve the ordinance. Kautzman seconded. On a voice vote the motion was unanimously approved.

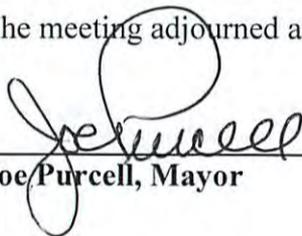
**ANNOUNCEMENTS:**

Mayor Purcell announced the “Get Trashed with the Mayor” Community Clean-Up Event is scheduled for Saturday, May 22<sup>nd</sup> at 10:00 a.m. in the Plaza.

Mayor Purcell reported the Police Chief, General Laborer and combined Seasonal Parks and Animal Control positions are open until filled.

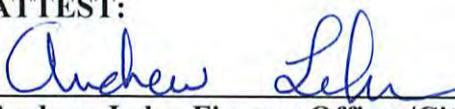
Greer motioned to adjourn the meeting. Kautzman seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:56 p.m.

  
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Joe Purcell, Mayor



**ATTEST:**

  
\_\_\_\_\_  
Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for May 18, 2021 was called to order at 6:39 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Chris Sharpe, Antonio Espinoza, and Jeremy Krebs. Karen Molina was present by virtual meeting.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., and Deputy City Clerk Angela Zimmer.

Also present physically and by virtual meeting: Several members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Sharpe made the motion to approve the Council minutes as written for May 4, 2021. Motion seconded by Kautzman. On a voice vote the motion was approved. (5/0) Molina recused.

Greer made a motion to approve the claims for May 18, 2021:

	CLAIM No.	Monthly Total
April, 2021	27094 - 27105, 27109, 27111 27113, 27118 - 27122 27124 - 27126, 27129	\$ 61,333.46
May, 2021	27106 - 27108, 27110 27112, 27114 - 27117 27123, 27127 - 27128	\$ <u>6,564.62</u>
<b>TOTAL Submitted</b>		<b>\$ 67,898.08</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:** N/A

**MAYOR:**

Mayor Purcell reported the equipment grant for the Police Department will be used when there is a Police Chief in place; he will follow up with the recent inquiry about the packing plant; the "Get Trashed with the Mayor" event is scheduled for May 22<sup>nd</sup> from 10:00 a.m. to 2:00 p.m. and will be held in the Plaza; the circus will be at the Fairgrounds on May 22<sup>nd</sup>; the Demolition Derby is scheduled for June 12<sup>th</sup>, Little Big Horn Days (LBHD) is scheduled for June 24<sup>th</sup>-26<sup>th</sup>; and the Chamber has information of how to volunteer for LBHD and for the rodeo.

Mayor Purcell proclaimed June 2021 Men's Health month.

**COMMITTEE REPORTS:**

**Personnel Policy/City Policy:**

Mayor Purcell reported Bradley Elkins, Donald Babbin, Jr., and Michael E. Van Ardoy were invited to interview for the Police Chief position. Elkins had to pull his application due to a military obligation. Babbin, Jr. and Van Ardoy both interviewed, were given tours of Hardin, and met with Judge Jim Seykora. Mayor Purcell noted that he will follow up with the candidates and then a formal offer will be made. Upon acceptance of the offer, the candidate will be brought to the Police Commission.

Mayor Purcell reported the City hired Josh Freeman as the Assistant Public Works Director and Jericho BigLefthand was hired for the General Laborer position. There is a pending offer to fill the Seasonal Parks/Animal Control position.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

Kautzman noted concern of the two lanes of traffic at 8<sup>th</sup> Street and Center Avenue. He added that people sometimes do not turn right and they continue to go straight when in the right turning lane. He asked if it was possible to ask the state to help with that situation. Mayor Purcell asked Hurff if he could contact the state.

**Parks & Playgrounds:**

Krebs reported Dick Salyer will be spraying weeds in the parks and the City will be fertilizing the parks next week.

Krebs reported there was a committee meeting to discuss the future use of the ice-skating rink in South Park. The plans are to install a 40' X 60' gazebo, two volleyball courts, a children's play area and adult exercise area, and four horseshoe pits. He added that it will be a great access for people to do more outdoor activities. The grant application is due by July 1<sup>st</sup>, but the proposal should be submitted fifteen to thirty days prior to the deadline.

**Finance/Landfill:**

Greer noted he spoke with Lehr about ways to get better interest rate returns.

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

Mayor Purcell reported the City received a newsletter from Vision Zero.

**UNFINISHED BUSINESS: N/A**

**NEW BUSINESS:**

Lorie Herbel, member of the 2021 Hardin all Class Reunion Committee, requested closure of the 200 Block of Center Avenue on Saturday July 17<sup>th</sup> from 11:00 a.m. to Sunday July 18<sup>th</sup> at 2:00 a.m., port-a-potties to include one ADA, dumpsters, and benches. It was noted the Chamber would need to be contacted for the use of the benches. Greer motioned to approve the requests. Krebs seconded. On a voice vote the motion was unanimously approved. Mayor Purcell noted the request for open containers will have to go through the liquor licensing process.

Mayor Purcell reported Dan Kern submitted a letter of resignation from the Big Horn Conservation District and made a recommendation for Austin Pitsch to be appointed to serve as a representative of the City of Hardin on the Big Horn Conservation District. Sharpe motioned to approve the appointment of Pitsch. Espinoza seconded. On a voice vote the motion was unanimously approved.

Thor Torske, on behalf of Hardin School District 17H&1, reported the School District received a grant from Montana State Parks Land Water Conservation Fund (LWCF) for a new playground at the Primary School. He added that it couldn't have been done without the letters of support received from the Mayor and County Commissioners. Torske requested assistance from City Council to waive tipping fees for the demolition lumber from the current primary playground equipment at the Primary School. Chris Schneider, Landfill Lead, requested for the metal to be separated from the lumber on the side dumps. Torske noted there will be a community event, a ribbon cutting ceremony, when the playground is constructed. The project is slated to be done around the fourth of July. Krebs motioned to approve the request. Sharpe seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed the Dorsey Whitney Engagement Letter. He noted it is the same process that was used for Phase I of the Wastewater Project. Greer asked about modifications that would be needed if the meat packing plant were to come in. It was noted that there is time if modifications are necessary. Greer motioned to approve the engagement letter. Espinoza seconded. On a voice vote the motion was unanimously approved.

**STAFF REPORTS:**

**Public Works:**

Hurff reported the pump at the Wastewater lift station has been rebuilt; Salyer will provide training this week for spraying the parks for weeds; the new Grasshopper mower is ready for pick up; he was contacted about a request for use of the water truck for the Indian Relays; and Phase 1 of the Wastewater Project is complete with a few items to follow up on.

**Finance:**

Lehr noted he would like to schedule Budget meetings for June 29<sup>th</sup> and July 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup>.

**Legal:**

**Economic Development:**

Mayor Purcell reported Interstate Engineering is continuing to work on the Growth Management Plan and the Main Street Revitalization Project. Interstate Engineering is conducting a survey for the City of Hardin Growth Management Plan. To take the online survey, visit <https://interstateeng.com/hardin> or visit their Facebook page for the survey and for virtual meeting information at <https://www.facebook.com/hardingrowthplan/>.

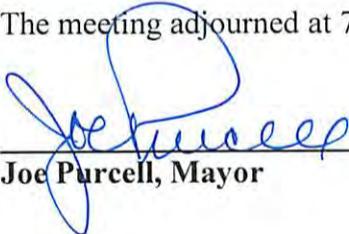
**ANNOUNCEMENTS:**

Mayor Purcell announced the following employee anniversaries: Jeremy Beckman, 26 years; Matthew Buskirk, 1 year, and Sherry Kirschenmann, 3 years.

The "Get Trashed with the Mayor" Community Clean-Up Event is scheduled for Saturday, May 22<sup>nd</sup> at 10:00 a.m. in the Plaza; City of Hardin Offices will be closed Monday, May 31<sup>st</sup> for Memorial Day, and the Police Chief and combined Seasonal Parks and Animal Control positions are open until filled.

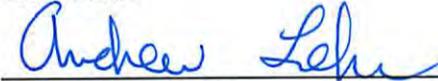
Kautzman motioned to adjourn the meeting. Greer seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:23 p.m.

  
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Joe Purcell, Mayor



**ATTEST:**

  
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Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for June 1, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, City Attorney Jordan Knudsen and several members of the public.

Also present physically and by virtual meeting: Members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Kautzman made the motion to approve the Council minutes as written for May 18, 2021. Motion seconded by Greer. On a voice vote the motion was unanimously approved. Greer made the motion to approve the Committee minutes as written for May 18, 2021. Sharpe seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for June 1, 2021:

	CLAIM No.		Monthly Total
April, 2021	27131	\$	15,067.72
May, 2021	27130, 27132 - 27146 27172 - 27195	\$	63,051.56
June, 2021	27147 - 27171 27196 - 27199	\$	<u>148,245.94</u>
<b>Claims Total (Expenditures)</b>		<b>\$</b>	<b>226,365.22</b>
May, 2021 Payroll		\$	<u>84,443.99</u>
<b>TOTAL Submitted</b>		<b>\$</b>	<b>310,809.21</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:**

Elle Ross, Farm to School coordinator for the Hardin School District, reported that the Farm to School Program provides local foods that are promoted at school. She added they received a Seventy-five thousand dollar grant from USDA (United States Department of Agriculture) last year. The funds will help to build a green house at the Hardin High School and a high tunnel at the FFA (Future Farmers of America) farm. Ross noted that the City will be updated as the program moves forward.

**MAYOR:**

Mayor Purcell reported information for the Chief of Police candidate will be turned into the Police Commission. The offer for the Chief of Police position was extended to Donald Babbin, Jr. The confirmation process is expected to last a few weeks.

Mayor Purcell reported he followed up with the company that was interested in building a meat packing plant in Industrial Park and they working on a proposal to forward to the City.

**Personnel Policy/City Policy:**

Mayor Purcell reported the Chief of Police position is in the verification process and another set of interviews will be scheduled for the Seasonal Parks/Animal Control position.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

Kautzman noted the City crew has been blading alleys.

Kautzman voiced that he was contacted by a homeowner on 11<sup>th</sup> Street that a home North of him has animals, it smells and is a mess. Kautzman asked if someone was living in the camper trailers that are parked across from Custer Park. Mayor Purcell reported that it has been looked into; construction is being done in the home so they are using them temporarily.

Greer asked if Park Road, out by the Chevy dealer, could be looked at for road patching.

**Parks & Playgrounds:**

Lehr reported the grant application proposal for construction at South Park is anticipated to be submitted tomorrow.

**Finance/Landfill:**

Lehr noted it would be good to schedule a Finance Meeting to discuss the ARPA (American Rescue Plan Act) funds and the options of how to utilize them. He added that Stahly Engineering is looking at options for the funds.

**Resolutions & Ordinances:**

Molina reported that the committee reviewed City Ordinance 6-2-8 Animals in the City. The committee members voted against changing the ordinance regarding chickens.

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

**UNFINISHED BUSINESS:**

Mayor Purcell reported the committee has agreed to not move forward with allowing chickens in the City limits.

**NEW BUSINESS:**

Mayor Purcell reported Jeff and Sarah Duncan submitted a letter on behalf of The Bash at the Big Horn Demolition Derby. The derby will be held Saturday June 12, 2021 at 3:00 p.m. at the Big Horn County Fairgrounds. They are requesting assistance and use of the grader and water truck to build and maintain the track and a donation of the water for the truck. It was confirmed that an operator would be needed also. Krebs motioned to approve the requests. Sharpe seconded. On a voice vote the motion was approved. (5/1) Molina abstained.

Diana Volk, with the Horse Nations Indian Relay Council, reported the Indian Relay is scheduled to be held Friday, June 4<sup>th</sup> through Sunday June 6<sup>th</sup> at the Big Horn County Fairgrounds. The Council is requesting use of the City water truck to water the track in the mornings as deemed necessary on those dates to provide safe conditions for the horses. Krebs motioned to approve the requests to include the water truck, water, and an operator for the dates of the relay. Greer seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed the Pay Application #2 from COP Construction, LLC for the Phase I Sewer Main Replacement Project. Kautzman motioned to approve the Pay Application in the amount of \$196,430.17. Sharpe seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed the Change Order from COP Construction, LLC. Kautzman motioned to approve the Change Order for an increase in the amount of \$27,216.50 for the Phase I Sewer Main Replacement Project.

**STAFF REPORTS:**

**Public Works:**

Hurff reported the spraying for weeds in the parks has been completed and he has visited with Dax Simek, of Stahly Engineering, about changes that would need to be made in Phases II and III of the Wastewater Treatment Project if the meat packing plant were to be built.

**Finance:**

Lehr reported Budget meetings will be schedule for June 29<sup>th</sup> and July 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup>. They will be extended as needed.

Lehr reported that Pot A is the main funding from ARPA and the City will receive a sum of \$917,144 spilt over two years. Half will be received in 2021 and the other half will be received in 2022. Pot B will be allocated to Montana Cities using the Gas Tax Allocation formula. The match for this funding is 1:1 if using local funds or 25% if using funding from Pot A to match. Pot C is the competitive grant program, which is due July 15, 2021. Greer mentioned the possibility of an interfund loan to help with matching requirements in the ARPA program. Lehr reported that currently the ARPA funds have to be obligated by 2024 and contracted work would have to be done by 2026.

Mayor Purcell reported that he has been contacted by homeowners about the vagrancy problem at Wilson Park and suggestions were made to sell the Park and have residential homes built on it to decrease the problem. Mayor Purcell reported the vagrancy will be addressed when the City Police Department is in place. Kautzman asked if the City could sell a park. Mayor Purcell reported that it would have to go to public vote.

**Legal:**

**Economic Development:**

Mayor Purcell reported Interstate Engineering is continuing to work on the Growth Management Plan and the Main Street Revitalization Project. Interstate Engineering is conducting a survey for the City of Hardin Growth Management Plan. To take the online survey, visit <https://interstateeng.com/hardin> or visit their Facebook page for the survey and for virtual meeting information at <https://www.facebook.com/hardingrowthplan/>.

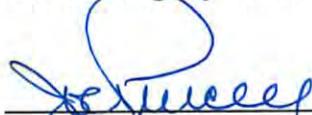
**ANNOUNCEMENTS:**

Mayor Purcell announced the Weed Mowing Bids are due by 2:00 p.m. June 9, 2021; the City of Hardin Employee Picnic will be held June 10<sup>th</sup> at 6:00 p.m. and that a quorum may be present but no business will be conducted; and Budget Meetings are scheduled for 6:00 p.m. on June 29<sup>th</sup> and July 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup> and continuing as needed.

Police Chief and combined Seasonal Parks and Animal Control positions are open until filled.

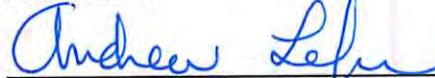
Kautzman motioned to adjourn the meeting. Greer seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:07 p.m.

  
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Joe Purcell, Mayor



**ATTEST:**

  
\_\_\_\_\_  
Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING:** The Regular Council Meeting for June 15, 2021 was called to order at 6:30 p.m. with Council President Harry Kautzman presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Harry Kautzman, Clayton Greer, Karen Molina, and Antonio Espinoza. Chris Sharpe and Jeremy Krebs were excused.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, and City Attorney Jordan Knudsen.

