THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for January 4, 2022 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: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, 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 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 21, 2021. Motion seconded by Sharpe. On a voice vote the motion was unanimously approved. Greer motioned to approve the Committee minutes as written for December 21, 2021. Sharpe seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for January 4, 2022.

	CLAIM No.		Monthly Total
December, 2021	27873 - 27875, 27898 - 27934 27937 - 27943	$	106,229.42
January, 2022	27876 - 27897, 27935 - 27936	$	2,725.12
Claims Total (Expenditures)		$	108,954.54
December, 2021 Payroll		$	174,051.29
TOTAL Submitted		**$**	**283,005.83**

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

PUBLIC COMMENT:

MAYOR:

Mayor Purcell extended a "Thank You" to Harry Kautzman and Karen Molina for their years of dedication to the City. Mayor Purcell welcomed Steve Hopes and Rock Massine as new Aldermen.

Personnel Policy/City Policy:

Mayor Purcell noted the City has open positions for Police Officers and both part time and full time General Laborers. Mayor Purcell reported there will be a committee meeting scheduled to discuss schedules for police officers.

Sewer & Water:

Law Enforcement:

Mayor Purcell reported the first meeting for Community Watch went well. The next meeting is scheduled for Thursday, January 27th.

Streets & Alleys:

Parks & Playgrounds:

Lehr reported he was contacted by Samantha Erpenbach, with Land Water and Conservation Fund (LWCF). Erpenbach noted she will check to see if it is possible to transfer the designation from Brennen Park to South Park. The City will move forward with the application proposing the transfer to South Park.

Finance/Landfill:

Greer noted that he visited with Chris Schneider, Landfill Lead, and it was discussed that they would like to have a drop zone at the landfill, similar to what the County use to have. It would allow people to drive up in a pickup and offload into a dumpster. Greer reported they also visited about getting quotes for a carport type covering that would cover the larger pieces of equipment to keep them out of the sun and extend their life.

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

NEW BUSINESS:

Mayor Purcell reviewed the proposed Council Committee Appointments. Greer motioned to approve the appointments as proposed. Massine seconded. On a voice vote the motion was unanimously approved. Knudsen reviewed Public Meeting Laws. Mayor Purcell reported the appointment for President of the Board will be on the next agenda.

Mayor Purcell reported the Mayor appointment of Leilani Rickert to the City-County Planning Board expired December 31st. The City will advertise for Letters of Interest to fill the vacancy on the board.

Mayor Purcell reported the Council appointment of Greer to serve on the City-County Planning Board expired December 31st. Greer noted he is interested in remaining on the board. Krebs motioned to re-appoint Greer. Massine seconded. On a voice vote the motion passed. (4/1) Greer abstained.

Mayor Purcell reported the appointment of Harry Kautzman to serve on the Police Commission will be done by resolution.

Hurff asked for approval of the quote from SWS Equipment, Inc. in the amount of $5,737.09 for garbage truck repairs. Sharpe motioned to approve the repair quote. It was noted that freight is not included. Greer seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported that funds from the Rural Development Grant will be used for the Police Records Management System (RIMS). Chief Babbin reported that he has received a few quotes. Using the same system as Big Horn County will allow communication between the Sheriff's Department and the City Police Department. Massine asked about the fees for updates. It was noted the software updates will be a recurring charge with possible increases per year. Lehr reported the City Police Department will have to have their own RIMS management and their own license; they cannot piggy-back off of the Big Horn County System. Hopes motioned to approve the quote from Sun Ridge Systems, Inc. in the amount of $84,311. Greer seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported the United States Department of Agriculture released their 2021 report for pest detection in parks for non-native species. The report showed that Big Horn County was clear of any non-native species.

Finance:

Lehr reported he has received the draft audit for fiscal year 2020. He reported the City received an unmodified opinion.

Lehr reported the Annual Financial Report was turned into the Montana Department of Administration.

Lehr reported he Human Resources Department for the County, Hurff, Chief Babbin, and himself will attend a Job Service in Billings on Thursday. The County is recruiting for a few positions that include dispatch and the City is recruiting police officers and positions for general laborers. Massine asked if the City has received more applications for the police officer positions. Mayor Purcell reported the City has received more applications that will be reviewed this week.

Police:

Chief Babbin noted there was near fifty people that attended the Community Watch meeting. He reported the Police Department went live at 6:00 a.m. on Friday, December 31st. Chief Babbin reviewed the type of calls the officers responded to. He noted they are currently waiting on computers and uniforms.

Legal:

Knudsen noted the agreement for the County to pay for the two police cars is anticipated to be before Council soon.

Economic Development:

Mayor Purcell reported that the shared Economic Development position between the County and City is currently advertised in the Original Briefs and the Big Horn Newspaper.

RESOLUTIONS & ORDINANCES:

Resolution NO. 2288: Appointing a Resident to the City of Hardin Police Commission. Sharpe motioned to approve the resolution. Hopes seconded. On a voice vote the motion wasunanimously approved.

ANNOUNCEMENTS:

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.

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

The meeting adjourned at 7:20 p.m.

Joe Purcell

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for January 18, 2022 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: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, 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 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 January 4, 2022. Motion seconded by Hopes. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for January 18, 2022.

	CLAIM No.		Monthly Total
November, 2021	27982	$	77.83
December, 2021	27944 - 27966, 27970 27972 - 27980, 27985 - 27986	$	51,792.63
January, 2022	27967 - 27969, 27971, 27981 27983 - 27984	$	182,692.49
Expenditures Transfer funds	27984	$	177,899.20
Claims Total (Expenditures)		$	412,462.15
transfer		$	(177,899.20)
TOTAL Submitted		**$**	**234,562.95**

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

PUBLIC COMMENT:

Shannon Abril, City resident, voiced that people do not feel the need to obey traffic laws at the intersection of 3rd Street and Cody Avenue, by the Primary School. She has started a petition to get something put there. She added she has been in contact with the Mayor and Police Chief and they are addressing getting an officer there when school starts and when school is let out. Ms. Abril reported that she has placed a call to the state department about putting a light at 3rd Street and Cody Avenue.