Also present physically and by virtual meeting: Members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Molina made the motion to approve the Council minutes as written for June 1, 2021. Motion seconded by Espinoza. On a voice vote the motion was unanimously approved. Molina made the motion to approve the Committee minutes as written for June 1, 2021. Espinoza seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for June 15, 2021:

	CLAIM No.	Monthly Total
May, 2021	27200 - 27215 27217 - 27220, 27222 27224, 27226, 27229 - 27230	\$ 146,824.33
June, 2021	27216, 27221, 27223 27225, 27227 - 27228	<u>\$ 3,018.47</u>
Expenditures Transfer funds	#27230	\$ 110,259.26
<b>Claims Total (Expenditures)</b>		<b>\$ 260,102.06</b>
transfer		\$ (110,259.26)
<b>TOTAL Submitted</b>		<b>\$ 149,842.80</b>

Molina seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:**

**MAYOR:**

Kautzman reviewed a Press Release from Big Horn County reporting that Big Horn County, the City of Hardin, and the Town of Lodge Grass will have a Public Meeting regarding prioritization of projects receiving funding from the American Recovery Plan Act. The meeting is scheduled for Tuesday, June 22, 2021 at 6:00 p.m. in the 1<sup>st</sup> Floor Meeting Room at the Big Horn County Courthouse.

**Personnel Policy/City Policy:**

Lehr reported a Police Commission meeting is scheduled for Thursday, June 17, 2021 at 4:00 p.m. at Council Chambers.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

**Parks & Playgrounds:**

**Finance/Landfill:**

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

Kautzman reported Fort Custer Golf Course with the Chamber of Commerce has requested approval for a Beer/Wine Permit to include the permit fees to be waived for the Street Dance, from 8:00 p.m. to 1:30 a.m. during Little Big Horn Days on June 26th. Greer motioned to approve the requests. Molina seconded. On a voice vote the motion was unanimously approved. Lehr reported the additional event insurance coverage needed for the bounce houses will be submitted to the City the week of the event.

A letter was submitted by Landa Uffelman requesting use of the Plaza, street closure of the 200 block, dumpsters, porta potties, street sweeping and extra cones for the 3<sup>rd</sup> Annual 4<sup>th</sup> of July Celebration from 7:00 a.m. to 7:00 p.m. Molina motioned to approve the requests. Espinoza seconded. On a voice vote the motion was unanimously approved.

The Chamber of Commerce has requested approval for a Beer/Wine Permit to include the permit fees to be waived for the 4<sup>th</sup> of July Celebration. Greer motioned to approve the requests. Espinoza seconded. On a voice vote the motion was unanimously approved.

Lorie Herbel, with the 2021 All Class Reunion, has requested a Beer/Wine Permit to include the permit fees to be waived for a Class Reunion BBQ to be held July 16, 2021. Molina motioned to approve the requests. Greer seconded. On a voice vote the motion was unanimously approved.

Kautzman reported the City did not receive any bids for weed mowing.

**STAFF REPORTS:**

**Public Works:**

Hurff reported the Indian Relay and Derby went well.

Hurff reported he was contacted by the Environmental Protection Agency (EPA) about disposal of a building they will be tearing down in Crow Agency. The debris will include friable asbestos. Chris Schneider, Landfill Lead, noted the debris would be bagged and pre-compacted before it is brought to the landfill. Hurff reported there will be a meeting with Barry Damschen and a representative from the EPA to look more into it before making a commitment to accept the debris at the landfill.

**Finance:**

Lehr reviewed the State Fuel Tax Allocation for the City of Hardin.

Lehr announced the City received a Grant Award from the Montana Coal Endowment Program in the amount of \$500,000 for Phase II of the Wastewater Treatment Plant Project.

Lehr reported the deadline to file for Mayor or Alderman is Friday, June 18<sup>th</sup>.

Lehr reported the City will receive \$967,604.16 from Pot A of the American Rescue Plan Act (ARPA) funding. Lehr noted the Press Release for the meeting to be held on June 22<sup>nd</sup> will allow public comment for input on utilizing the funds. He added that Robie Culver, of Stahly Engineering, will be at the meeting to provide information on the guidelines of what the money can be used for.

**Legal:**

**Economic Development:**

Interstate Engineering is conducting a survey for the City of Hardin Growth Management Plan. To take the online survey, visit <https://interstateeng.com/hardin> or visit their Facebook page for the survey and for virtual meeting information at <https://www.facebook.com/hardingrowthplan/>.

**ANNOUNCEMENTS:**

Kautzman announced the following employee anniversaries for June: Dean Baker, 7 years; Michael Hurff, 11 years; and Tammy Mendez, 2 years; City of Hardin Offices will be closed on Monday July 5<sup>th</sup> for the July 4<sup>th</sup> Holiday; and Budget Meetings are scheduled for 6:00 p.m. on June 29<sup>th</sup> and July 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup> and continuing as needed.

The Police Chief position is open until filled.

Greer motioned to adjourn the meeting. Espinoza seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 6:52 p.m.

  
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Harry Kautzman, Acting Mayor



**ATTEST:**

  
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Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for July 6, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Chris Sharpe, Karen Molina, and Jeremy Krebs. Antonio Espinoza entered the meeting at 7:31 p.m. Clayton Greer was excused.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, and City Attorney Jordan Knudsen.

Also present physically and by virtual meeting: Members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Sharpe made the motion to approve the Council minutes as written for June 15, 2021. Motion seconded by Molina. On a voice vote the motion was unanimously approved. Kautzman made the motion to approve the Committee minutes as written for June 29, 2021. Sharpe seconded. On a voice vote the motion was unanimously approved.

Molina made a motion to approve the claims for July 6, 2021:

	CLAIM No.		Monthly Total
May, 2021	27231 - 27234, 27244	\$	3,123.25
June, 2021	27235 - 27242, 27245 - 27260 27285 - 27287, 27291 - 27315	\$	320,057.44
July, 2021	27261 - 27284 27228 - 27289, 27290	\$	<u>8,313.96</u>
<b>Claims Total (Expenditures)</b>		<b>\$</b>	<b>331,494.65</b>
June, 2021 Payroll		\$	155,446.61
<b>TOTAL Submitted</b>		<b>\$</b>	<b>486,941.26</b>

Kautzman seconded. Krebs extended a Thank You to the County deputies, he added that he has always had prompt response when he has contacted the Sheriff's Office. Krebs reviewed the amount of funding Big Horn County receives each year from the City through the agreement and mill levies. Krebs voiced that he will not vote to approve the \$245,000 payment for the second half of this year. Knudsen reviewed the law enforcement contract and noted the City would not have a strong case for breach of contract. Cory Kenney voiced that he totally agrees with Krebs. On a voice vote, the motion was approved (3/1). Krebs voted Nay.

**PUBLIC COMMENT:**

**MAYOR:**

Mayor Purcell reported he would like to have a Law Enforcement committee meeting on Monday, July 12, 2021 to discuss options for a contract with Big Horn County. He added there will have to be separate agreements for dispatch, the jail, victims witness, and how the Chief of Police would back up the Sheriff. He will follow up with Antonio Espinoza, Chairman of the committee, for confirmation.

Mayor Purcell reported that he approved the donation of the water truck, the water, and a truck driver for the rodeo during Little Big Horn Days.

**Personnel Policy/City Policy:**

Mayor Purcell reported Donald Babbin Jr. has been approved through the Police Commission and he is on the agenda for approval.

Mayor Purcell reported the City has a job opening for a Janitor/Maintenance Worker. He added the current contract for janitorial services has expired.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

**Parks & Playgrounds:**

Krebs asked if there was an update on the grant for South Park. Lehr reported he had been contacted that they are behind schedule at the Montana State Parks Land Water Conservation Fund (LWCF) and it may be sometime between now and August they may contact the City to provide a walk through for the application.

**Finance/Landfill:**

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

**UNFINISHED BUSINESS:**

Mayor Purcell reported there was a meeting with the Gary Guesman and Paul Neutgens regarding the meat packing plant. Originally, they were expecting to need about half a million gallons a day and they have increased that to about 900,000 gallons a day. After meeting with Hurff, Dax Simek and Robie Culver of Stahly Engineering, the City feels it can meet the needs of a packing plant. He added they are expecting to decide between Billings and Hardin somewhere in the next thirty to sixty days.

**NEW BUSINESS:**

Mayor Purcell reported the Hardin Volunteer Fire Department with the Chamber of Commerce has requested approval for a Beer/Wine Permit to include the permit fees to be waived for the 2021 All Class Reunion from 11:00 a.m. July 17<sup>th</sup> to 2:00 a.m. July 18<sup>th</sup>. Molina motioned to approve the requests. Sharpe seconded. On a voice vote the motion was unanimously approved.

Dax Simek, of Stahly Engineering, reported grant applications can be submitted for a 500,000-gallon storage tank (\$900,000 to \$1 million dollars), expanding the sedimentation base (about \$20,000), and the upgrades to the Wastewater Treatment Plant (about \$10-12 million). The submission deadline is July 15<sup>th</sup>. The recommendation is to submit the storage tank and the expansion of the sedimentation base in one application and submit a separate application for the Wastewater Treatment Plant Upgrade. Robie Culver, Grant Specialist of Stahly Engineering, reported the City will have to provide a 1:1 match for every project or 25% of the local recovery funds. She added that by combining the projects it will save a little on the match the City will need to provide. She reviewed the options. Mayor Purcell reported Stahly is looking for approval and guidance from Council to move forward with the applications as described by Simek and Culver. Krebs asked if the money would contribute to the expansion of Watson Drive. Mayor Purcell reported the main focus at this time is on the Wastewater Treatment Plant with the deadline being July 15<sup>th</sup>. He added there will be funding available to be utilized for water lines, the parks, and the Police Department. There was further discussion about the competitive grant process and how Bucket A & B can be used. Mayor Purcell asked how much the grant writing fees would be for the two applications. Culver reported it would be around \$5,000 for both. She added the costs can be recovered in the application. Kautzman motioned to approve the American Rescue Plan Application (ARPA) strategy to submit two applications at the cost of \$5,000, one for the storage tank needs and sedimentation expansion and the second application for the Wastewater Treatment Plant upgrades with a total of about \$13 million for both applications. Krebs seconded. On a voice vote the motions was unanimously approved.

Mayor Purcell reported an Amended Plat for Shipton's Big R has been submitted for Council approval. Knudsen reported the plat for Shipton's Big R is an exempt process to move the property line so they will own the property. Massine asked if it will interfere with the cities 60-foot easement. Knudsen noted it will be right up against the easement. Sharpe motioned to approve the amended plat. Molina seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell recommended the appointment of Donald Babbin Jr. to be approved as the Chief of Police for the City of Hardin. Kautzman motioned to approve the appointment. Sharpe seconded. On a voice vote the motion was unanimously approved.

Hurff requested approval to purchase four new tires for the John Deere Scraper at the landfill. The cost is \$9,300 per tire, installation at the landfill is included. Kautzman motioned to approve the purchase of the four tires for \$9,300 a piece installed. Molina seconded. On a voice vote the motion was unanimously approved.

Lehr noted he has been looking into modernizing the time card system. He reviewed a quote from TimeClock Plus and several options available for the system. He also reviewed the savings those options could provide to the City over time. TimeClock Plus and Black Mountain Software have a fifteen-year history. The full quote is \$6,526.82 which includes the license, a one-time implementation fee, a timeclock, hardware and annual maintenance, and badges. The annual fee is \$1,860. Lehr noted the hardware can be removed and that iPads and office computers can be used for clocking in and managing time. Krebs motioned to approve the Timeclock system for \$6,526.82. Sharpe seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed Administration Cost Allocations for Fiscal Year 2022 for Supplies, Professional Service, etc. Lehr noted the proposed allocations will help with public safety. Kautzman motioned to approve the allocations. Sharpe seconded. On a voice vote the motion was unanimously approved.

Antonio Espinoza entered the meeting at 7:31 p.m.

Lehr reviewed Wage and Benefit Allocations for Council, Mayor and Finance. The allocations were discussed during the Budget Meeting of June 29<sup>th</sup>. This will update the allocations for FY 2022 to help with the Police Department. Kautzman motioned to approve the proposed allocations as presented by Lehr. Sharpe seconded. On a voice vote the motion was unanimously approved.

### **STAFF REPORTS:**

#### **Public Works:**

Hurff reported the City has been operating the durapatcher machine, the weekend events have been going well, the street sweeper was out today and will be tomorrow cleaning up fireworks debris, and Alley Clean-Up is scheduled the week of July 26<sup>th</sup>.

#### **Finance:**

Lehr noted the City funding from the American Rescue Plan Act (ARPA) Bucket A is \$967,604.16. The first payment in the amount of \$483,802.08 was received by the City a few weeks ago.

Lehr reported the third draw from the State Revolving Fund (SRF) Series B bonds, for the Sewer fund, will be released after the substantial completion is received for Phase I of the Wastewater project.

#### **Legal:**

#### **Economic Development:**

Interstate Engineering is conducting a survey for the City of Hardin Growth Management Plan. To take the online survey, visit <https://interstateeng.com/hardin> or visit their Facebook page for the survey and for virtual meeting information at <https://www.facebook.com/hardingrowthplan/>.

Mayor Purcell reported the City will look into how to utilize the ARPA funds for economic development.

**RESOLUTIONS & ORDINANCES:**

**Resolution NO. 2264 - Establishing Wages of Non-Union Employees for Fiscal Year 2021/2022.** Knudsen noted the dates are incorrect for the Elected Officials and recommended for an amendment to be made changing the dates from 2019/2020 to 2021/2022. Sharpe motioned to approve the resolution to include the amendment of the dates to match the resolution. Kautzman seconded. On a voice vote the motion was unanimously approved.

**Resolution NO. 2265 - Establishing Wages for Certain City Employees for Fiscal Year 2021/2022.** Katzman motioned to approve the resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

**Resolution NO. 2266 - Authorizing Submission of an American Recovery Rescue Plan Act Application for Competitive Grant for Infrastructure.** Kautzman motioned to approve the resolution as presented by Culver and Simek. Sharpe seconded. On a voice vote the motion was unanimously approved.

**Resolution NO. 2267 - Appointing the Chief of Police for the Hardin Police Department and Establishing Wages of the Chief of Police as A Non-Union Employee for FY 2021/2022.** Espinoza motioned to approve the resolution. Krebs seconded. On a voice vote the motion was unanimously approved. Kenney asked if Donald Babbins will meet the public. Mayor Purcell noted he will visit with Babbins about an Open House.

**Resolution NO. 2269 - Approving and Requesting City Elections To Be Conducted By Mail Ballot.** Kautzman motioned to approve the resolution. Molina seconded. On a voice vote the motion was unanimously approved.

**Resolution NO. 2268 - Requesting and Authorizing The Big Horn County Election Administrator To Forego a Municipal Primary Election For the 2021 Election Year.** Kautzman motioned to approve the resolution. Molina seconded. On a voice vote the motion was unanimously approved.

**ANNOUNCEMENTS:**

Mayor Purcell announced Budget Meetings are scheduled for 6:00 p.m. on July 13<sup>th</sup> and August 11<sup>th</sup> and continuing as needed.

Mayor Purcell and Espinoza confirmed scheduling a Law Enforcement meeting for Monday, July 12, 2021 at 6:00 p.m.

Sharpe motioned to adjourn the meeting. Kautzman seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:42 p.m.

  
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Joe Purcell, Mayor



ATTEST:  
  
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Andrew Lehr, Finance Officer/City Clerk

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

**PUBLIC HEARING:** Public Hearing for **Amending the Budget for Fiscal Year 2020-2021** was opened at 6:15 p.m. by Mayor Purcell.

Present at the Hearing were:

Council Members: Harry Kautzman, Clayton Greer, Karen Molina, and Jeremy Krebs.

City Staff: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Deputy City Clerk Angela Zimmer, and by virtual meeting, City Attorney Jordan Knudsen.

Rock Massine noted that about three years ago the City raised dumping fees at the Sewer Treatment Plant. He added it probably needs to be looked into raising the fees again in the next budget.

Mayor Purcell asked if there was any Public Comment on amending the budget for the fiscal year 2020-2021. There was none.

The Public Hearing adjourned at 6:22 p.m.

**COUNCIL MEETING: The Regular Council Meeting for July 20, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Karen Molina, and Jeremy Krebs. Chris Sharpe and Antonio Espinoza were excused. Sharpe entered the meeting virtually at 7:17 p.m. and entered the meeting in person at 7:34 p.m.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, and by virtual meeting, City Attorney Jordan Knudsen.

Also present physically and by virtual meeting: Members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Greer made the motion to approve the Council minutes as written for July 6, 2021. Motion seconded by Kautzman. On a voice vote the motion was unanimously approved. Greer made the motion to approve the Budget Meeting Committee minutes as written for July 13, 2021. Kautzman seconded. On a voice vote the motion was unanimously approved. Kautzman made the motion to approve the Law Enforcement Committee minutes as written for July 12, 2021. Greer seconded. On a voice vote the motion passed. (3/1) Molina recused.

Greer made a motion to approve the claims for July 20, 2021:

	CLAIM No.		Monthly Total
April, 2021	27243	\$	196,430.17
June, 2021	27317 - 27327 27332 - 27334	\$	24,145.68
July, 2021	27316, 27328 - 27331 27335 - 27339	\$	<u>33,829.43</u>
<b>TOTAL Submitted</b>		\$	<b>254,405.28</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:** N/A

**MAYOR:**

Mayor Purcell reported the City will be posting an ad for Police Officers this week; an update has not been received from Rural Development regarding the police equipment grant; and there is no new information on the packing plant.

Mayor Purcell reported the Hardin Branch of First Interstate Bank is having a Grand Opening on Tuesday, July 27<sup>th</sup> from 11:00 a.m. – 2:00 p.m.

Mayor Purcell reported he has visited with Hurff about removing the cages around the trees on Center Avenue. He noted that some of them are bent and twisted. He asked Council if there were any objections to having them removed. There were none.

**Personnel Policy/City Policy:**

Mayor Purcell reported the Janitor/Facilities Maintenance position has been filled. It is a part-time cleaning position that will expand as needed with the police department.

Mayor Purcell reported the City is anticipating to have a meet and greet with Police Chief Donald Babbin, Jr. sometime around mid to late August.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

Kautzman reported the City has been street sweeping and Alley Clean-up is scheduled for July 26<sup>th</sup>. He added it was advertised well.

**Parks & Playgrounds:**

**Finance/Landfill:**

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

Mayor Purcell reported the City received a newsletter from Montana Municipal Interlocal Authority (MMIA). He added that MMIA is having a photo contest and encouraged the public to submit photos of the City of Hardin.

**UNFINISHED BUSINESS:**

June Taylor Beartusk, Vice President of American Covenant Senior Housing Foundation, Inc., reviewed a pamphlet she provided to City Council. She reported Hardin Senior Housing, aka Rangeview Apartments is currently under another ownership. She added she is confident American Covenant Senior Housing Foundation will be awarded a grant from the Montana Board of Housing for Low-income Housing Tax Credits (LIHTC). She noted this would be the first low-income senior housing project in Hardin. Beartusk provided an overview of the project highlights, amenities, information about energy efficiency, and tenant compliancy to adhere to the regulations of the LIHTC and USDA Rural Development Grants. There was discussion about ongoing problems at the facility with drugs, theft, alcohol, etc. Krebs asked if the same people would be there after the remodel. Beartusk noted that it is possible that if tenants can't comply that they will not be able to remain. Krebs added that he does not want the same thing that is going on now. Beartusk voiced that American Covenant Senior Housing will be asking for tax exemption for the non-profit organization at the scheduled Public Hearing on August 3<sup>rd</sup>.

Mayor Purcell reported City Council approved a proposal for TimeClock Plus at the last meeting. Lehr voiced that his understanding from the last meeting is that Council wanted to have a timeclock at each department location. The previously approved quote included one timeclock. Lehr reported after the recent demo demonstration, provided by TimeClock Plus, two timeclocks would be sufficient. The Water and Wastewater Plants and the Landfill could clock in on their office computers. The only hardware needed would be for City Court and the City Hall building. The amended quote, that includes

two timeclocks, is \$9,034.44. Krebs asked if the Chief of Police would prefer to have it on the cloud, without badges, and Lehr noted that he will follow up with the Chief. Greer motioned to approve the updated proposal for two timeclocks with the badge system. Kautzman seconded. On a voice vote the motion was unanimously approved.

Chris Sharpe attended by virtual meeting at 7:17 p.m.

**NEW BUSINESS:**

Mayor Purcell reported Jon Dar Matovich submitted a request for use of the City water truck, water to be provided, and a driver for the Jerry Small King Of the Cowboys Timed Event Challenge that is scheduled for Saturday, August 14<sup>th</sup> at the Big Horn County Fairgrounds. Krebs motioned to approve the requests. Greer seconded. On a voice vote the motion was unanimously approved.

Lehr asked Council for approval to create fund 2992 for the American Rescue Plan Act Fund (ARPA). He added that funds received from (ARPA) would be put into this account and can be moved into subaccounts as needed. Greer motioned to approve for Lehr to create ARPA fund 2992. Krebs seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell asked if there was public comment on the Public Hearing for Budget Amendments for Fiscal Year 2020-2021. There was none. Kautzman motioned to approve the amendments as presented in Resolution NO. 2270. Greer seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported the recommendation of the Law Enforcement Committee is to not renew the contract for Law Enforcement with the Big Horn County Sheriff's Office. He noted the City of Hardin meets State statutes of filling law enforcement needs by having a Chief of Police hired. Kautzman motioned to follow the recommendation of the Law Enforcement Committee to not renew the contract with Big Horn County. Sharpe seconded. On a voice vote the motion passed. (4/1) Molina recused.

Mayor Purcell noted the City will pursue separate agreements for 911 services, jail services, and a victim's witness advocate.

**STAFF REPORTS:**

**Public Works:**

Hurff reported Alley Clean-Up is scheduled the week of July 26<sup>th</sup>.

Hurff reviewed the current agreement with Rocky Mountain Power for Ash disposal at the Landfill. Discussion included the current rate for disposal, how much the landfill has received recently, and how much capacity is left in the cell. Hurff reported he received a letter from Barry Damschen, of Engineering Consultant Services, regarding the life of the current ash cell and options for cell expansion. Kautzman noted that the landfill is receiving more ash annually than the contracted amount of up to 85,000 tons; that will shorten the life span of that cell. Sharpe entered Council Chambers at 7:34 p.m. Krebs noted the contract has a maximum of 2.5 million tons and asked if the City could accommodate the needs with the expansion. It was noted that it will. Mayor Purcell reported he has reached out to Rocky Mountain Power to review the contract.

**Finance:**

**Legal:**

**Economic Development:**

Interstate Engineering is conducting a survey for the City of Hardin Growth Management Plan. To take the online survey, visit <https://interstateeng.com/hardin> or visit their Facebook page for the survey and for virtual meeting information at <https://www.facebook.com/hardingrowthplan/>.

**RESOLUTIONS & ORDINANCES:**

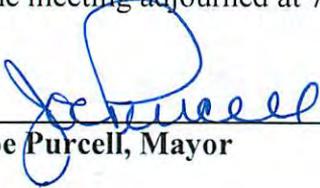
**Resolution NO. 2270 - Amending the Budget for Fiscal Year 2020-2021.** Kautzman motioned to approve the amendments as presented in Resolution NO. 2270 during New Business. Greer seconded. On a voice vote the motion was unanimously approved.

**ANNOUNCEMENTS:**

Mayor Purcell announced Judge Jim Seykora is celebrating six years with the City of Hardin; a Public Hearing is scheduled for August 3, 2021 at 6:00 p.m. for the American Covenant Senior Housing Foundation for Property Tax Exemption of Hardin Senior Housing; a Public Hearing is scheduled for August 3, 2021 at 6:15 p.m. concerning Street Maintenance District, and Street Maintenance levies and assessments for Fiscal Year 2021-2022; a Budget Meeting is scheduled for 6:00 p.m. August 11<sup>th</sup> and continuing as needed; and Alley Clean-up is scheduled for July 26, 2021.

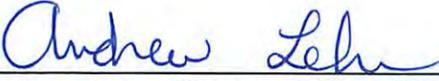
Kautzman motioned to adjourn the meeting. Greer seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:44 p.m.

  
\_\_\_\_\_  
Joe Purcell, Mayor



**ATTEST:**

  
\_\_\_\_\_  
Andrew Lehr, Finance Officer/City Clerk

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

**PUBLIC HEARING:** Public Hearing for **American Covenant Senior Housing Foundation – Property Exemption** was opened at 6:00 p.m. by Mayor Purcell.

Present at the Hearing were:

Council Members: Harry Kautzman, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs. Clayton Greer was present by virtual meeting.

City Staff: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Deputy City Clerk Angela Zimmer, and City Attorney Jordan Knudsen.

Also present physically and by virtual meeting: Members of the public.

Mayor Purcell reported June Beartusk, Vice President of American Covenant Senior Housing Foundation, Inc., provided a written response to questions that were asked at the last meeting regarding the proposed project. The City of Hardin is acting as a forum for the Foundation, regarding Property tax exemption status for Hardin Senior Housing (aka Rangeview Apartments) located at 1128 Rangeview Drive. There is no action to be taken by City Council; the Department of Revenue will make the determination.

Beartusk voiced the project is very vital to the community. The application was submitted last week to the Montana Board of Housing for Low-Income Housing Tax Credits (LIHTC). Beartusk introduced Gerald Fritts, Executive Director for the foundation. She noted that all the tenants are excited for the improvements and for the application to be successful. Beartusk noted they are a 501 (c) (3) Non-Profit organization. The project will allow them to provide low income housing for those who need it.

Molina noted that she had been by the apartments and had seen someone doing mechanic work on the street. She asked if that would be allowed. Knudsen voiced that it was a violation of City Ordinances. Beartusk noted they want all of their tenants to be compliant. Molina asked when the “revamping” would start. Beartusk reported they would have to be awarded the grant at the Montana Board of Housing meeting on October 19<sup>th</sup>, then it will depend on weather. She added sometime between December and next Summer.

Krebs voiced the new plans will not provide more housing and asked if there are plans to build something else somewhere else. Fritts noted that projects are preceded by the market setting. He added that he believes rent is about 30% below the current market rates and if that continues then they will seek to build another facility or workforce housing.

There were no further comments.

The Public Hearing adjourned at 6:10 p.m.

**PUBLIC HEARING:** Public Hearing for **Street Maintenance District and Street Maintenance levies and assessments for Fiscal Year 2021-2022** was opened at 6:15 p.m. by Mayor Purcell.

Present at the Hearing were:

Council Members: Harry Kautzman, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs. Clayton Greer was present by virtual meeting.

City Staff: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Deputy City Clerk Angela Zimmer, and City Attorney Jordan Knudsen.

Also present physically and by virtual meeting: Members of the public.

Mayor Purcell asked if there was any public comment. There was none.

Lehr reported the levies and assessments are based on the 2% increase that was discussed at the last budget meeting.

The Public Hearing adjourned at 6:19 p.m.

**COUNCIL MEETING: The Regular Council Meeting for August 3, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs. Clayton Greer was present by virtual meeting.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, and by virtual meeting, City Attorney Jordan Knudsen.

Also present physically and by virtual meeting: Members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Kautzman made the motion to approve the Council and Public Hearing minutes as written for July 20, 2021. Motion seconded by Espinoza. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for July 20, 2021.

	CLAIM No.	Monthly Total
May, 2021	27348	\$ 15.00
June, 2021	27371, 27382	\$ 1,373.00
July, 2021	27340–27347, 27349-27370 27372-27380, 27383-27384 27407-27408	\$ 105,340.94
August, 2021	27385-27406, 27409- 27410	<u>\$ 2,418.94</u>
<b>Claims Total (Expenditures)</b>		<b>\$ 109,147.88</b>
July, 2021 Payroll		<u>\$ 144,208.81</u>
<b>TOTAL Submitted</b>		<b>\$ 253,356.69</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:**

Kautzman noted he has received complaints about 521 5<sup>th</sup> Street West. A porta potty has been there a long time and they are concerned it is a health issue. Kautzman reported other concerns, there is a fence by the swimming pool on 9<sup>th</sup> Street Square that is partially being built in the alley, at 212 11<sup>th</sup> Street there are cattails by a window well behind a house and there is concern there may be a water or sewer leak, and over forty people have talked with him about junk in yards all over town. He added they expressed they feel the City is more worried about the Sheriff's Department, the Wastewater Treatment Plant, and the City Police Department and not the City. Knudsen reported he has a porta potty case under review, not sure if it is the same address. Winburn reported squatters are living there with no electricity, water, or sewer.

Kautzman asked if anything can be applied to the garbage trucks for when they dump the cans. He saw one going out to the dump and it was throwing insulation and paper was blowing out. He asked if there was any way to solve the problem. Chris Schneider, Landfill Lead, noted it happens when the trucks get full. Hurff reported he will look into it.

Espinoza reported he has had people come to him asking if the City can do anything about the trees by McDonalds; if they can be cut down. He added the neighbors say it gets crazy there at night.

Kautzman voiced he has had people express concern about vehicles being placed on blocks. The worry is that kids playing may fall on them and get hurt. He also noted there are cars on the road at Seder trailer park.

**MAYOR:**

Mayor Purcell reported an ad for Police Officers was posted and applications have been received. The first review of the applications is August 27<sup>th</sup>. Chief Donald Babbin will start August 16<sup>th</sup>. Mayor Purcell reported the hospital donated desks, equipment, and furniture for the City Police Department; the carpets will be cleaned at the new department and at City Hall; Lehr is working to get computers and phones set up for the department; the City is waiting for information on the police equipment grant; and Chief Babbin will sign for the COPS grant when he arrives.

Mayor Purcell reported Interstate Engineering will hold a Public Engagement on August 25<sup>th</sup> regarding the Growth Management Plan and Main Street Project and Governor Greg Gianforte reached out to Gary Guesman to recruit on behalf of the City of Hardin regarding the packing plant location.

**Personnel Policy/City Policy:**

Mayor Purcell reported the employee hired for the Janitor/Facilities Maintenance position started Monday. The part-time position will expand as needed with the police department. Molina voiced the new employee worked for the county and they missed her when she left.

**Sewer & Water:**

The final payout for Phase 1 of the Wastewater Treatment Plant Project has been made for RRGL, Renewable Resource Grant and Loan Program. Lehr reported funds from the State Revolving Fund Series "B" Loan may be able to be used in Phase 2 of the project.

**Law Enforcement:**

Espinoza voiced that he looks forward to seeing the Chief coming and to get some good officers.

**Streets & Alleys:**

**Parks & Playgrounds:**

Krebs noted it would be good to have letters of support for the project at South Park. He asked if letters can be requested from the County Commissioner's Office, School Board, Big Horn Hospital Association, and St. V's Clinic. Mayor Purcell noted he will request letters of support.

Hurff reported there have been complaints of garbage, human waste, and people sleeping under the bushes on the North and West side of Wilson Park. He asked about chopping them down. Kautzman, Sharpe, and Espinoza agreed. Rock Massine noted the church has already cut down nice trees, we have to come up with a better solution than destroying what we have for the street people. Kautzman voiced that some people want to sell it and Krebs voiced he doesn't want to sell the park. Massine noted that if the bushes are cut down they will just go somewhere else. Kautzman noted they use the alley as a restroom. Knudsen listed some ordinances that already exist. He suggested to have committee meetings and consider amending the aggressively begging ordinance and other ordinances. Kautzman suggested to see what the police department can do before cutting the bushes down.

**Finance/Landfill:**

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

**UNFINISHED BUSINESS:**

Mayor Purcell reported no action is required for the Public Hearing for American Covenant Senior Housing Foundation, Inc. The City provided the venue.