Jose Funke, City resident, voiced that at 6th Street and Crook Avenue semis in the city limits drive as fast as they can to get to the dead end. He added the old City Council made it for semis to do that. Funke asked Council to address and revise the ordinance for that. Krebs noted that it did not come to Council, Council did not approve it, and Council never said it was okay. Funke voiced that he would greatly appreciate it if it would be looked into.

MAYOR:

Mayor Purcell reviewed a 2021 annual report submitted by Code Enforcement. He added that there were only twenty-five complaints filed and over 300 issues were addressed in 2021. Mayor Purcell expressed the importance of filing complaints.

Personnel Policy/City Policy:

Mayor Purcell noted the City has open positions for Police Officers, part time and full time General Laborers, and Maintenance Worker III. Mayor Purcell reported the City is currently working to update the City Personnel Policies Manual; it will be brought to a committee meeting.

Sewer & Water:

Law Enforcement:

Espinoza noted the next Community Watch meeting is scheduled for Thursday, January 27th.

Streets & Alleys:

Massine reported he met with Hurff and discussed projects for the summer. Massine voiced it was nice to see the sander out.

Greer noted that he would like to have a committee meeting to discuss diagonal parking from 3rd Street and South down Center Avenue.

Parks & Playgrounds:

Finance/Landfill:

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

NEW BUSINESS:

Mayor Purcell asked Council if anyone was interested in representing the City on the Beartooth RC&D board. There was not any interest. Mayor Purcell voiced he can represent the City on the board.

Greer motioned to elect Krebs as President of the Board. Sharpe seconded. On a voice vote the motion was approved. (5/1) Krebs abstained.

Mayor Purcell reported the City received a letter of petition from Jesse Schneider to reconsider the application for a Marijuana Dispensary that was voted down by Council at the December 21, 2021 meeting. Greer motioned to reconsider the application. Massine seconded. Krebs asked what happens if this were to pass. Mayor Purcell noted that it would go back onto the agenda for discussion and vote at the next meeting.

Cole Kirschenmann voiced that for the future of the community that the correct verbiage needs to be added into the ordinance that follows state law. He reviewed information from research he had done regarding marijuana laws and also voiced that the businesses license should be more than $50.00. Kirschenmann added the impact will be greater than $50.00 with additional training, inspections, and law enforcement presence. Kirschenmann voiced the concern is for our children and that making it legal will desensitize it.

Corrina Kuntz voiced that she has done research and noted that Billings is charging $4,000 for marijuana business licenses, but they are estimating it will cost over $79,000 to enforce regulations. These costs include additional public safety inspections. Kuntz noted that not all treatment centers and youth groups are held in churches, in regards to the thousand feet requirement.

Greer voiced that if a dispensary was put outside of the City, the City would not have any control over it, but the City does have control if it is within the City. Greer added that he wants it where he can see it.

Mrs. Abril voiced that distance will not keep kids from getting it, if they want to do it they will do it. She added the responsibility is on the parents. Krebs presented estimates of the tax revenue the City and County would receive from a dispensary. Antonio Abril voiced that denying the application would force people to shop somewhere else. People all over the county would be passing through, it would bring in a lot of tourism.

Krebs reviewed Ordinance 2018-04 – City Code Regarding the issuance of Business Licenses. It says that the City may reject business license applications if those business applications violate City zoning, City ordinance, County Ordinance, State Law, or Federal Law. He noted that marijuana is still federally illegal.

Eileen Kern voiced to Council that they already voted on it once and asked for them to stand by that. Joanne Feger expressed her feelings about the effects of marijuana. Kern then asked why add another form of addiction and bring it into the community. Mr. Abril voiced that some people find a benefit in this. He added that he doesn't want it to be viewed as a negative thing to adults, he chooses to focus on the good of it.

Massine asked if it was federally illegal. Knudsen noted that it is federally illegal. Mayor Purcell thanked everyone for their opinions and that he appreciated the respect given to people that one may not agree with. Council agreed to revisit the ordinance by setting up committee meetings. Mayor Purcell voiced there is a motion to reconsider the application. On a voice vote the motion failed (1/5) with Greer voting aye and Hopes, Sharpe, Krebs, Espinoza, and Massine voting no. The application will not be placed back onto the agenda.

STAFF REPORTS:

Public Works:

Hurff reported the City will be advertising for bids and will be accepting bids for a new garbage truck. The Call for Bids are due by 10:00 a.m. February 10, 2022. Hurff reported the crew has been working hard removing snow.

Finance:

Lehr reported a public hearing for Budget Amendments FY 2021-2022 is scheduled for February 1, 2022 at 6:15 p.m.

Police:

Chief Babbin provided an overview of what the officers have been coming up against; he reported there were interviews held last Friday for Police Officer positions; and the process for a School Resource Officer is moving forward.

Legal:

Knudsen reported the County has not voted on the 911 dispatch, jail services, or police vehicle agreements. He will follow up on the agreements.

Economic Development:

Mayor Purcell reported that the shared Economic Development position between the County and City is currently being advertised.

RESOLUTIONS & ORDINANCES:

ANNOUNCEMENTS:

It was noted a Committee meeting for Resolutions or Ordinances to discuss the marijuana ordinance will be scheduled before the second meeting in February.

Mayor Purcell reported the City currently has full time positions open for Police Officers, full time General Laborer, part time General Laborer and Maintenance Worker III; Letters of Interest to serve on the City-County Planning Board are due by January 27th; and a Public Hearing for Budget Amendments for Fiscal Year 2021-2022 is scheduled for February 1, 2022 at 6:15 p.m.

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

The meeting adjourned at 7:53 p.m.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

PUBLIC HEARING: Public Hearing for Amending the Budget for Fiscal Year 2021-2022 was opened at 6:15 p.m. by Mayor Purcell.

Present at the Hearing were:
Council Members: Clayton Greer, Chris Sharpe, Rock Massine, Antonio Espinoza, and Jeremy Krebs.

City Staff: 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.

Lehr reviewed the amendments to the budget for Fiscal Year 2021-2022.
There was no Public Comment.

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

COUNCIL MEETING: The Regular Council Meeting for February 1, 2022 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, Rock Massine, Antonio Espinoza, and Jeremy Krebs. Steven Hopes 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 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 January 18, 2022. Motion seconded by Krebs. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for February 1, 2022.

	CLAIM No.		Monthly Total
December, 2021	27997, 28034	$	1,564.75
January, 2022	27987 - 27996, 27999 - 28002 28004, 28029 - 28033 28035 - 28056	$	41,982.43
February, 2022	28005 - 28028	$	2,525.12
Claims Total (Expenditures)		$	46,072.30
January, 2022 Payroll		$	169,377.41
TOTAL Submitted		**$**	**215,449.71**

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

PUBLIC COMMENT: N/A

MAYOR:

Mayor Purcell noted the Union Agreement will expire in June, the City is currently working on an agreement with GV Towing to tow vehicles, and Code Enforcement and the City of Hardin Police Department have both been issuing parking tickets.

Personnel Policy/City Policy:

Mayor Purcell noted the City has open positions for Police Officers, part time and full time General Laborers, and the City will be interviewing for the Maintenance Worker III position next week.

Sewer & Water:

Law Enforcement:

Espinoza noted the recent Community Watch meeting went well. The next meeting is scheduled for Thursday, February 24th at 6:00 p.m.

Streets & Alleys:

Massine reported he has looked into the previous complaint of trucks driving on 5th street, 6th Street, and Crook Avenue. He added there is truck traffic, but the times he went by there was no truck traffic. He added the Police Chief has also patrolled there. Krebs noted that he saw a truck that did not yield to the person to the right.

Massine reported he read the 2021 Growth Management Plan to look into diagonal parking downtown. He added the plan did not specify parking in the downtown area. Massine recommended contacting the Montana Department of Transportation (MDOT) to look into it more. The plan did emphasize looking into smaller parking lots. Greer noted to contact the MDOT to let them know what the City would like to do and then go from there. A Streets and Alleys Committee Meeting was scheduled for February 22nd, the time to be determined.

Espinoza requested a Law Enforcement Committee Meeting to be scheduled for Monday, February 7th at 6:00 p.m.

Mayor Purcell reported the Abril Family and Jose Funke have expressed concerns about the crosswalk at the Primary School. Chief Babbin is placing an officer there. He noted the state placed a monitoring system there; it is unclear what their plans are.

Parks & Playgrounds:

Finance/Landfill:

Greer requested a Landfill Committee Meeting. Hurff reported that he and Chris Schneider have a scheduled meeting with Barry Damschen, Landfill Engineering Consultant, on February 18th. A Landfill Committee Meeting was scheduled to be held on February 22nd, after the meeting with Damschen.

Resolutions & Ordinances:

A Committee Meeting was scheduled for February 22nd to discuss the Marijuana Ordinance, the time to be determined.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

NEW BUSINESS:

Mayor Purcell recommended approval for Corrina Kirschenmann-Kuntz to represent the City of Hardin, as the Mayoral appointment, to the City-County Planning Board. Greer motioned to approve the appointment. Krebs 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. Massine seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported the Wastewater Treatment Plant lead, Assistant Public Works Director, and himself, met with the lead of the slaughter house. They were taken through their process for waste. Hurff noted it is a clean operation.

Hurff reported Phase 2 of the WWTP is expected to begin sometime between July and August of 2022 and bids will go out late summer to early fall. The construction is estimated to begin sometime this fall to spring of next year.

Hurff reported the City has a scheduled meeting on February 18th with Damschen, the City crew has been fixing trash cans, hand painting street signs, and using the Hotsy on frozen drains. Hurff noted there has been trouble with garbage trucks; the City is accepting new bids for a garbage truck.

Hurff reported there will be interviews scheduled to hopefully fill the vacant positions. He added new federal regulations for obtaining a Commercial Drivers License go into effect on February 7th and reviewed the impacts it will have on hiring employees.

Finance:

Lehr reviewed the Second Quarter Financial Reports for FY 2022. He added the final report for the Audit for Fiscal Year 2020 should be done this week. Sharpe motioned to approve the financial reports. Greer seconded. On a voice vote the motion was unanimously approved.

Police:

Chief Babbin reported that 99.9% of the officer uniforms have been received. Babbin reviewed the types of calls the officers have been responding to and voiced they had responded to all calls dispatched to them within the City. Babbin noted that Dan Kern has donated five body cameras to the department and they became part of the uniform today.

Legal:

Knudsen reported the County has approved the agreement for the donation of the two police vehicles to the City and they are close on an agreement for dispatch services. Knudsen added that the agreement for jail services has been transferred to Big Horn County Attorney Jay Harris for his review.

Knudsen noted that if the City plans to make changes to the Marijuana Businesses ordinance to hold off receiving applications until the City works through marijuana business regulations.

Economic Development:

Mayor Purcell reported that the shared Economic Development position between the County and City is currently being advertised. Applicants can apply at the Human Resources Department at the County.

RESOLUTIONS & ORDINANCES:

Resolution NO. 2289: Amending the Budget for FY 2021-2022. Krebs motioned to approve the resolution. Greer seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2280: Granting Authority to Sign for Bank Accounts. Greer motioned to approve the resolution . Massine seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell reported the City currently has full time positions open for Police Officers, full time General Laborer, part time General Laborer and Maintenance Worker III; the job description for a TAC Officer/Administrative Assistant will be posted soon; and Call for Bids for a new garbage truck are due by 10:00 a.m. Thursday, February 10, 2022.

Mayor Purcell noted Ron Reece has put in his bid for Sheriff.

CLOSED MEETING:

The regular meeting was closed to the public at 7:18 p.m. regarding Personnel.

Greer motioned to adjourn the meeting at 7:29 p.m. Massine seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for February 15, 2022 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: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, Antonio Espinoza. Jeremy Krebs entered at 6:40 p.m.