**NEW BUSINESS:**

Lehr reviewed the Pledge Report. Kautzman motioned to approve the report. Sharpe seconded. On a voice vote the motion was unanimously approved.

**STAFF REPORTS:**

**Public Works:**

Hurff reported Alley Clean-Up has been completed; school maintenance called and asked for the pool to be filled, but they will not be opening until sometime in December; last Wednesday there was a wildfire next to the landfill; the City will be setting up for the Farmers Market this Thursday; and South Park will be locked daily at 5:00 p.m. due to vandalism.

Hurff reported the City does have a twenty-foot easement where the fence is being installed by the pool.

**Finance:**

Lehr reviewed the Fourth Quarter Financial Reports.

Lehr reported the Certified Taxable Values were received yesterday from the Department of Revenue.

**Legal:**

Knudsen suggested Law Enforcement or Ordinance Committee meetings to amend City Codes. He would like to wait until the Chief of Police is here.

Krebs asked if the Chief can sign off for cars to be towed. It was noted that he can. Krebs suggested for the process to be started so that by the time he gets here, he can sign off on them. He added it has been about a year and a half since tows have been signed.

**Economic Development:**

Interstate Engineering is conducting a survey for the City of Hardin Growth Management Plan. To take the online survey, visit <https://interstateeng.com/hardin> or visit their Facebook page for the survey and for virtual meeting information at <https://www.facebook.com/hardingrowthplan/>.

**RESOLUTIONS & ORDINANCES:**

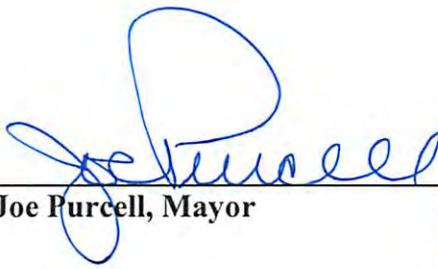
**Resolution NO. 2271 - Assessing the Cost of Street Maintenance in District Number 1, for Fiscal Year 2021/2022.** Kautzman motioned to approve the resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

**ANNOUNCEMENTS:**

Mayor Purcell announced a Budget Meeting is scheduled for August 11<sup>th</sup> and continuing as needed; Interstate Engineering will hold a Public Engagement meeting on August 25<sup>th</sup> for public input on the Growth Management Plan and Main Street Project; and a Public Hearing Adopting the Budget for FY 2021-2022 and setting levies and assessments is scheduled for September 7, 2021.

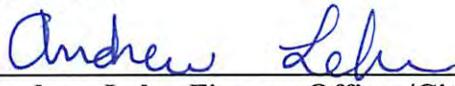
Molina motioned to adjourn the meeting. Greer seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:20 p.m.

  
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Joe Purcell, Mayor



ATTEST:

  
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Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for August 17, 2021 was called to order at 6:39 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, City Attorney Jordan Knudsen, and Police Chief Donald Babbin, Jr.

Also present physically and by virtual meeting: Members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Greer made the motion to approve the Council and Public Hearing minutes as written for August 3, 2021. Motion seconded by Kautzman. On a voice vote the motion was unanimously approved. Greer motioned to approve the committee minutes as written for August 11, 2021. Sharpe seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for August 17, 2021.

	CLAIM No.	Monthly Total
June, 2021	27431	\$ 192.06
July, 2021	27412 - 27419, 27421 - 27423 27438, 27445	\$ 31,817.24
August, 2021	27420, 27424 - 27430 27432 - 27437, 27439 - 27444 27446	\$ <u>30,835.38</u>
<b>TOTAL Submitted</b>		<b>\$ 62,844.68</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:**

Debbie Winburn noted there are two vehicles being torn apart and fluids are spilling onto the ground at a 4-plex on 12<sup>th</sup> Street.

Kautzman reported there was a fire inside the home that has a porta potty in the front yard. Knudsen reported it is being addressed. Kautzman expressed concern of the house burning down. Winburn added there are people in and out of that house.

Kautzman asked how the weekend dog catcher was doing. Mayor Purcell reported he has not received a lot of calls. Kautzman asked about the routes he takes while on shift.

**MAYOR:**

Mayor Purcell reported he asked City Court about budget concerns and questions that were brought up at the budget meeting. He will update council when he receives a response.

Mayor Purcell reported Police Chief Donald Babbin is getting set up at the City Police Department. Mayor Purcell noted the hospital donated desks and some housekeeping carts, the City is waiting on estimates and quotes for supplies, and the County Commissioners' will provide two patrol cars to the City. Mayor Purcell reported there are currently five applicants for the Police Officer positions. Carole Fox asked if the officers would have to live here. It was noted they will need to live within a fifteen to twenty-minute drive.

Babbin reported he has been contacted by the Gallatin County Sheriff's Office and they have offered up to eight vehicles to the City of Hardin.

**Personnel Policy/City Policy:**

Mayor Purcell reported the closing date for the Police Officer position is Friday, August 27<sup>th</sup>. The employee hired for the Janitor/Facilities Maintenance position is working out well and the part-time position will expand as needed with the police department.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

**Parks & Playgrounds:**

**Finance/Landfill:**

**Resolutions & Ordinances:**

Molina reported the committee reviewed the medical marijuana and pedestrian interference ordinances. Knudsen will "tweak" the ordinances and present drafts to Council.

Mayor Purcell reported there are other ordinances that need to be reviewed and "tweaked".

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

**UNFINISHED BUSINESS:**

Mayor Purcell reported Knudsen will amend the medical marijuana ordinance and forward the draft for Council approval.

**NEW BUSINESS:**

Mayor Purcell reported Knudsen will amend the pedestrian interference ordinance and forward the draft for Council approval.

Lehr reviewed the Mill Levies and Permissive Medical Levy for Fiscal Year 2021-2022 and reported that Council decided to maintain the Mill Levies and leave the Permissive Medical levy at 15.5 mills. Kautzman motioned for approval. Greer seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed the Entitlement Distribution for Fiscal Year 2022. Greer motioned to approve the distribution as presented. Krebs seconded. On a voice vote the motion was unanimously approved.

**STAFF REPORTS:**

**Public Works:**

Hurff reported the Farmers Market and the weekend rodeo at the fairgrounds both went well and the State performed an inspection at the Water Treatment Plant. Hurff reported there was concern of a health hazard that was previously reported at a home on 11<sup>th</sup> Street that had cattails growing. There is a water spicket and an air conditioner that is leaking; the owner was notified.

Hurff reported that recently the first curb stop was replaced under the curb stop replacement fund.

Hurff read a letter the City received from the U.S. Environmental Protection Agency (EPA) concerning the Landfill receiving a building from Crow Agency that does contain asbestos. Hurff reported Chris Schneider, Landfill Lead, has already spoken with Barry Damschen. A contract would need to be coordinated with Knudsen.

**Finance:**

Lehr reviewed Delinquent or Protested Taxes/Assessments as of June 30, 2021.

**Legal:**

**Economic Development:**

Interstate Engineering is conducting a survey for the City of Hardin Growth Management Plan. To take the online survey, visit <https://interstateeng.com/hardin> or visit their Facebook page for the survey and for virtual meeting information at <https://www.facebook.com/hardingrowthplan/>.

**RESOLUTIONS & ORDINANCES:**

**Resolution NO. 2272 - Requesting Distribution of Bridge and Road Safety and Accountability Program Funds.** Greer motioned to approve the resolution. Sharpe seconded. On a voice vote the motion was unanimously approved.

**ANNOUNCEMENTS:**

Mayor Purcell announced the following employee anniversaries for August: Steffen Peters – 3 years and Chris Schneider – 16 years; Interstate Engineering will have a booth at the River Valley Farmers Market on August 26<sup>th</sup> from 5:00 p.m. – 7:30 p.m. for public input on the Growth Management Plan and Main Street Project; City offices will be closed Monday, September 6<sup>th</sup> for Labor Day; a Public Hearing Adopting the Budget for FY 2021-2022 and setting levies and assessments is scheduled for Tuesday, September 7, 2021 at 6:10 p.m.; and the Police Officer position is open until filled.

Mayor Purcell reported he will be swearing in Donald Babbin, Jr. as Police Chief after the close of the meeting. Kautzman asked when the City will hold a meet and greet with Babbin. Mayor Purcell noted it will be scheduled sometime after the police department is set up. Babbin showed Council pictures of the badges and uniforms that have been ordered. Michelle Massine asked when interviews will be held for the police officer position. Mayor Purcell reported they will be held soon after the closing on Friday the 27<sup>th</sup>. Krebs asked how many officers will be hired right away. Mayor Purcell noted it will depend on the applicants.

Greer motioned to adjourn the meeting. Kautzman seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:14 p.m.

  
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Joe Purcell, Mayor



**ATTEST:**

  
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Andrew Lehr, Finance Officer/City Clerk

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

**PUBLIC HEARINGS: Adopting the Final Budget for Fiscal Year 2021-2022 and setting mill levies, assessments and user fees was opened at 6:10 p.m. by Mayor Purcell.**

Present at the Hearing by virtual meeting were:

Council Members: Harry Kautzman, Clayton Greer, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs

City Staff: Finance Officer/City Clerk Andrew Lehr, Interim Public Works Director Michael Hurff, Deputy City Clerk Angela Zimmer, City Attorney Jordan Knudsen, and Police Chief Donald Babbín, Jr.

Also present physically and by virtual meeting: Members of the public.

Mayor Purcell asked if there was any Public Comment. There was none.

Mayor Purcell reported a few questions were forwarded to City Court regarding the budget. It was reported there were some furniture updates. They are moving to a new state software system, so they are working to clear up citations and catch up on bonds before they can move to the new system.

Lehr reported the organizational chart includes a Victim Witness Advocate, Police Chief, Police Officers, and a Secretary/TAC Officer.

The Public Hearing adjourned at 6:16 p.m.

**COUNCIL MEETING: The Regular Council Meeting for September 7, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, City Attorney Jordan Knudsen, and Police Chief Donald Babbín, Jr.

Also present physically and by virtual meeting: Members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Kautzman made the motion to approve the Council minutes as written for August 17, 2021. Motion seconded by Greer. On a voice vote the motion was unanimously approved. Greer motioned to approve the committee minutes as written for August 17, 2021. Sharpe seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for September 7, 2021.

	CLAIM No.	Monthly Total
July, 2021	27447, 27485	\$ 99,689.14
August, 2021	27472 - 27484, 27486 - 27514 27516, 27517	\$ 106,815.37
September, 2021	27448 - 27471 27515	<u>\$ 242,437.48</u>

Expenditures

Transfer funds	27447	\$	99,686.89
<b>Claims Total (Expenditures)</b>		\$	548,628.88
transfer		\$	(99,686.89)
<b>August, 2021 Payroll</b>		\$	<u>141,947.22</u>
<b>TOTAL Submitted</b>		\$	<b>590,889.21</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT: N/A**

**MAYOR:**

Mayor Purcell reported he has not received any information regarding the meat packing plant

**Personnel Policy/City Policy:**

Mayor Purcell reported the City currently has positions open for a part-time General Laborer, and full-time Assistant Mechanic/MWII and MWIII.

Mayor Purcell noted the first interviews for the police officer positions are scheduled for tomorrow, September 8<sup>th</sup>. Kautzman asked about having a member from the Law Enforcement Committee present during the interviews. Mayor Purcell voiced a committee member is welcome to attend.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

**Parks & Playgrounds:**

**Finance/Landfill:**

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

Mayor Purcell reported the City received a Request for Comments for the Hardin Senior Housing Project from the Montana Board of Housing and a notice of a vacancy from the Montana League of Cities and Towns.

**UNFINISHED BUSINESS:**

Knudsen reviewed the amended draft for **Ordinance NO. 2021-02 – Amending the Medical Marijuana, Adult-Use Marijuana and Other Marijuana Businesses**. It includes adding Adult-Use and Other Marijuana Businesses. Molina asked if the age to purchase marijuana would be twenty-one like alcohol and cigarettes. It was noted an individual would have to be twenty-one years old to use marijuana and eighteen years old to sell. Knudsen noted a marijuana business would be allowed in Agricultural and Industrial zoning districts only. He added that local law enforcement will be granted authority to inspect the premises of the business at any time and that hours are set for the dispensary. Greer suggested to not include I2, Light Industrial areas. Greer motioned to amend the draft ordinance to exclude Light Industrial areas. Kautzman seconded. Krebs pointed out the zoning map and discussion followed whether to leave the draft as is or remove I2. Greer rescinded his motion to exclude I2. Krebs voiced it would be easier to zone it I1 only, General Industrial. Greer motioned to approve Ordinance 2021-02 as written. Kautzman seconded. On a voice the motion was at a tie vote with, Greer, Kautzman, and Sharpe voting Yea and with Krebs, Espinoza, and Molina voting Nay. The Mayor broke the tie vote by voting Yes for the ordinance as presented. Motion passed.

Knudsen reviewed the amended draft for **Ordinance NO. 2021-03 – Pedestrian Interference**. Rock Massine asked Babbin if the way this ordinance is written if it will help him enforce it better. Babbin noted that it will. Sharpe motioned to approve the Ordinance as written. Krebs seconded. On a voice vote the motion was unanimously approved.

**NEW BUSINESS:**

Mark Johnson, of Resource Technologies, Inc., requested for the City of Hardin Landfill to accept about forty to sixty yards of petroleum (diesel fuel) contaminated waste soil from a small spill near Grass Range, Montana. Chris Schneider, Landfill Lead, reported that he has spoken with Barry Damschen and Fred Collins and they are okay with accepting the soil. Greer motioned to approve the request. Molina asked if the landfill has taken diesel contaminated soil before and if taking it would damage the landfill. It was noted they have before and it will not. It was noted they will pay \$42.50 per ton for disposal. Krebs seconded. On a voice vote the motion was unanimously approved.

Chief Babbin requested approval to purchase mobile and portable police radios in the amount of \$18,470.00. Lehr reported the City has received a grant of roughly \$10,900 toward the purchase so the City portion will be about \$7,000. Greer motioned to approve the purchase. Espinoza seconded. On a voice vote the motion was unanimously approved.

Chief Babbin requested approval of a quote from Axon Enterprise, Inc. for a lease program for Tasers. They have a five-year warranty and will be replaced at the end of the lease period. The terms of the agreement are \$2,514 per year for five years with a total cost of \$12,570. Kautzman motioned to approve the quote. Greer seconded. On a voice vote the motion was unanimously approved.

Chief Babbin requested approval of a combined quote in the amount of \$46,566.30. The quotes include Dana Safety Supply, INC in the amount of \$10,941 for police vehicle equipment and Duval Fleet in the amount of \$35,625.30 for a 2021 Ford Police Interceptor AWD. Babbin noted the quote does not include installation of the equipment. Krebs asked if the City was receiving two cars from the County. Babbin confirmed they will be contributing \$72,000 toward two vehicles. Gallatin County has three vehicles they have offered to the City and there are some Chevy Tahoe's in Texas that he will be receiving more information about. Kautzman motioned for approval of the request in the amount of \$46,566.30. Greer seconded. On a voice vote the motion was unanimously approved.

Lehr reported Nittany Grantworks submitted a proposal to assist the City of Hardin in preparing and submitting a grant application to the Montana Coal Impact Grant program for funding to support a law enforcement vehicle. The hourly rate is \$80 and the total fee for services will not exceed \$3,200. The application is due October 21, 2021. Greer motioned to approve the proposal. Kautzman seconded. On a voice vote the motion was unanimously approved.

**STAFF REPORTS:**

**Public Works:**

Hurff reported the City purchased ice slicer to prepare for the winter. Hurff noted he received a quote in the amount of \$20,760 for forty 300-gallon cans delivered. The City is doing an inventory of 300-gallon garbage cans to see how many extra cans there are before purchasing more. Kautzman recommended to contact Billings to see if they have any cans available.