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 Public Hearing and Council minutes as written for February 01, 2022. Motion seconded by Sharpe. On a voice vote the motion was unanimously approved. Espinoza motioned to approve the Law Enforcement committee minutes as written for February 7, 2022. Greer seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for February 15, 2022.

	CLAIM No.		Monthly Total
January, 2022	28057 - 28072, 28076 - 28081 28083 - 28097	$	57,132.29
February, 2022	28073 - 28075	$	287.51
TOTAL Submitted		**$**	**57,419.80**

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

PUBLIC COMMENT:

Funke, City resident, extended a "Thank You" to Chief Babbin for being parked at the primary to protect the kids. He noted he has a meeting with the school board on February 22nd on the issues at the Primary. Funke voiced there is a problem with illegal parking there.

Cory Kenney asked if there were any updates on the slaughter house that was considering coming to Hardin. Mayor Purcell noted they have decided to not come to Hardin.

Kenney voiced that the trade in amount of $5,000 for a $350,000 garbage truck seems ridiculous. He added that $5,000 can go a long way to repair it.

MAYOR:

Mayor Purcell reported interviews are scheduled for February 23rd for the Economic Development position; (Krebs entered the meeting) the new door and electrical work has been done at the police department; he has a meeting tomorrow with School Superintendent Johnson for planning the spring community clean up event and they will also be discussing parking issues at the primary as well; and the police officer positions were posted on Indeed; there has been over eighty applications received, about thirteen of the applicants qualify.

Personnel Policy/City Policy:

Mayor Purcell noted the City has open positions for Police Officers, Terminal Agency Coordinator (TAC) Officer/Administrative Assistant, part time and full time General Laborers, and part time Court Clerk I.

Sewer & Water:

Law Enforcement:

Espinoza noted the next Community Watch meeting is scheduled for Thursday, February 24th at 6:00 p.m.

Streets & Alleys:

Parks & Playgrounds:

Lehr reported the application for the South Park project is due the second week of March.

Finance/Landfill:

Resolutions & Ordinances:

Sharpe reported a committee meeting is scheduled for 6:00 p.m. on Tuesday, February 22nd to discuss the marijuana ordinance.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

NEW BUSINESS:

Mayor Purcell reported the City received four bids for a new garbage truck from three different companies. Hurff reviewed the details of each bid. After providing comparisons of each bid, Hurff reported the bid from Kois Brothers met the most specifications that were included in the request for bid for the garbage truck. Hurff recommended approval of the bid from Kois Brothers for a new 2022 garbage truck in the amount of $376,837. He noted the delivery is two hundred and eighty to four hundred days out. Their bid does include the trade in of a garbage truck in the amount of $10,000. Greer voiced that the City should keep the old unit if the trade in would only be $10,000. Krebs agreed. After further discussion, Krebs motioned to approve the bid from Kois Brothers without the trade and to discuss the trade in the future. Hopes seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported the City received a bid from Pink Hill in the amount of $29,700 to move dirt at the landfill. Hurff reported there was a second bid received in the amount of $110,000 and he reached out for a third bid, but there has been no response. Hurff reported the city crew could perform the work for around $10,000 to $11,000. Hopes motioned to have the work done in house. Espinoza seconded. On a voice vote the motion was unanimously approved.

Knudsen reviewed the Settlement Agreement and Mutual Release of Claims. He added it fulfills an obligation for the County to provide two police cars to the City of Hardin. Espinoza motioned to approve the Settlement Agreement and Mutual Release of Claims. Massine seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported that he, Lehr, and Chief Babbin created job descriptions for the Police Officer positions. Lehr reviewed Options #1, #2, and #3 for the pay matrix. Option #1 provides a three percent (3%) raise each year as in the current union agreement, Option #2 has a ninety-day probation period with a one and a half percent (1.5%) raise after ninety days and an additional three percent raise at one year, Option #3 is staggered with raise increases of three percent (3%) each year up to five years and a five percent (5%) raise at five years to promote longevity. It was noted there is an attached list of certifications and equipment that police officers can obtain and that it can be added to as needed. Babbin was asked what his preference was. Babbin noted he does like Option #2, with the ninety-day clause. Massine noted Option #2 would be his choice as well. Lehr noted Option #1 is the most consistent with the pay matrix of the union agreement. Massine asked if Option #2 would cause a problem with the union contract. Knudsen noted that it may and that he agrees with Option #1. Krebs asked where seasoned officers would start on the scale. It was noted they would start at the starting wage of $28. Sharpe asked if most would start at a PD-04, would it be best to add another tier for a supervisor.

Babbin voiced to change the PD-04 to a supervisor position only. Massine motioned to approve Option #1 Pay Matrix for the Hardin Police Department, to include excluding PD-04 and adding a Supervisor position. Hopes seconded. On a voice vote the motion was unanimously approved.

Knudsen reported he was contacted by a member of the City-County Planning Board asking for the City to notify them in writing if the City will not be accepting any business license applications for marijuana until the ordinances are done. Massine motioned to approve the temporary suspension of accepting business license applications for marijuana businesses. Hopes seconded. On a voice vote the motion was unanimously approved.

Lehr reported the City received the Fiscal Year 2020 Audit that was done by Wipfli. Lehr noted that the City will advertise this summer for a Request for Qualifications (RFQ) for FY 2022 audit services. Wipfli will audit FY 2021. Lehr reviewed the audit FY 2020. Massine motioned to approve the FY 2020 audit as presented. Greer seconded. On a voice vote the motion was unanimously approved.

Corrina Kirschenmann-Kuntz noted she has been in contact with someone in Helena that can provide education on building codes, etc. She will forward the information to the City.

STAFF REPORTS:

Public Works:

Hurff reported the upgrades at the Water Treatment Plant have begun; the City has a scheduled meeting on February 18th with Damschen; and the 4-H will be decorating hay bales and have requested to have one located on tenth street.

Finance:

Police:

Chief Babbin reported they are at the primary school as much as they can and the department is handling calls. Babbin provided examples of pay scales for officers from other cities and noted that with the pay scale increase and the amount of time put into recruiting that the city is doing really well. Babbin noted they received a lidar/radar to enforce speeds in the city.