Hurff reported the City crew is spraying and cutting weeds around curb and gutters and the Montana Department of Environmental Quality (MTDEQ) conducted a three-year sanitary survey at the Water Treatment Plant. The plant received a good report.

**Finance:**

Lehr provided a review of the Event Notice and Continuing Disclosures for the Tax Increment Industrial Development Revenue Bonds (TIFD).

Lehr reported the City was awarded a grant in the amount of \$61,000 to purchase computer equipment, a server, furniture, and a police reporting record system for the Police Department.

Lehr announced the City received the final reimbursement from the Renewable Resource Grant and Loan Program (RRGL) in the amount of just over \$75,000.

Lehr reported the State granted an extension to the end of September for the Audit for Fiscal Year 2020. The auditor, WIPFLi, LLP, has been experiencing staffing issues.

**Police:**

Chief Babbin reported the City received five applications for the Police Officer positions and three will be interviewed. He is currently waiting on quotes for the uniforms. The City will receive two vehicles from the County and the City will purchase one. Babbin noted he has been working on the policy for the Police Department and added it will be rigid. It was noted the City is seeking a quote to replace the door, add an awning, lighting, and signage for the Police Department. Kautzman asked if he will need a secretary for records, etc. Chief Babbin noted a Secretary/TAC Officer will be needed; it will be a dual-purpose position.

**Legal:**

Knudsen reported the City met with the County and they will provide \$72,000 for police vehicles. The City will be looking at agreements with the County for the jail services, 911 dispatch, and the police reporting system.

**Economic Development:**

Mayor Purcell reported the City is waiting on the final report from Interstate Engineering on the City of Hardin Growth Management Plan.

**RESOLUTIONS & ORDINANCES:**

**Resolution NO. 2273: Assessing Lighting District NO. 1, FY 2021/2022.** Greer motioned to approve the resolution. Kautzman seconded. On a voice vote the motion was unanimously approved.

**Resolution NO. 2274: Assessing Lighting District NO. 54, FY 2021/2022.** Greer motioned to approve the resolution. Sharpe seconded. On a voice vote the motion was unanimously approved.

**Resolution NO. 2275: Assessing the Cost of Garbage Disposal to City Property Owners for FY 2021/2022.** Kautzman motioned to approve the resolution. Greer seconded. On a voice vote the motion was unanimously approved.

**Resolution NO. 2276: Approve Assessments Being Placed on The Real Property Tax Rolls as a Special Assessment.** Kautzman motioned to approve the resolution. Sharpe seconded. On a voice vote the motion was unanimously approved.

**Resolution NO. 2277: Adopting the Budget for Fiscal Year 2021/2022.** Greer motioned to approve the resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

**Resolution NO. 2278: Amount of Taxes to Be Levied on Taxable Property for the FY 2021/2022.** Greer motioned to approve the resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

**Resolution NO. 2279: Amending the Landfill Fee Schedule.** Sharpe motioned to approve the resolution. Greer seconded. On a voice vote the motion was unanimously approved.

**Resolution NO. 2280: Authorizing Submission of Funding Application in support of the City of Hardin Preliminary Engineering Report to Study the City's Water Treatment and Distribution System.** Kautzman motioned to approve the resolution. Greer seconded. On a voice vote the motion was unanimously approved.

**Ordinance NO. 2021-02: Amending the Medical Marijuana, Adult-Use Marijuana, and Other Marijuana Businesses.** During Unfinished Business, Greer motioned to

amend the draft ordinance to exclude Light Industrial areas. Kautzman seconded. Krebs pointed out the zoning map and discussion followed whether to leave the draft as is or remove LI. Greer rescinded his motion to exclude LI. Krebs voiced it would be easier to zone it I1 only, General Industrial. Greer motioned to approve Ordinance 2021-02 as written. Kautzman seconded. On a voice the motion was at a tie vote with, Greer, Kautzman, and Sharpe voting Yea and with Krebs, Espinoza, and Molina voting Nay. The Mayor broke the tie vote by voting Yes for the ordinance as presented. Motion passed.

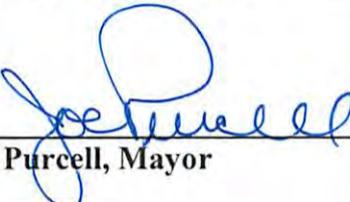
**Ordinance NO. 2021-03: Prohibitions on Pedestrian Interference.** During Unfinished Business, Sharpe motioned to approve the Ordinance as written. Krebs seconded. On a voice vote the motion was unanimously approved.

**ANNOUNCEMENTS:**

Mayor Purcell reported the City currently has job openings for a part time General Laborer, full time Assistant Mechanic/Maintenance Worker II and full time Maintenance Worker III. The positions are opened until filled.

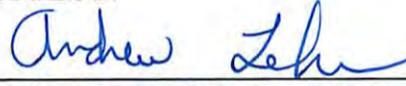
Greer motioned to adjourn the meeting. Kautzman seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:41 p.m.

  
\_\_\_\_\_  
Joe Purcell, Mayor



ATTEST:

  
\_\_\_\_\_  
Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for September 21, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Chris Sharpe, Antonio Espinoza, and Jeremy Krebs. Karen Molina was excused.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, City Attorney Jordan Knudsen, and Police Chief Donald Babbins, Jr.

Also present physically and by virtual meeting: Members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Sharpe made the motion to approve the Public Hearing and Council minutes as written for September 7, 2021. Motion seconded by Greer. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for September 21, 2021.

	CLAIM No.	Monthly Total
August, 2021	27519, 27521 - 27536	\$ 26,438.19
September, 2021	27520	\$ <u>891.00</u>
<b>TOTAL Submitted</b>		<b>\$ 27,329.19</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:**

Espinoza reported he has had people ask him if it would be the City or the School that could be asked to block off the road between 5<sup>th</sup> Street and the school (Miles Avenue to Lewis Avenue) during games. He added there is a lot of tailgating, people drive fast, and there were a couple of kids that were almost hit during the homecoming game.

**MAYOR:**

Mayor Purcell reported the City will continue to advertise for Police Officers. He added that two out of the three that interviewed will be taken to the Police Commission for approval.

Mayor Purcell noted the entry door for the Police Department will be replaced. He extended a "Thank You" to the Fire Department for pressure washing the police department building and parking lot to prepare it for signage, lights, and paint.

Mayor Purcell announced there will be a presentation of Successful Entrepreneurs in Montana at the 3 Brothers Cinema, Thursday, September 23<sup>rd</sup> at 6:30 p.m.

Mayor Purcell reported he has been in contact with Gary Guesman and they will be making their decision this week of what direction they will be going for the meat packing plant. They will be deciding between Lockwood and Hardin.

Mayor Purcell reported the Growth Management Plan and Downtown Revitalization Plan are near completion and will be reviewed. Lehr reported the City-County Planning Board will review the updated draft at their next meeting in October and then it will be forwarded to Council.

**Personnel Policy/City Policy:**

Mayor Purcell reported the City currently has positions open for a part-time General Laborer, full-time Assistant Mechanic/MWII, full-time MWIII, and Police Officer positions.

Mayor Purcell reported some City workers were exposed to covid and have now returned to work.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

**Parks & Playgrounds:**

Hurff reported the public restrooms will be closed when it gets cold and begins to freeze.

**Finance/Landfill:**

Greer noted the landfill is looking into purchasing an e-waste container and also a location to place it; maybe at City offices or the Landfill.

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

Mayor Purcell reported the City received newsletters from Vision Zero and The Montana Department of Transportation.

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

Elle Ross, Executive Director of Helping Hands Foodbank, reported they will be hosting a movie night fundraiser in Heimat Park on October 29<sup>th</sup>. The community is invited to bring chairs and blankets to see Hocus Pocus, there will be a costume contest, and they will have a drop area for donating turkeys. Ross noted sunset is expected to be between 6:00 p.m. and 7:00 p.m. She asked for extended hours to access the park. She also asked for the restrooms to be open. Hurff reported there is not any heat in the bathrooms so they will be winterized by then. Greer motioned to approve the request. Sharpe seconded. Greer amended his first motion by asking if the City could look into rates for porta potties for the event. On a voice vote the motion was unanimously approved.

Mayor Purcell reported an application for a mobile home inspection was submitted by Duane Bull Chief for a 1996 Friendship American Classic. Greer asked about the water heater. Bull Chief noted that it is electric and has been recently replaced. Krebs asked if the current skirting would be replaced with new skirting. Bull Chief reported that he has been looking at pricing for new skirting to be put on when it is moved. Greer motioned to approve the application. Espinoza seconded. On a voice vote the motion was unanimously approved.

Knudsen reported John McEneaney has asked for a Request for Reconveyance to release the title of his property at 744 4<sup>th</sup> Street West for a note that has been fully paid. Greer asked if there was a sewer easement at that property with the structure behind the house. It was unclear. Krebs motioned to approve the request. Espinoza seconded. On a voice vote the motion passed. (4/1) Greer opposed.

Hurff reported RCI Energy had been called to repair the HVAC system at the Water Treatment Plant and Council Chambers. RCI Energy provided an estimate in the amount of \$10,918 to replace the system. Krebs asked if it was a new furnace and central air. It was noted that it is for the entire system. Greer motioned to approve the estimate. Kautzman seconded. On a voice vote the motion was unanimously approved.

Hurff reported he received an estimate to replace truck bed floors in two of the dump trucks. The estimate is \$5,444.25 for each floor. Greer asked if Hurff could get quotes locally. Hurff will look into it receiving quotes from local businesses. Kautzman motioned to table the request until the next meeting. Sharpe seconded. On a voice vote the motion was unanimously approved.

Chief Babbin requested the purchase of a 2014 Chevy Tahoe in the amount of \$24,750 that is fully equipped and the total includes shipping. Kautzman motioned to approve the request. Espinoza seconded. On a voice vote the motion was unanimously approved.

Lehr reported he has filed the Tax Increment Finance District (TIFD) Annual Report for Fiscal Year Ended June 30, 2021.

**STAFF REPORTS:**

**Public Works:**

Hurff reported the River Valley Farmers Market went well; Alley Clean-Up is scheduled from October 2<sup>nd</sup> to October 8<sup>th</sup>; and the City Crew has been working on a water line at Custer Avenue and 7<sup>th</sup> Street.

**Finance:**

Lehr reported Interstate Engineering hosted a booth at the River Valley Famers Market for the Growth Plan. The City-County Planning Board will review the draft.

Lehr reported a request for reimbursement for the police radios has been turned into the Montana Board of Crime Control; he has not received any new information about the Montana State Parks Land Water Conservation Fund (LWCF) application that was submitted for the South Park project; and he is expecting to receive the Auditor's Report for Fiscal Year 2020 next week.

**Police:**

Chief Babbin reported the City is forwarding two of the applicants for the Police Officer positions to the Police Commission; the police radios came in and are ready for installation; and his officer uniforms have been ordered. Uniforms will be ordered as police officers are hired.

Mayor Purcell extended a "Thank You" to Babbin for the progress he has made. Babbin voiced he is thankful for the support.

**Legal:**

Knudsen reported the City is working out agreements with Big Horn County for Law Enforcement 911, dispatch, and jail services.

**Economic Development:**

Mayor Purcell announced there will be a presentation of Successful Entrepreneurs in Montana at the 3 Brothers Cinema, Thursday, September 23<sup>rd</sup> at 6:30 p.m.

**RESOLUTIONS & ORDINANCES:**

**Resolution NO. 2281: Cancel Mail Ballot Election for 2021 Election for Mayor and Ward 2.** Kautzman motioned to approve the resolution. Greer seconded. On a voice vote the motion was unanimously approved.

**Ordinance NO. 2021-02: Amending the Medical Marijuana, Adult-Use Marijuana, and Other Marijuana Businesses.** Sharpe motioned to approve the second reading of the ordinance. Greer seconded. On a voice vote the motion passed. (4/1) Krebs opposed.

**Ordinance NO. 2021-03: Prohibitions on Pedestrian Interference.** Kautzman motioned to approve the second reading of the ordinance. Greer seconded. On a voice vote the motion was unanimously approved.

**ANNOUNCEMENTS:**

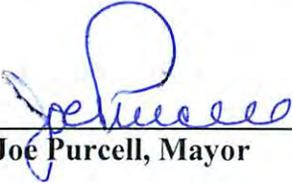
Mayor Purcell announced that Randy Melville is celebrating a 15-year anniversary with the City; Alley Clean-Up is scheduled from October 2<sup>nd</sup> to October 8<sup>th</sup>; and the City currently has job openings for a part-time General Laborer, full time Assistant Mechanic/Maintenance Worker II, full time Maintenance Worker III, and Police Officer positions. The positions are opened until filled.

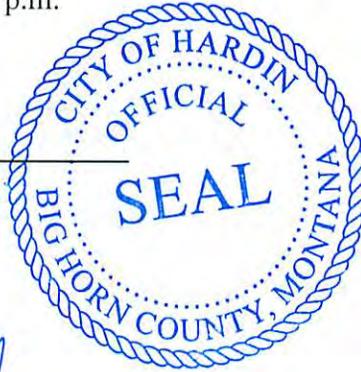
Krebs asked if when the One Health Center was approved if any landscaping was to be done. Mayor Purcell noted that he does not know if it is on the plat and that it is meant to look like a natural environment. Carole Fox voiced that they do not take care of the weeds.

Mayor Purcell noted that this will be the last meeting for Debbie Winburn, she will be moving. Mayor Purcell extended a "Thank You" to Winburn for her dedication.

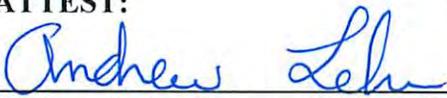
Kautzman motioned to adjourn the meeting. Sharpe seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:12 p.m.

  
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Joe Purcell, Mayor



ATTEST:

  
\_\_\_\_\_  
Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for October 5, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, and Police Chief Donald Babbín, Jr. City Attorney Jordan Knudsen was present by virtual meeting

Also present physically and by virtual meeting: Members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Sharpe made the motion to approve the Council minutes as written for September 21, 2021. Motion seconded by Greer. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for October 5, 2021.

	CLAIM No.	Monthly Total
September, 2021	27537, 27539 - 27543 27545 - 27584 27609 - 27621	\$ 124,275.42
October, 2021	27585 - 27608	<u>\$ 2,475.12</u>
<b>Claims Total (Expenditures)</b>		<b>\$ 126,750.54</b>
<b>September, 2021</b>		<b>\$ 157,845.65</b>
<b>TOTAL Submitted</b>		<b>\$ 284,596.19</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:**

Frank Krebs noted that he has questions about a possible impound lot that will be started in his neighborhood. He added GV Towing bought property on 6<sup>th</sup> and 7<sup>th</sup> Street East, two thirds of the property is in City limits and is Residential and one third of the property is in the County and is Light Industrial. Krebs reported he has talked with numerous neighbors and voiced they are concerned there will be more traffic and they are strictly against it. Mayor Purcell noted that the City Attorney and Code Enforcement are working with the owners.

**MAYOR:**

Mayor Purcell reported he was notified the packing plant will be built in Lockwood; there is not any new information on the Growth Management Plan or the Main Street Project; and the Montana Leagues of Cities and Towns 90<sup>th</sup> Annual Convention is scheduled for October 6<sup>th</sup> – October 8<sup>th</sup>. He will be attending virtually.

**Personnel Policy/City Policy:**

Mayor Purcell reported the City currently has positions open for a part-time General Laborer, full-time Assistant Mechanic/MWII, full-time MWIII, and Police Officer positions.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

Kautzman reported Alley Clean-Up started this week.

**Parks & Playgrounds:**

Lehr reported a pre-application meeting will be scheduled for the Montana State Parks Land Water Conservation Fund (LWCF) application for the South Park project.