Legal:

Knudsen reported the revision for the 911 contract has been forwarded to Big Horn County and the agreement for detention services was forwarded to the Big Horn County Attorney.

Economic Development:

Mayor Purcell reported interviews for the shared Economic Development position between the County and City are scheduled for next week.

RESOLUTIONS & ORDINANCES:

Resolution NO. 2291: wage Matrix for Hardin Police Department – Option #____. Massine motioned to approve the resolution and Wage Matrix Option #1 with an effective date of the next payroll March 4, 2022. Espinoza seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell announced the following employee anniversaries: Trevor Lautt, 10 years and Drew Lehr, 2 years; City offices will be closed Monday, February 21, 2022 for Presidents Day, Committee Meetings for Streets & Alleys and Resolutions or Ordinances are scheduled for 6:00 p.m. on February 22, 2022; and the City currently has full time positions open for Police Officers, a TAC Officer/Administrative Assistant, part time Court Clerk I, full time General Laborer, and part time General Laborer;

Krebs motioned to adjourn the meeting at 8:03 p.m. Espinoza seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for March 1, 2022 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: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, and Antonio Espinoza. Jeremy Krebs was not present.

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 February 15, 2022. Motion seconded by Sharpe. On a voice vote the motion was unanimously approved. Sharpe motioned to approve the Streets and Alleys committee minutes as written for February 22, 2022. Espinoza seconded. On a voice vote the motion was unanimously approved. Greer motioned to approve the Landfill committee minutes as written for February 22, 2022. Sharpe seconded. On a voice vote the motion was unanimously approved. Greer motioned to approve the Resolutions or Ordinances committee minutes as written for February 22, 2022. Massine seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for March 1, 2022.

	CLAIM No.		Monthly Total
February, 2022	28098 - 28102, 28125 - 28154	$	67,814.93
March, 2022	28103 - 28124, 28155 - 28156	$	2,525.12
Claims Total (Expenditures)		**$**	**70,340.05**
February, 2022 Payroll		$	171,708.86
TOTAL Submitted		**$**	**242,048.91**

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

PUBLIC COMMENT:

Jose Funke, City resident, voiced his concern about the City County Planning Board recommendation for Love's to add a casino. Funke voiced there is not a need for more casinos and it will just strain our City Police. He added other things are needed in this town, not just for adults, but for kids. Funke also voiced there is not a need for another marijuana business in this town.

Cory Kenney, local business owner, voiced that as public officials it would be unfair to say that Love's cannot be approved, it would be absurd to pick and choose.

Gordon Stensaker, City resident, voiced that he moved here seven years ago and is disgusted at this point that property taxes are raised and there is nothing in return. He pointed out the condition of streets that need repair and mentioned the pool. Mayor Purcell noted the pool belongs to the school and the City does not have any control over it. Greer noted the City does donate $30,000 per year toward maintenance of the pool. Stensaker voiced the primary concern should be infrastructure. Greer noted there was a recent committee meeting, that is open the public, where there was discussion on street repair. Stensaker voiced that a lot of people in this town would like to see some change.

MAYOR:

Mayor Purcell reported the City had previously donated $10,000 to the Hardin High School Band to attend the 4th of July Parade in Washington D.C., but their trip was canceled due to Covid-19. Mayor Purcell noted the donation was refunded as requested. Mayor Purcell noted the contract for the Collective Bargaining Agreement ends in June and negotiations are expected to begin soon; there were interviews for the economic development position and the position is still open at this time; and he reached out to the power plant about reviewing the landfill ash contract.

Mayor Purcell reported he met with School Superintendent Chad Johnson regarding the Spring Community Clean-Up and announced the Hardin Volunteer Fire Department and the Police Department will be involved. He added they are working on t-shirt and new banner designs.

Personnel Policy/City Policy:

Mayor Purcell reported the City has four Police Officer positions open and applications are being accepted for the Terminal Agency Coordinator (TAC) Officer/Administrative Assistant position. Chief Babbin and Superintendent Johnson are working to finalize a job description for a School Resource Officer (SRO). The SRO will be part of the Hardin Police Department, but will be employed by the school. Mayor Purcell reported applications are being accepted for part time and full time General Laborers and for a part time Court Clerk I.

Sewer & Water:

Law Enforcement:

Espinoza noted the next Community Watch meeting is scheduled for 6:00 p.m. Thursday, April 28, 2022 at the Hardin Depot.

Streets & Alleys:

Massine reported Zach Kirkemo, with the Montana Department of Transportation, forwarded applications that would need to be completed for the parking restriction signs on Center Avenue. Massine requested for the speed limit of 15 miles per hour to be added to the letter that will be sent to the state for the speed limit at the Primary School.

Massine noted there was a committee meeting where there was discussion about repairing Terry Avenue and 1st Street. Massine noted the recommendation was to have the engineers come down and work with Hurff. He added there is money set aside for the projects and hopefully it will start this year.

Parks & Playgrounds:

Lehr reported he is currently working through the application process for the South Park project.

Finance/Landfill:

Greer reported the City met with Barry Damschen, Landfill Engineer, and there was discussion about the road at the landfill and Damschen is in the process of acquiring approval for the expansion of the ash pit.

Resolutions & Ordinances:

Sharpe reported the committee discussed business license fees and tier levels for marijuana businesses. There was also discussion to amend the ordinance for public use and display of marijuana.

SPECIAL COMMITTEES:
PETITIONS & COMMUNICATIONS:
UNFINISHED BUSINESS:

NEW BUSINESS:

Mayor Purcell reported the City received a letter of recommendation from the City-County Planning Board (CCPB) to approve Love's Travel Stop to add a Fresh Market Kitchen and a Gaming/Casino Room. Kym Van Dyke, with Love's Travel Stop, noted the area is needed to put in a fresh market to provide healthy foods for the traveling public and for locals and a casino to provide traveling motorists with a controlled environment to give them something to do. He added that Love's is a big company and voiced "we care to do it right". Corrina Kirschenmann-Kuntz spoke in favor of the fresh market. Greer asked if they had their liquor license. Van Dyke reported that it is in the works. Greer motioned to approve the application pending the liquor license. Hopes seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported the City received a letter of recommendation from the City-County Planning Board (CCPB) to approve the application from 312 Cannabis for an adult marijuana dispensary to be located at 1233 Vanzandt Road. Kevin Hance introduced himself as Co-Owner of the business and introduced Ryan and Tiffany Jabara as partners. Hopes asked how much business they estimate per day. Hance noted that they have no history, but figure from $2,500 to $3,000 a day and eventually to somewhere around $5,000 a day projected. Mayor Purcell noted the location is outside City limits, but falls within the zoning , so approval of a business license is not required. He added this is not a business license issue, but a matter of approving the area. There was discussion about the size of the facility, security, transport of the product and money, and the amount an individual can purchase per day. Hance noted that there will not be any cultivation at the location. Hance voiced that they want to be part of the community and will support the community. Carole Fox asked how the community will benefit from this. Mayor Purcell noted there will be a small revenue; the County imposes that. Massine motioned to approve the recommendation by the City-County Planning Board. Espinoza seconded. On a voice vote the motion was approved (3/2). Sharpe and Greer voted nay.

Mayor Purcell requested approval to send a letter to the state requesting a 15 miles per hour speed limit at the Primary School on 3rd Street and to complete the applications requesting signs for two-hour parking on Center Avenue. Greer motioned to approve the requests. Sharpe seconded. On a voice vote the motion was unanimously approved.

Greer motioned to approve Amendment NO. 24 with Barry Damschen Consulting, LLC. Massine seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Finance:

Lehr noted the audit for Fiscal Year 2020 is expected to begin in the next few weeks. The City will advertise this summer for a Request for Qualifications (RFQ) for FY 2022 audit services.

Lehr noted there will be a resolution brought to Council at the next meeting for the Land Water Conservation Fund application for the South Park Project; and the personnel policy manual for the City is being reviewed and proposed changes will be brought before Council. A Tax Increment Finance District (TIFD) bond payment will be made before the next Council meeting.

Lehr reported that advertising through Indeed for employment has been successful in receiving applications for the Police Officer positions. The City received over one hundred and twenty-five applications, but not all are qualified. He added there are three solid candidates that may be interviewed. He noted that the City will continue to use the service as a backup.

The City received a letter about the American Rescue Plan Act regarding the competitive grant for the water tower. Lehr reviewed the process and requirements.

Mayor Purcell reported using Indeed will help to streamline the application process. He added DocuSign is another process being looked into to help streamline the hiring process.

Police:

Chief Babbin reported the department is taking reports and pressing forward and that all the officers have completed the training and are certified TAC Officers.

Legal:

Knudsen reported the 911 contract will be on the next Council agenda for approval and the agreement for detention services is with the Big Horn County Attorney.

Economic Development:

Mayor Purcell reported there were interviews for the Economic Development position that is shared between the County and City. The position is still open at this time.

RESOLUTIONS & ORDINANCES:

Resolution NO. 2292: Big Horn County, Montana Multi-Hazard Mitigation Plan – 2021 Update. Massine motioned to approve the resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-01: Public Use and Display of Marijuana. Sharpe asked about only having marijuana in the ordinance, taking medical out. Knudsen noted that leaving it in would cover both, medical and recreational, but Council can amend it. Greer motioned to approve the resolution. Massine asked if the motion was to be approved as written. Greer motioned to approve the resolution as written. Massine seconded. On a voice vote the motion was unanimously approved.

Kirschenmann-Kuntz asked if there was any information on the old Boys and Girls Club. Mayor Purcell noted that it had come to Council in the past about tearing the building down, but they voted to not do it. It was eligible for tax sale, but has been put out an additional year. It was noted that it is tribal owned and the vehicles are registered and the current status on the property taxes are not known.

Kirschenmann-Kuntz asked if stickers were being placed on abandoned vehicles etc. Chief Babbin reported that they are and they are issuing parking warrants also. Mayor Purcell reported the City code is being looked into so the issue can be enforced faster. Massine asked if the fines would be addressed and it was noted they will be.

ANNOUNCEMENTS:

Mayor Purcell announced the City currently has full time positions open for Police Officers, a TAC Officer/Administrative Assistant, part time Court Clerk I, full time General Laborer, and part time General Laborer. The next Community Watch Meeting is scheduled for 6:00 p.m. Thursday, April 28, 2022 at the Hardin Depot.

Greer motioned to adjourn the meeting at 7:52 p.m. Sharpe seconded. On a voice vote the motion was unanimously approved.

Joe Purcell

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for March 15, 2022 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: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, 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 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 March 1, 2022. Motion seconded by Hopes. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for March 15, 2022.

	CLAIM No.		Monthly Total
February, 2022	28157 - 28169, 28172 - 28180	$	42,587.74
March, 2022	28170 - 28171, 28181	$	4,078.60
TOTAL Submitted		**$**	**46,666.34**

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

PUBLIC COMMENT:

Jose Funke, City resident, voiced that he doesn't want City Council, the Police Chief, or the hardworking officers to give up. He suggested for the City to take over 911 dispatch, voiced the importance of keeping law enforcement in this town working properly, and expressed that he will always support the City Police Department.

MAYOR:

Mayor Purcell reported negotiations for the Collective Bargaining Agreement are expected to begin in April, the economic development position has not been filled yet, and he is working with the school district to coordinate the schedule of events for the community clean-up.

Personnel Policy/City Policy:

Mayor Purcell reported there are two applicants for Police Officer positions that will be forwarded to the Police Commission for review after their mental health evaluations have been completed; applications are being accepted for the Terminal Agency Coordinator (TAC) Officer/Administrative Assistant position, for a part-time General Laborer and a part-time Court Clerk I. Mayor Purcell noted that the police department is working with the school regarding the School Resource Officer (SRO) position.

Sewer & Water:

Law Enforcement:

A committee meeting was scheduled for Monday, March 21, 2022 at 6:00 p.m.