Krebs reported Gametime, a company the City purchases playground equipment from, has a grant that has one hundred percent matching funds. He added that Lehr will look into combining the grants for the project.

**Finance/Landfill:**

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

**UNFINISHED BUSINESS:**

Hurff reported he contacted a local business for an additional quote to replace truck bed floors in two of the dump trucks. Hurff reported they came and took measurements, but he has made several attempts to contact them for the quote and has not received a return call. Hurff reported another local company was asked, but they said it would be a while before they would be able to come take a look at it. Hurff recommended approval of the quote from Kois Brothers in the amount of \$5,444.25 for each floor. Kautzman motioned to approve the recommendation. Espinoza seconded. On a voice vote the motion was unanimously approved.

**NEW BUSINESS:**

Chief Babbin reported the City received three police vehicles from Gallatin County and one police vehicle from Texas. He added that all the vehicles need decals and striping. Greer motioned to approve the estimate from the Tint Factory in the amount of \$5,400 for the three vehicles from Gallatin County. Espinoza seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported Big Horn County is purchasing two police vehicles for the City. He added an approval is needed for the City to purchase the two vehicles in the amount of \$77,704, which includes shipping and handling, and then be reimbursed by the County for the amount they are contributing. Molina asked if the price was just for the vehicles. Chief Babbin noted it will be additional for all the equipment. Greer motioned to approve the purchase of the vehicles in the amount of \$77,704. Krebs seconded. On a voice vote the motion was unanimously approved.

Hurff reported a proposal was submitted by In Control, Inc. to upgrade the radio communications throughout the water distribution system. He added that In Control does all the computer services at the water plant. Sharpe asked if the system could be fixed. Hurff reported it is hard to find parts. Krebs motioned to approve the proposal in the amount of \$56,215. Greer seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell asked for approval to submit a letter to the Montana Coal Board for a Coal Board Grant to purchase a K-9 equipped law enforcement vehicle. Molina asked why a K-9 this early in a department when the City can barely afford a department. She asked if there would be a date the grant would have to be used by once it is awarded. Krebs asked if the grant could be turned down at a later date if it is decided to take a different route. Mayor Purcell noted that having a K-9 is another tool to use with drug issues in Hardin. Rock Massine, City of Hardin resident, noted that it was intended by the last department to get a K-9 and added that Chief Babbin has experience with dogs. Greer motioned to approve the application and letter. Krebs seconded. On a voice vote the motion was at tie vote with Kautzman, Greer, and Krebs voting Yea and with Sharpe, Molina, and Espinoza voting Nay. The Mayor broke the tie vote by voting Yes to go

forward with the submission of the commitment letter to the Coal Board. (4/3) Motion passed.

**STAFF REPORTS:**

**Public Works:**

Hurff reported the parks were closed on October 1<sup>st</sup> and Alley Clean-up is this week. Hurff reported used 300-gallon garbage cans can be purchased from the City of Billings for \$100 each. He is working to set up an account with Billings so a few cans can be picked up each week. It was noted they are about \$509 each new.

**Finance:**

Lehr reported the pre-application meeting for the (LWCF) grant for the South Park Project is expected to be held sometime after the 15<sup>th</sup> of this month; the Budget Document for FY 2022 was submitted to the State on October 1<sup>st</sup>; and he asked for another extension with the State for the audit. He added that WIPFLi, the auditor, is behind.

**Police:**

Chief Babbin reported the City has received the three Ford Explorers from Gallatin County and the Chevy Tahoe from Texas came in yesterday.

Chief Babbin noted there are two applicants that have been forwarded to the Police Commission and noted the City has received more applications. He noted the City needs to separate themselves from other agencies by being more attractive to applicants.

Chief Babbin reported the school superintendent approached him about a school resource officer. He added that if the superintendent needs help, our doors are open.

**Legal:**

Knudsen reported draft agreements for jail and 911 services and a contract for the two police vehicles have been sent to Big Horn County and are being reviewed by their legal counsel.

**Economic Development:**

Mayor Purcell reported the City is waiting on the final report from Interstate Engineering on the City of Hardin Growth Management Plan.

**RESOLUTIONS & ORDINANCES:**

**Resolution NO. 2282: Declaring the Elections by Acclamation for Election Year 2021 for Mayor and Ward 2.** Kautzman motioned to approve the resolution. Sharpe seconded. On a voice vote the motion was approved. (4/2) Greer and Espinoza abstained.

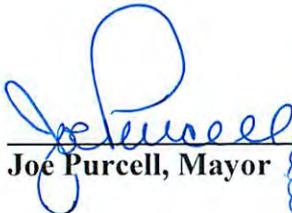
**Resolution NO. 2283: Authorizing the Submission of a Coal Board Application in support of the City of Hardin Police Department.** Greer motioned to approve the second reading of the ordinance. Kautzman seconded. On a voice vote the motion was at tie vote with Kautzman, Greer, and Krebs voting Yea and with Sharpe, Molina, and Espinoza opposed voting Nay. The Mayor broke the tie vote by voting Yes. The motion passed.

**ANNOUNCEMENTS:**

Mayor Purcell announced Alley Clean-Up is scheduled for this week; City Offices will be Closed Monday, October 11, 2021 for Columbus Day; a Candidate Debate for Election Year 2021 is scheduled for Tuesday, October 12, 2021 at 7:00 p.m. at the Hardin Depot; and the City currently has job openings for a part-time General Laborer, full time Assistant Mechanic/Maintenance Worker II, full time Maintenance Worker III, and Police Officer positions. The positions are opened until filled.

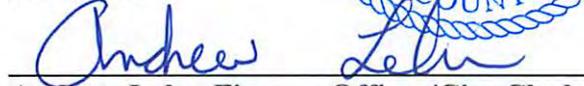
Kautzman motioned to adjourn the meeting. Greer seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:17 p.m.

  
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Joe Purcell, Mayor



ATTEST:

  
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Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for October 19, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs. Clayton Greer was present by virtual meeting.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, City Attorney Jordan Knudsen, and Police Chief Donald Babb, Jr.

Also present physically and by virtual meeting: Members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Kautzman made the motion to approve the Council minutes as written for October 5, 2021. Motion seconded by Sharpe. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for October 19, 2021.

	CLAIM No.		Monthly Total
June, 2021	27654	\$	10,250.00
September, 2021	27622 - 27630, 27632 - 27633 27636 - 27641, 27643 27656	\$	27,366.95
October, 2021	27631, 27634 - 27635 27644 - 27646, 27648 - 27653 27655	\$	<u>6,442.60</u>
<b>TOTAL Submitted</b>		<b>\$</b>	<b>44,059.55</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:**

Mayor Purcell asked if there was Public Comment for the Environmental Assessment for a K-9 Police Equipped Vehicle. There was none.

There was no other Public Comment.

**MAYOR:**

Mayor Purcell reported a joint grant was awarded to Big Horn County and the City of Hardin to fill a position for Economic Development. The job description is currently in the draft process.

Mayor Purcell reported a meeting is scheduled for tomorrow regarding Phase 2 of the Wastewater Treatment Plant Project; he will be out of town from October 23<sup>rd</sup> to October 29<sup>th</sup>; the Environmental Assessment for the K-9 equipped vehicle is the final step for the Coal Board Grant; and Mail-In Ballots for the election have been sent out.

**Personnel Policy/City Policy:**

Mayor Purcell reported the City currently has positions open for Police Officers. He added that one interview was conducted yesterday and two more interviews are scheduled for this week.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

Kautzman asked Hurff to Thank the City Crew for the wonderful job they did during Alley Clean-Up.

**Parks & Playgrounds:**

Krebs asked Lehr if he has received any information about the Montana State Parks Land Water Conservation Fund (LWCF) grant application for the South Park Project. Lehr reported the pre-application meeting is scheduled for 10:00 a.m. on Monday, October 25<sup>th</sup>. Lehr reported options for playground equipment will be presented to Council at the November 2<sup>nd</sup> meeting.

**Finance/Landfill:**

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

**UNFINISHED BUSINESS:**

Hurff reported the agreement for services with EPA Region 8 for the City to accept asbestos at the Landfill includes the new updated rates and specific instructions of how the asbestos will be handled. Knudsen noted they have not seen the agreement yet. It was noted that if they forward a different contract, it would be for City Council to decide if they want to approve it. Molina motioned to approve for the agreement to be forwarded to the EPA for approval. Espinoza seconded. On a voice vote the motion was unanimously approved.

**NEW BUSINESS:**

Elle Ross, Executive Director of Helping hands Foodbank, asked for the City to donate portable restrooms for the movie in the park night, Friday, October 29<sup>th</sup>. Kautzman motioned to approve supporting the event for the food bank. Molina seconded. On a voice vote the motion was unanimously approved.

Rhonda Lehr, with the Chamber of Commerce, requested for the 200 Block of Center Avenue to be closed on Friday, October 29<sup>th</sup> from 4:00 p.m. to 6:00 p.m. for a Trunk or Treat event. Krebs motioned to approve the request. Espinoza seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported he will be out of the office from October 23<sup>rd</sup> to October 29<sup>th</sup>. Kautzman motioned to approve the absence. Sharpe seconded. On a voice vote the motion was unanimously approved.

**STAFF REPORTS:**

**Public Works:**

Hurff reported the frame on the sander was welded; the cleaning of street valves has been completed; an account was set up with the City of Billings for trash cans that will be purchased from them; the City is performing the annual flushing of fire hydrants; and the HVAC system is still being installed at the Water Treatment Plant/Council Chambers.

**Finance:**

Lehr reported the substantial completion documentation for Phase I of the Wastewater Treatment Project has been turned in; the process for Phase II of the project will begin tomorrow; and he hasn't heard from the state regarding the status of the extension filed or the audit.

**Police:**

Chief Babbitt reported he is working with Lexipol through Montana Municipal Interlocal Authority, the City Insurance program, to help design and implement policies for the department. Chief Babbitt announced that he completed his Equivalency Training in Helena; the department is currently waiting for uniforms to come in; and the company

that is striping the vehicles has not received the product to complete the work. Chief Babbin voiced that it is a process that is taking time.

**Legal:**

**Economic Development:**

Mayor Purcell reported Beartooth RC&D is working with the City and Big Horn County on housing and economic development.

**RESOLUTIONS & ORDINANCES:**

**Resolution NO. 2284: Categorical Exclusion for the City of Hardin K-9 Equipped Police Vehicle.** Kautzman motioned to approve the resolution. Greer seconded. On a voice vote the motion was approved. (4/2) Molina and Espinoza opposed.

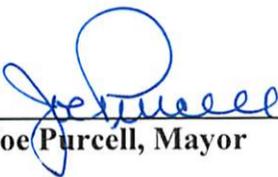
**ANNOUNCEMENTS:**

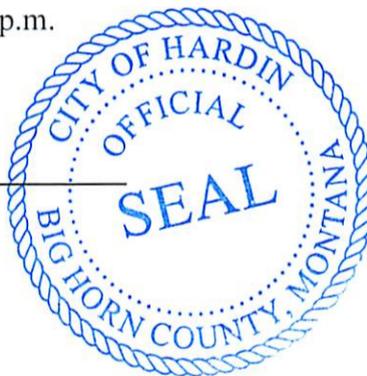
Mayor Purcell announced the following employee anniversaries for October: Judge Richard Bowler, 4 years; Joe Connelly, 10 years; Moses Gonzales, 43 years; Markus Takes The Horse and Angela Zimmer, each 6 years.

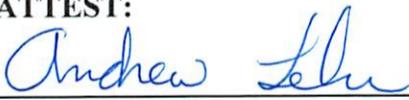
Mayor Purcell reported the City currently has openings for Police Officers. The positions are opened until filled.

Kautzman motioned to adjourn the meeting. Greer seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 6:55 p.m.

  
\_\_\_\_\_  
Joe Purcell, Mayor



**ATTEST:**  
  
\_\_\_\_\_  
Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for November 2, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Chris Sharpe, Karen Molina, Antonio Espinoza, and Jeremy Krebs.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, City Attorney Jordan Knudsen, and Police Chief Donald Babbins, Jr.

Also present physically and by virtual meeting: Members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Kautzman made the motion to approve the Council minutes as written for October 19, 2021. Motion seconded by Sharpe. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for November 2, 2021.

	CLAIM No.	Monthly Total
June, 2021	27657 - 27676 27700 - 27712	\$ 42,522.66
November, 2021	27677 - 27699	<u>\$ 2,425.12</u>
<b>Claims Total (Expenditures)</b>		<b>\$ 44,947.78</b>
<b>October, 2021 Payroll</b>		<b><u>\$ 183,345.12</u></b>
<b>TOTAL Submitted</b>		<b>\$ 228,292.90</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT: N/A**

**MAYOR:**

Mayor Purcell reported the City has two elected positions up for election tonight and the Coal Board Grant Application for the K-9 equipped vehicle has been submitted for the December 9<sup>th</sup> Coal Board meeting.

Mayor Purcell reported the City has forwarded two more police officer applicants to the Police Commission, Officer Calin Curtin began this week and Officer Michael LaPointe is expected to begin next week.

**Personnel Policy/City Policy:**

Mayor Purcell reported the City currently has full time positions open for Police Officers, General Laborer, and General Laborer/Assistant Mechanic, and a part time Court Clerk I position.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

Kautzman noted that he is hoping for the City to get out the durapatcher to patch a few holes before it gets really cold.

**Parks & Playgrounds:**

Krebs voiced that he would like to schedule a committee meeting before the next Council meeting to talk about options for the playground equipment for the South Park Project. He reviewed how the grants will work. Lehr reported he, Hurff, and the program director from the Montana State Parks Land Water Conservation Fund (LWCF) went through the application process together. She reviewed the grant process, the need for letters of support, and some items that need to be cleared up regarding other projects the City has done with grants through LWCF.

**Finance/Landfill:**

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

The City received a newsletter from Montana Municipal Interlocal Authority.

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

Landa Uffelman, local business owner, requested closure of the 200 Block on Saturday, November 27<sup>th</sup> from 3:00 p.m. to 9:00 p.m. for the Christmas Stroll. Krebs motioned to approve the request. Molina seconded. On a voice vote the motion was unanimously approved.

Laurie Tschetter, local business owner, reported that she purchased property inside City limits for a towing business that was listed by the realtor as L1, Light Industrial. Tschetter reported she contacted the City about putting up an electric fence around the property and she was told that electrical fences are not allowed in the City limits. Tschetter reported they elected to purchase a property outside of the City limits for the business. Tschetter voiced that now they own a piece of property that they have a huge investment in and no one is going to build a house there. Mr. Lang voiced that maybe he misunderstood why they were there at the meeting and he asked how Council felt about putting a garage on the property, one is light industrial and the other 2 are not. It was noted it would need to go before the City-County Planning Board. Mr. Lang voiced that he is not here to point the finger, but wants to find a solution. Tschetter asked if there is not a mistake on the map. Mayor Purcell noted that it will be looked into. Mr. Lang pointed out that the business was not going to be a junk yard, but an area for transport only. He added he has no intention of piling up cars.

Lehr reported playground options for the South Park Project are in the packets. Lehr noted the grant has specific requirements for the type of playground systems that can be purchased, so he will put together more options for the equipment that can be bought through Gametime. A committee meeting will be scheduled to review options.

**STAFF REPORTS:**

**Public Works:**

Hurff reported the black top and curb have been completed on Kokomo Road and the City will complete back fill behind the curb, he has tried to contact the ambulance facility about the street light they requested but he has not currently received a response, the City is working to pick up 300 gallon garbage cans from Billings, he has not received information on the start date for the radio reads for the Water Treatment Plant, the HVAC system has been installed at the Water Treatment Plant/Council Chambers, and the movie in the park and trunk or treat events went well.

**Finance:**

Lehr reviewed the First Quarter Financial Reports. Lehr reported that he hasn't received information about the audit or from the state of the status of the extension filed or the audit.

**Police:**

Chief Babbin reported three police vehicles been striped, one is being worked on this week at the City, and the other two are having windshields replaced. Chief Babbin noted the department is currently waiting for uniforms to come in and the equipment is coming in slowly.

Chief Babbin reported Montana State Law allows a jurisdiction of five miles outside of City limits. He voiced that it would be beneficial in assisting the County and added that we are in this together. The primary focus is to handle calls within the City as they come in. Krebs verified it would only be assisting and not patrolling outside of the City limits. Knudsen noted it would give the City the right to arrest in that radius. Knudsen voiced the procedure would be done by Ordinance. Greer motioned to approve for Knudsen to draft an ordinance expanding the jurisdiction to a five-mile radius outside of the City limits. Espinoza seconded. On a voice vote the motion was unanimously approved.

**Legal:**

Knudsen reported the City should receive the contracts from the County by the end of this week for 911 dispatch, jail services, and the two police vehicles the County is purchasing for the City Police Department. It was also noted that Chief Babbin will be a non-voting member of the 911 board.

**Economic Development:**

Mayor Purcell reported the final Growth Management Plan has been delayed until December and that the City-County Planning Board will hold a public hearing this month on the Growth Management Plan.

**RESOLUTIONS & ORDINANCES:**

**Resolution NO. 2285: Appointment of Associate Judge of The Hardin City Court.** Rock Massine asked if the City needed two judges. Mayor Purcell reported the two judges make one full-time position. Greer motioned to approve the resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

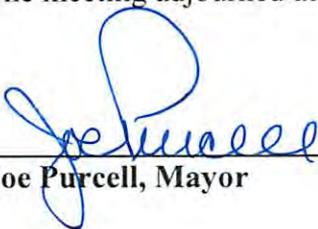
**ANNOUNCEMENTS:**

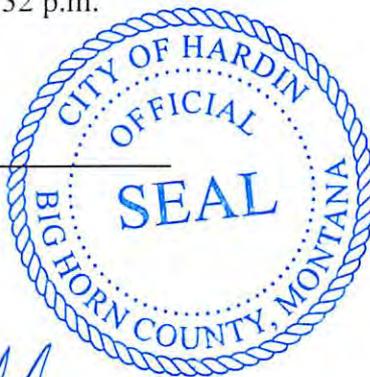
Mayor Purcell announced City Offices will be closed Thursday, November 11<sup>th</sup> in Honor of Veteran's Day.

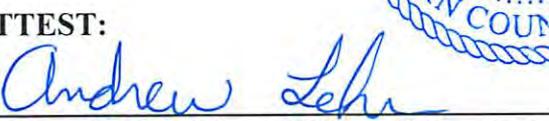
Mayor Purcell reported the City currently has full time positions open for Police Officers, General Laborer, and General Laborer/Assistant Mechanic, and a part time Court Clerk I position.

Greer motioned to adjourn the meeting. Kautzman seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:32 p.m.

  
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Joe Purcell, Mayor



**ATTEST:**  
  
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Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for November 16, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Clayton Greer, Chris Sharpe and Jeremy Krebs. Karen Molina was present by virtual meeting. Harry Kautzman and Antonio Espinoza were excused.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, and City Attorney Jordan Knudsen.

Also present physically and by virtual meeting: Members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Greer made the motion to approve the Council minutes as written for November 2, 2021. Motion seconded by Sharpe. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for November 16, 2021.

	CLAIM No.	Monthly Total
October, 2021	27713 - 27739, 27741 27745, 27751, 27754	\$ 84,345.61
November, 2021	27740, 27742 - 27744 27746 - 27750, 27752 - 27753 27755	<u>\$ 7,198.72</u>
Expenditures Transfer funds	27755	\$ 3,055.35
<b>Claims Total (Expenditures)</b>		<b>\$ 94,599.68</b>
transfer		<u>\$ (3,055.35)</u>
<b>TOTAL Submitted</b>		<b>\$ 91,544.33</b>

Krebs seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT: N/A**

**MAYOR:**

Mayor Purcell congratulated Rock Massine and Steve Hopes for being elected to Council and noted they will take office in January. The Coal Board Grant Application for the K-9 equipped vehicle has been submitted for the December 9<sup>th</sup> Coal Board meeting.

**Personnel Policy/City Policy:**

Mayor Purcell reported there are two police officer applicants that are pending approval by the Police Commission.

Mayor Purcell reported the City currently has positions open for a part-time Court Clerk I and full-time Police Officers.

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

**Parks & Playgrounds:**

**Finance/Landfill:**

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

**UNFINISHED BUSINESS:**

Krebs reported the committee discussed two options that are available for the playground equipment and Option 2 was preferred. The total cost of Option 2 is \$58,097.20. There was discussion to eliminate the whirlwind seat and swings, this would bring the cost down almost \$6,000. The next step is to apply for the grant through the Montana State Parks Land Water Conservation Fund (LWCF). This will reduce the City cost by half. It was noted the equipment cannot be ordered until the funding has been locked in through the LWCF grant the City is applying for.

**NEW BUSINESS:**

Joel Bertolino, Beartooth RC&D Executive Director, introduced Jacy Head as the new Economic Development Director. Bertolino and Head both reviewed projects in the Big Horn County and Hardin area. Bertolino extended a "Thank you" to Greer for serving on the board.

Greer motioned to approve the Memorandum of Understanding with Beartooth RC&D. Krebs seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed Pay Application #3, to COP Construction LLC, in the amount of \$34,856.53, for the Wastewater Project. Greer motioned to approve the Pay Application as presented by Lehr. Sharpe seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed the Letter of Credit and asked for Council Approval. Sharpe motioned to approve the report. Greer seconded. On a voice vote the motion was unanimously approved.

**STAFF REPORTS:**

**Public Works:**

Hurff reported the City has picked up sixteen 300-gallon garbage cans from Billings. Hurff noted he submitted a letter of approval for Kokomo Road. Hurff asked what Council thought about holding another clean up with the recent winds. It was agreed that it would be good to get some of the branches cleaned up from the wind storms.

**Finance:**

Lehr reported Samantha Erpenbach, with Land Water and Conservation Fund (LWCF), came to Hardin to review some of the items that needed to be cleared up with previous projects the City has received grants for from LWCF. Lehr reported Brennen Park did get released by a resolution, but there is no record of approval at the National Park Service or Fish, Wildlife and Parks. Lehr reviewed the process to become compliant so the City can move forward.

Lehr noted that he is looking to receive the audit for FY 2020 by the end of this month.

Greer asked about placing signs in the park for people to clean up after their pets. Mayor Purcell reported that an employee has expressed they are in favor of adding dog stations in the parks.

**Police:**

Mayor Purcell reported Chief Babbin contacted the owner of the Sinclair gas station about the vagrancy on the property, the three vehicles the City received from Gallatin County and the Chevy Tahoe are almost complete, and the department should have the three new vehicles in place soon. Mayor Purcell noted the department is waiting for information about the radio frequency. Mayor Purcell reported that Chief Babbin approves of the Ordinance that will be presented.

**Legal:**

Knudsen reported he received the contracts from the County and he will report on them after he reviews them.

Knudsen reviewed the Ordinance that gives the Police Department the authority to make arrests 5-miles outside of the City limits.

Rock Massine asked what contracts were received from the County. Knudsen reported they are for 911 dispatch, jail services, and three police cars. He added that the City is looking for a letter of authorization to use their radio frequencies. Mayor Purcell reported the contracts will be brought to Council for review at the next meeting.

**Economic Development:**

Mayor Purcell reported a position for Economic Development is being developed through a City and County joint grant with Beartooth RC&D.

Mayor Purcell reported the City-County Planning Board has tabled the Growth Management Plan for further discussion until their next meeting.

**RESOLUTIONS & ORDINANCES:**

**Ordinance NO. 2021-04: Amending Hardin City Code for Law Enforcement.** Sharpe motioned to approve the resolution. Krebs seconded. On a voice vote the motion was unanimously approved.

**ANNOUNCEMENTS:**

Mayor Purcell announced the following employee anniversaries: Jim Kuntz, 8 years and Julie Stieber, 1 year.

Mayor Purcell announced City Offices will be closed Thursday, November 25<sup>th</sup> for the Thanksgiving holiday.

Mayor Purcell reported the City currently has full time positions open for Police Officers and a part time Court Clerk I position.

Greer motioned to adjourn the meeting. Sharpe seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 7:06 p.m.

  
\_\_\_\_\_  
Joe Purcell, Mayor



**ATTEST:**  
  
\_\_\_\_\_  
Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for December 7, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Chris Sharpe, Antonio Espinoza and Jeremy Krebs. Karen Molina was present by virtual meeting.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, City Attorney Jordan Knudsen, and Chief Donald Babbin, Jr.

Also present physically and by virtual meeting: Members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Sharpe made the motion to approve the Council minutes as written for November 16, 2021. Motion seconded by Greer. On a voice vote the motion was unanimously approved. Greer motioned to approve the Committee minutes as written for November 16, 2021. Espinoza seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for December 7, 2021.

	CLAIM No.	Monthly Total
October, 2021	27790	\$ 260.00
November, 2021	27756 – 27767, 27769 – 27785 27791 – 27815, 27839 – 27840	\$ 206,583.75
December, 2021	27786 – 27789, 27816 – 27838	<u>\$ 146,727.62</u>
<b>Claims Total (Expenditures)</b>		<b>\$ 353,571.37</b>
November, 2021 Payroll		<u>\$ 154,107.37</u>
<b>TOTAL Submitted</b>		<b>\$ 507,678.74</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:**

Jose Funke, Hardin resident, asked why the City Police were not in force yet. He voiced there is too many violent acts going on in this town and that it needs to stop now. He added children cannot play in the parks and feel safe. Funke also addressed the plowing of streets, putting down sand, and the code for snow removal.

Amanda Peterman handed flyers to Council with information for a Christmas Dinner to feed the homeless. Mayor Purcell read the letter aloud and spoke with the Peterman children, Charles and Eleanna. Mr. Charles asked if they could use the Fire Department for the Christmas dinner. He added that he is willing to donate a small fee. Mr. Charles noted the dinner would be held the evening of Christmas day. Mayor Purcell asked who was invited. Mr. Charles voiced, “the homeless people”. Will Peterman noted there are ten families that have volunteered. It was noted the office area of the Fire Department had limited space. Mrs. Peterman noted they are planning for one hundred people. Krebs voiced that he would like to personally donate to the dinner. Greer motioned to give a donation of \$500 to the dinner. Sharpe seconded. On a voice vote the motion was unanimously approved. Mayor Purcell noted the donation will be made on behalf of City Council.

Francesca Funke, Hardin resident and student at Hardin Middle School, asked what the rules were for snow removal. Mayor Purcell noted the code is for the snow to be removed within twenty-four hours after the snow stops.

**MAYOR:**

Mayor Purcell reported that the Economic Development position will be posted through Big Horn County; the Coal Board Grant Application for the K-9 equipped vehicle has been submitted for the Coal Board Meeting that is scheduled for December 9<sup>th</sup>; Chief Babbitt and Officer Calen Curtin have created a recruitment ad for the police department; and an open house for the Police Department will be scheduled for January or February depending on weather.

Mayor Purcell voiced to Mr. Funke that he would like to follow up on his concerns. He noted that four officers have been hired and the radios have been programmed. The officers cannot be dispatched safely without radio communication. The goal is to be out on the streets by January 1, 2022. The officers have been working with City Court, breaking up vagrancy, etc. He added that he cannot speak for the Sheriff's Office, but the City is working with the County on contracts. Mayor Purcell voiced to Mr. Funke that he appreciated him voicing his concerns.

**Personnel Policy/City Policy:**

**Sewer & Water:**

**Law Enforcement:**

**Streets & Alleys:**

**Parks & Playgrounds:**

Krebs reported that Lehr had been contacted by Samantha Erpenbach, with the Montana State Parks Land Water Conservation Fund (LWCF). The designation cannot be moved from Brennen Park to the South Park area. South Park has already been designated as a recreational area. Krebs asked if a piece of land could be purchased to designate or if the Plaza could be an option. It was noted the land would have to be equal to or greater in square footage than Brennen Park. Krebs asked about the process of designating a property as a park. Knudsen noted a document would be filed at the Clerk and Recorder designating property as a public park. A committee meeting will be scheduled for further discussion.

**Finance/Landfill:**

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

Ronda Carlson, with Cushing Terrell, and on behalf of the Hardin School District 17H, reviewed the need for additional staff and parking at the Kindergarten Readiness Center (KRC) located at 125 N. Cody Avenue. She noted the parking situation is problematic and hazardous and there is not a designated zone for busses or parents. Greer asked if the adjacent property owners had been contacted. Carlson noted they have not. Greer asked if the school district had contacted one of the property owners to see if their land was for sale and added the other property is for sale. Kautzman asked how deep the proposed parking spaces were going to be. Carlson noted they are looking at more of an angled parking and create a one-way traffic flow. Carlson voiced the funding is tight for the project and they do not have land purchase in the budget. Taylor Sidwell, principal of the KRC, voiced they will be receiving state funding to increase the capacity to one hundred and twenty students and that it is an absolute must to have a bus safe drop off. Knudsen noted the only concern was parking signs that conflict with private parking for property owners. Greer voiced that letters need to go to both adjacent land owners. Greer motioned to approve the donation of the boulevard between 2<sup>nd</sup> Street and along the East Side to the school to include access points for the land owners. Krebs seconded. Mayor

Purcell clarified that the City is giving permission to remodel the boulevard, not to give the property away. On a voice vote the motion was unanimously approved.

Mayor Purcell reported an application was submitted by Crow Housing to place a trailer in Sunset Mobile Home Park. The building inspector conducted an inspection of the 1971 Kenwood mobile home and concluded the mobile home was in poor condition overall. Greer motioned to deny the application. Espinoza seconded. On a voice vote the motion was unanimously approved. The application was denied.

Mayor Purcell reported the Landfill Agreement with Northern Cheyenne is due for renewal. Greer motioned to approve the contract. Sharpe seconded. On a voice vote the motion was unanimously approved.

Knudsen reviewed the draft Interlocal Agreement for Detention Services with Big Horn County. Rock Massine addressed the \$20K flat fee for medical costs of the prisoners. He asked if they can raise that amount after they review it. It was noted that if there was to be an increase, it would be tied to the budget of the previous year. There was further discussion about the terms of the agreement. Espinoza motioned to approve the Interlocal Agreement for Detention Services. Sharpe Seconded. On a voice vote the motion was approved. (5/1) Molina recused.

### **STAFF REPORTS:**

#### **Public Works:**

Hurff noted the sander was in operation today.

Hurff reviewed the details of a bid that was received from Kois Brothers for a new garbage truck in the amount of \$380,430.31 with buy back at the end of five years. Knudsen voiced the law requires for the City to advertise and go out for bid. He added the City has the right to reject any and all bids. Hurff will begin the process.

Hurff extended a "Thank You" to Molina and Kautzman for serving on Council.

#### **Finance:**

Lehr reported the COPS Hiring Grant from the Department of Justice will provide \$375K towards the salary of three full time police officers. There are four officers hired, the City will need to hire three more officers to fill the requirement for this grant.

#### **Police:**

Chief Babbin reported the past two weeks have been successful for the police department. The frequencies were installed on the two-way radios, the new vehicles are almost done, another officer will start soon, and the first two officers that were hired have been fitted for uniforms. Chief Babbin extended his appreciation to Funke for bringing forward his concerns.

Chief Babbin noted he is currently working to get the officers qualified with firearms and the Chief of Police for Rosebud County, Larry Reinlasoder, is willing to help the department with qualifying. He added this is why the police department is not on the street yet. The department is also waiting on lap tops and the police reporting system will take about six months to set up. Chief Babbin voiced that it is taking time and that the City and Police Department are doing everything they possibly can. Chief Babbin reported courses for the Montana Post are full and he is currently working on other resources to acquire the training.