Streets & Alleys:

Parks & Playgrounds:

Lehr reported Dax Simek, with Stahly Engineering, will be coming to Hardin to look over the environmental review for the South Park Project. Lehr added the City has received letters of support that will be submitted with the Land Water Conservation Fund (LWCF) application.

Finance/Landfill:

Resolutions & Ordinances:

A committee meeting was scheduled for Monday, March 21, 2022 to discuss the marijuana ordinance.

Mayor Purcell reported that on March 8th, under the advice of the County Attorney, 911 dispatch services were stopped to City Police Officers. He noted there are questions about claims of a liability issue, and proposed an indemnity agreement to clear it up to move forward. Mayor Purcell noted a contract will be reviewed by the 911 review board on March 22, 2022. Mayor Purcell voiced there is no intention of backing off, but moving forward. The Police Department has good leadership and they are still in service, just not receiving 911 calls right now.

SPECIAL COMMITTEES:
PETITIONS & COMMUNICATIONS:
UNFINISHED BUSINESS:

NEW BUSINESS:

Lehr reviewed the Landfill Closure & Post Closure Estimates provided by Barry Damschen, landfill engineer. Massine motioned to approve the Closure and Post Closure estimates by Damschen. Espinoza seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported there is a request for an emergency repair of the John Deere loader at the Landfill. Hurff reported the estimated cost for installation and transporting is $16,479.00. Krebs motioned to approve the emergency repair. Hopes seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported he is working to put together a bid packet for a loader for the landfill; letters were received from Damschen that include a methane monitoring report and an inspection report; dirt is continuing to be moved at the landfill; the Waste Water Treatment Plant (WWTP) maintenance manuals and capacity sheets are being put together for Stahly Engineering regarding Phase II of the WWTP Upgrade; the Water Treatment Plant is waiting for communications to be tied into the intake at the hill tank building, and the annual report for Inorganic Compound samples looks good.

Hurff reported there has been continuing complaints of garbage cans being filled up by non-residents. They have spray painted "resident use only" on some cans to try to help the situation. He also reported the city has picked up twenty 300-gallon garbage cans from Billings.

Hurff reported that Alley Clean-Up is scheduled to start Monday, April 4th and Dax Simek, with Stahly Engineering, will be here to do a walk through on 1st Street West.

Finance:

Lehr reviewed the Event Notice and Continuing Disclosures for the Tax Increment Industrial Development Revenue Bonds (TIFD).

Lehr reported the LWCF application for the South Park Project will be turned in this week.

Police:

Chief Babbin reported the department is continuing to move forward. Mark Kuntz, resident, asked what numbers could be called to contact the police department. Chief Babbin provided some contact numbers and voiced that if it is an emergency to call 911.

Legal:

Knudsen reported he is working with the county on agreements for detention services and the 911 dispatch. He added that the county attorney is looking at the documents.

Economic Development:

RESOLUTIONS & ORDINANCES:

Resolution NO. 2293: Authorizing Application for Land & Water Conservation Fund Assistance. Sharpe motioned to approve the resolution. Greer seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-01: Second Reading - Public Use and Display of Marijuana.

Cody Meeks noted that Bloom MT has been at their location for four years, currently active in Big Horn County, and they need zoning approval to continue business with the state. He added they haven't been able to get an application for a license. Knudsen reported a pause was put on marijuana applications while the ordinance is being reviewed and that Council can lift that if they want. Meeks asked if the City could state there is no zoning ordinance. Knudsen noted there is a zoning ordinance, the City zones one mile outside of the City limits. Sharpe 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 following employee anniversaries: Antonio Abril, 3 years; Merle Johns, 5 years; and Michael Stimpson, 24 years; the City currently has full time positions open for Police Officers, a TAC Officer/Administrative Assistant, part time Court Clerk I, and part-time General Laborer. The next Community Watch Meeting is scheduled for 6:00 p.m. Thursday, April 28, 2022 at the Hardin Depot.

Greer motioned to adjourn the meeting at 7:04 p.m. Massine seconded. On a voice vote the motion was unanimously approved.

Joe Purcell

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr

Andrew Lehr, Finance Officer/City Clerk

CITY of HARDIN, MONTANA

SPECIAL COUNCIL MEETING: The Special Council Meeting for March 21, 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: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, and Antonio Espinoza. Alderman Jeremy Krebs was not present.

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 by virtual meeting: Several members of the public.

PUBLIC COMMENT:

Mayor Purcell reported the special meeting is for approval of an indemnification agreement for 911 service to address liability issues and get the dispatch online while waiting for a 911 agreement. Knudsen reported negotiations for the 911 agreement have stalled from concerns of civil liability. The indemnification would address those concerns. Knudsen noted the agreement will be reviewed by the 911 dispatch board at 1:00 p.m. tomorrow at the County Commissioners Office.

Massine posed a question about paragraph two on page two of the agreement. He asked what the definition would be for the words "timely manner", regarding response time. Knudsen reported the officer duty cell phone would be called before determining the response time is not in a timely manner, adding that the radios could have issues like dead spots, etc. Massine noted that the words "timely manner" may be different for each person. Knudsen noted that some cases take priority and some take precedence and that it is hard to define what is a timely manner. Knudsen added it is what the County wanted in the agreement.

Cory Kenney, City resident, asked if this would probably be resolved at tomorrows meeting. Greer voiced that is the intent. Mayor Purcell noted that brining this before Council for approval would expedite the process. Knudsen reported the indemnification agreement is intended to be short term and will be replaced when there is an interlocal agreement for 911 services.

Riley Ramsey, City resident, asked if there was anything in writing for them to provide the services when the police department was established. Knudsen reported there are drafts of the 911 and detention services had been forwarded to the County. He added that one of the attorneys removed the indemnification in earlier drafts that were originally presented to the County before the police department went live.

Massine motioned to approve the Indemnification Agreement. Espinoza seconded. On a voice vote the motion was unanimously approved. It was noted it will be presented to the 911 board that is scheduled for 1:00 p.m. tomorrow, March 22nd at the County Commissioners Office.