#### **Legal:**

Knudsen reported the City is waiting on agreements from the County for the two police cars and for 911 dispatch. He noted the County is in the preliminary stages of working with Rosebud County for 911 dispatch.

#### **Economic Development:**

Mayor Purcell noted recommendations from the City-County Planning Board for the Growth Management Plan and Marijuana business will be on the agenda for the December 21<sup>st</sup> Council meeting.

**RESOLUTIONS & ORDINANCES:**

**Ordinance NO. 2021-04: Amending Hardin City Code for Law Enforcement.** Greer motioned to approve the second reading of the Ordinance. Espinoza seconded. On a voice vote the motion was unanimously approved.

**ANNOUNCEMENTS:**

Mayor Purcell announced the Coal Board Meeting is scheduled for December 9<sup>th</sup> in Billings, MT at 8:30 a.m.; the Employee Christmas Party is scheduled for December 9<sup>th</sup> at 6:30 p.m.; Swearing in of Elected Officials will be held at the end of the meeting on December 21<sup>st</sup>; and Letters of Interest to serve on the Police Commission are due by December 22<sup>nd</sup>. Mayor Purcell thanked Rock Massine for serving on the Police Commission. He added that Massine was elected to City Council and resigned from the Police Commission.

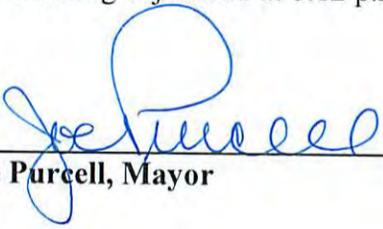
Mayor Purcell announced City Offices will be closed Friday, December 24<sup>th</sup> for the Christmas Holiday and Friday, December 31<sup>st</sup> for New Years; and the City Landfill will be closed and there will not be any garbage pick-up on Friday, December 24<sup>th</sup>, Saturday, December 25<sup>th</sup>, Friday, December 31<sup>st</sup>, and Saturday, January 1st.

Mayor Purcell reported the City currently has full time positions open for Police Officers. He added the City will be hiring three more police officers to meet conditions of the grant. The city currently has job openings for a part time Court Clerk I position; full time General Laborer position, and a part time General Laborer position.

Mayor Purcell reported Letters of recommendation from the City-County Planning Board for the Growth Management Plan and the Marijuana business will be on the agenda for the December 21<sup>st</sup> meeting.

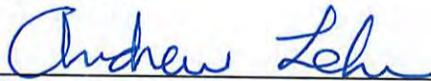
Kautzman motioned to adjourn the meeting. Greer seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 8:12 p.m.

  
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Joe Purcell, Mayor



ATTEST:

  
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Andrew Lehr, Finance Officer/City Clerk

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

**COUNCIL MEETING: The Regular Council Meeting for December 21, 2021 was called to order at 6:30 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.**

The following Aldermen were present: Harry Kautzman, Clayton Greer, Chris Sharpe, Antonio Espinoza and Jeremy Krebs. Karen Molina was present by virtual meeting.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, City Attorney Jordan Knudsen, and Chief Donald Babbin, Jr.

Also present physically and by virtual meeting: Members of the public.

**MINUTES OF THE PREVIOUS MEETINGS & CLAIMS:** Greer made the motion to approve the Council minutes as written for December 7, 2021. Motion seconded by Kautzman. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for December 21, 2021.

	CLAIM No.	Monthly Total
November, 2021	27843, 27845 – 27846 27848 – 27857, 28765	\$ 28,569.63
December, 2021	27841 – 27842, 27844 27847, 27858 – 27864 27866 – 27872	\$ <u>256,673.56</u>
Expenditures		
Transfer funds	27869	\$ 212,216.23
<b>Claims Total (Expenditures)</b>		\$ 497,459.42
transfer		\$ <u>(212,216.23)</u>
<b>TOTAL Submitted</b>		<b>\$ 285,243.19</b>

Kautzman seconded. On a voice vote, the motion was unanimously approved.

**PUBLIC COMMENT:**

Colleen Moullet, with Gateway Christian Center, voiced the church owns property next door to the proposed dispensary, the former purple cow. The land is held in a charitable trust for the church by Dick Morrisette. Moullet presented a signed petition to Council and asked for Council to not grant the permit. She added they will potentially have a church there in the future. Moullet voiced they are against a dispensary for the sale of recreational marijuana. It was noted the signed petition is updated and additional to the one that was included in the Council packet.

Shelly Wilson reported that she ministers to youth and has seen the devastation of people being led by what is not right. She asked Council to not only think about this time, but the generations to come and how it will affect them.

Cole Kirschenmann voiced that he grew up in this community and he had to move away to get himself straight. He added that he cannot stand by and say nothing. He asked what the tax revenue was worth compared to children's lives being poured away. He noted the crimes in the community of people stealing to buy drugs and added that he is in total disagreement.

Nola Vandersloot voiced that she is abundantly opposed to the dispensary being in the community. She added that she lost a child to substance abuse, the cost for our children and

families are too high, and that nothing good can come out of this. Vanderlsoot asked Council to vote against it.

**MAYOR:**

Mayor Purcell reported that the City received full funding from the Coal Board for a K-9 equipped vehicle; \$15,000 was received from the Montana Coal Endowment Program for the Preliminary Engineering report for the Water Treatment Plant; and the City is waiting for information on another grant that could provide \$15,000. This grant would be used with matching funds from the City and from the American Rescue Plan (ARPA) funds.

**Personnel Policy/City Policy:**

**Sewer & Water:**

**Law Enforcement:**

Espinoza reported a Community Watch has been started with the City Police Department. The first meeting will be held on December 29<sup>th</sup> at 6:00 p.m. at the Hardin Depot.

**Streets & Alleys:**

**Parks & Playgrounds:**

Krebs reported Montana State Parks Land Water Conservation Fund (LWCF) will be placed on hold at this time. There is not an area, piece of land, available to allocate the designation from Brennen Park.

**Finance/Landfill:**

**Resolutions & Ordinances:**

**SPECIAL COMMITTEES:**

**PETITIONS & COMMUNICATIONS:**

Mayor Purcell reported the City received a newsletter from the Montana Department of Transportation.

**UNFINISHED BUSINESS:**

Knudsen reported City Council approved the Interlocal agreement with Big Horn County for Detention Services at the previous Council meeting of December 7<sup>th</sup>. He noted the County Commissioners have requested a small change under Section 4 of the agreement, Financing and Budget. The new addition notes that the cost to be paid by the City would not go down if the County Budget went down for the cost of operations for the detention center. Krebs asked if the County built another detention center if the amount would increase. Knudsen clarified that the increase would not cover the cost of the building, only cost of operations. Greer motioned to approve the agreement. Sharpe seconded. On a voice vote the motion passed. (5/1) Molina recused.

Mayor Purcell reported Land Water Conservation Fund (LWCF) is placed on hold.

**NEW BUSINESS:**

Mayor Purcell reported the City received a recommendation from the City-County Planning Board (CCPB) to approve the application for an adult marijuana dispensary form The Purple Cow Dispensary, LLC. Kautzman voiced that he received calls from residents that recommended that he vote against it. Sharpe noted that eighty percent of what he has heard has been negative. Krebs noted that he did research and a study done by the University of Colorado from 2012-2015 showed the Denver Police Department had a twenty-six percent to one thousand and forty-two percent increase in the crime rate, the activity did decrease over time. Krebs added the Police Department is trying to get running and the County is having problems with crime. He noted he has heard a lot of talk it will add revenue for the City. He reviewed some calculations and expressed that

he believes the tax reasoning has very minimal impact to any budget. Espinoza voiced that he agrees, he doesn't believe it belongs in our City. Molina voiced it is against Federal law and addiction is what is causing the crime; we don't need easy access.

Jesse Schneider, applicant, voiced that he and Jamie Eisenbarth are excited to present their application for consideration in the City limits. He added they are shooting to be the example in cannabis. Schneider voiced he understands the concerns of addiction. He would like to see it taxed and regulated at the state level. Schneider noted he is invested in this community and it was voted to allow two business licenses. The business would provide fifteen to twenty jobs in the dispensary and it is estimated to be a million dollars a month in sales.

Stops voiced One Health has programs to help people with addiction and the dispensary would defeat that purpose.

Laurie Tschetter voiced that almost ninety percent of kids get access from their parents and they will have more access to it. She added that she is totally against another dispensary.

Eileen Kern voiced that she has been a teacher for thirty-eight years and she is definitely opposed to this. She added that it is a matter of doing what is right.

Eugene Kirschenmann expressed that with the current population there is no need for another dispensary. He added the City can say no to everyone that comes up here until there are more people.

An individual voiced that he sees a common theme that everyone has a problem with cannabis, but it would be a regulated market just like alcohol. He added it is a chance to regulate the issues everyone is currently having by taking it off the streets. He noted that he has seen the affects if it is not regulated.

Krebs asked what the legal age was to purchase. It was noted twenty-one is the legal age. Krebs voiced that the underage people will get it from the people over twenty-one.

Tempe Connell noted that regulating would take away the value to the people selling it illegally, there is no benefit for them to sell it. Espinoza voiced that it still gets in the hands of minors. Kautzman voiced that he can still see the illegals selling to the young people. Connell asked about underage and alcohol. She added that cannabis is not negative in the body, sugars and carbs are more dangerous.

Steve Hopes noted that Denver still has a problem with illegal drugs, it is not going away.

Espinoza asked if it was included in the ordinance that a dispensary cannot be next to a place of worship. It was noted that it is not. Sharpe voiced that it does include schools and parks.

Mayor Purcell reviewed the ordinance.

Greer questioned the distance a dispensary would have to be from a school or playground. Knudsen reported there is no school there. Moullet noted there will be one in the future, but there is not one there now.

Kautzman motioned to disapprove the application as presented to City Council. Espinoza seconded. On a Roll Call Vote conducted by Mayor Purcell, Kautzman, Krebs, Sharpe, Espinoza, and Molina voted to disapprove the application and Greer voted against the disapproval of the application. On a voice vote the application was denied 5/1.

Mayor Purcell reported the City received a recommendation from the CCPB to approve the 2021 Growth Policy and Downtown Revitalization Plan. He noted the plan does not replace the 2009 Growth Plan Management Plan, it is in addition. Greer motioned to approve the plan as written. Kautzman seconded. On a voice vote the motion was unanimously approved.

Wesley Stops, Communities That Care Coordinator with One Health, reviewed a proposal for a skate park. He added that they want to better the City and the Community by bringing unity,

especially helping the youth and implementing social development through the organization and different organizations, and to work in collaboration with the youth to pinpoint needs for them to be better in life. Doctor David Mark, One Health is prepared to donate the park space and Jeff Amant, bass player of Pearl Jam, will fund the project by donating the building material and labor to complete the building of the skatepark. It would be donated to the City to be maintained along with other city parks. Four individuals spoke in favor of the skate park voicing the different ways that skateboarding has helped each of them, physically, mentally, socially, and one voiced that it helped him escape from drugs and alcohol. It was also voiced that they would like to have a place to skate without breaking the law. Stops noted the individuals have started a youth board skate club that will meet once a month. There was discussion on lighting, streets, gutters and access to the park and it was noted that Indian Health Services is wanting to put in workout stations and a walking path. Greer asked about restrooms. Stops reported that has not been discussed yet. Knudsen noted that it would require a major subdivision of the land and that it would need to be complete and meet subdivision regulations before it could be donated to the City and approved by the City. Krebs thanked Stops for all his work and effort he has put into the project.

Mayor Purcell reported Council approved to donate \$500 to the Peterman Christmas Day Dinner for the homeless. He noted that it was not on the agenda at that time and it is being brought to Council for an official vote. Greer motioned to approve the donation. Krebs seconded. Mayor Purcell reported it will be held at the Methodist Church on Christmas day. On a voice vote the motion was unanimously approved.

Knudsen reported the draft Interlocal Agreement for Dispatch Services with Big Horn County was reviewed by the Commissioners and it is still in the draft process. He asked there not be any action taken on the agreement.

#### **STAFF REPORTS:**

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

Hurff reported Alley Clean-Up is scheduled for December 27<sup>th</sup> to December 30<sup>th</sup> and Christmas Tree pick-up is scheduled for January 3<sup>rd</sup> to the 5<sup>th</sup>.

##### **Finance:**

##### **Police:**

Chief Babbitt reported the City recently hired the fourth officer; the officers went to Livingston and Bozeman to pick up police vehicles and to get fitted for uniforms; he has had meetings with the Big Horn County Sheriff and Undersheriff; the Hardin Police Department took all calls from dispatch on the 16<sup>th</sup> of December, it went well; the department will be advertising to hire a TAC Officer/Secretary; there will be three more officers hired; Council member Antonio Espinoza came to him about starting a Community Watch; a local business owner has been generous by donating three computers to the department; police officers are working on policy, procedures, and vision and mission statements for the department; the awning has been put up over the department door and lights will be going up. Chief Babbitt added that they are looking at being on shift by December 31<sup>st</sup>.

##### **Legal:**

##### **Economic Development:**

Mayor Purcell reported that the shared Economic Development position between the County and City will be posted through Big Horn County. Their office will be located in the County building.

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

**Resolution NO. 2286: Approving Applications for License to Serve Beer, Beer and Wine, or Liquor.** Kautzman motioned to approve the resolution. Greer seconded. Knudsen noted the due date for the applications should be December 31, 2021 and needs to be corrected on the resolution. Kautzman amended his motion to include the due date

to be corrected to December 31, 2021. Greer seconded. On a voice vote the motion was unanimously approved.

**Resolution NO. 2287: Adopting the Growth Policy and downtown Revitalization Plan.** Kautzman motioned to approve the resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

**ANNOUNCEMENTS:**

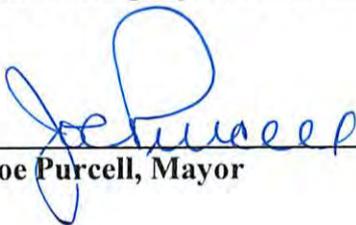
Mayor Purcell reported Letters of Interest to serve on the Police Commission are due by December 22, 2021; a Christmas Dinner for the Homeless is scheduled for December 25<sup>th</sup> from 3:00 p.m. to 5:00 p.m. at the Methodist Church; City Offices will be closed Friday, December 24<sup>th</sup> for the Christmas Holiday and Friday, December 31<sup>st</sup> for New Years; the City Landfill will be closed and there will not be any garbage pick-up on Friday, December 24<sup>th</sup>, Saturday, December 25<sup>th</sup>, Friday, December 31<sup>st</sup>, and Saturday, January 1<sup>st</sup>.; and a Hardin Community Watch meeting is scheduled for Wednesday, December 29<sup>th</sup> at 6:00 p.m. at the Hardin Depot.

Mayor Purcell reported the City currently has full time positions open for Police Officers, a full time General Laborer, and a part time General Laborer.

Mayor Purcell performed Oaths of Office for Alderman Clayton Greer, Antonio Espinoza, Alderman-Elect Steven Hopes, and Alderman-Elect Rock Massine. Andrew Lehr performed the Oath of Office for Mayor Joseph Purcell.

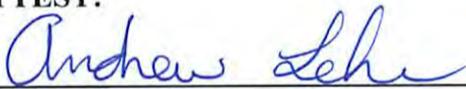
Greer motioned to adjourn the meeting. Krebs seconded. On a voice vote the motion was unanimously approved.

The meeting adjourned at 8:12 p.m.

  
\_\_\_\_\_  
Joe Purcell, Mayor



**ATTEST:**

  
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Andrew Lehr, Finance Officer/City Clerk