The meeting adjourned at 6:13 p.m.

Joe Purcell

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for April 5, 2022 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: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, 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 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 March 15, 2022. Motion seconded by Hopes. On a voice vote the motion was unanimously approved. Greer made the motion to approve the Special Council meeting minutes as written for March 21, 2022. Hopes seconded. On a voice vote the motion was unanimously approved. Greer made the motion to approve the Law Enforcement meeting minutes as written for March 21, 2022. Espinoza seconded. On a voice vote the motion was unanimously approved. Sharpe made the motion to approve the Resolutions or Ordinances committee meeting minutes as written for March 21, 2022. Hopes seconded. On a voice vote the motion was unanimously approved. Greer made the motion to approve the Law Enforcement meeting minutes as written for March 28, 2022. Sharpe seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for April 5, 2022.

	CLAIM No.		Monthly Total
March, 2022	28182 - 28193 28219 - 28254, 28256	$	522,898.36
April, 2022	28194 - 28218	$	6,002.27
Claims Total (Expenditures)		**$**	**528,900.63**
March, 2022 Payroll		**$**	**186,045.85**
TOTAL Submitted		**$**	**714,946.48**

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

PUBLIC COMMENT:

Paul Green reported the Big Horn County Fair will have a concert, rodeo and a few more items. He asked for permission to decorate the streets lights . Green also requested use of the water truck to wet down the fairgrounds for the horses during the first weekend of the fair. Mayor Purcell asked if they would be providing the banners to put up. Green noted they will look into purchasing the banners upon approval from Council. Mayor Purcell voiced the requests will be placed on the next agenda for final approval.

Larry Keltner, President of First Interstate Bank, expressed that he is here to provide a relationship review of the services that are offered to the City of Hardin and is interested in reviewing the city's banking portfolio. Keltner added that he is being proactive for the benefit of the City and that he is thankful for the City of Hardin business.

Laurie Tschetter reported that she received a letter from the City-County Planning Board (CCPB) that they are holding a public hearing on April 11th for YESCO to put up a billboard sign South of Vanzandt Road. She voiced that her major concern was that it will be forty-foot-wide and fourteen feet high and that she thinks it will be computerized. Laurie voiced that she doesn't

think a sign that big needs to be in the City of Hardin, the city would have no control over what would be on it, and it is close to the high school. Tschetter added that she is against it and asked others to attend the meeting to speak against it because she will not be able to attend. Mayor Purcell noted it will go before the CCPB and they will forward a recommendation to Council.

MAYOR:

Mayor Purcell reported there is a solicitation to raise money that is being circulated that has the Hardin Police listed. He voiced the City of Hardin Police Department is not linked to this circulation and is not soliciting. Mayor Purcell reported negotiations for the Collective Bargaining Agreement are expected to begin next week, there was an offer extended today for the economic development position, and he is working with Superintendent Chad Johnson to coordinate a schedule of events for the community clean-up.

Mayor Purcell reported the indemnity and 911 agreements are delayed and there hasn't been any progress. He added there are options that will be presented during this meeting.

Personnel Policy/City Policy:

Mayor Purcell reported an applicant for the police officer position pulled his application and there are three applicants pending that will go before the Police Commission; he continues to work with Johnson regarding the School Resource Officer (SRO) position; and applications are being accepted for the Terminal Agency Coordinator (TAC) Officer/Administrative Assistant position, for a part-time General Laborer and a part-time Court Clerk I.

Sewer & Water:

Law Enforcement:

Espinoza reported the next Community Watch Meeting is scheduled for 6:00 p.m. Thursday, April 28, 2022 at the Hardin Depot.

Streets & Alleys:

Massine reported that he and Hurff met with Dax Simek, of Stahly Engineering, to evaluate roads. He added that alley clean-up is underway.

Parks & Playgrounds:

Lehr reported the Land Water Conservation Fund (LWCF) application has been submitted and will be forwarded to the National Park Service.

It was reported the park restrooms would be opening around the first weekend of May.

Finance/Landfill:

Greer reported information was provided to Knudsen during the committee meeting to rewrite the agreement for landfill services to Big Horn County.

Resolutions & Ordinances:

SPECIAL COMMITTEES:
PETITIONS & COMMUNICATIONS:
UNFINISHED BUSINESS:

NEW BUSINESS:

Knudsen reviewed the contract for attorney services. He pointed out changes that included an increase in pay that would begin July 1, 2023 and that there is a clause if he is elected to County Attorney that the agreement can be modified or terminated. Knudsen noted that if Elected County Attorney, there is an option for a City Attorney to serve a County Attorney as well. Knudsen pointed out an error in the date on page three paragraph seven. The correct dates are from July 1, 2023 until April 23, 2024. Mayor

Purcell noted the agreement is with the law firm Knudsen & Knudsen and not an individual. Krebs voiced that Knudsen does a really good job and motioned to approve the agreement with the noted date change. Massine seconded. Sharpe voiced he is happy with Knudsen representing the City and that it is nice to have someone stand up for the City. On a voice vote the motion was unanimously approved.

Knudsen reviewed the EJCDC contract with Stahly Engineering for Phase II of the Waste Water Treatment Plant Project. Knudsen referred to Exhibit I that addresses limitation of Engineers liability at $50,000 and he suggests for it to state the cost of the project. Greer motioned to put the contract to the side until more information is requested. Krebs seconded. On a voice vote the motion was unanimously approved.

Lehr requested approval to loan seventy-six thousand from the General Fund to the Parks Capital Fund for the South Park Project. The General Fund will be reimbursed when grant funds are received. Krebs motioned to approve the process as described by Lehr. Sharpe seconded. On a voice vote the motion was unanimously approved.

Greer recommended to increase the amount that Big Horn County pays for resident landfill fees to twenty thousand dollars. Greer motioned to approve the recommendation of the committee to update the contract and raise the amount to twenty thousand dollars for County garbage service. Hopes seconded. On a voice vote the motion was unanimously approved.

Javier Garcia, of 911iNet, presented a summary of the program and proposal. He noted it is a 24-hour dispatch center, the radios use cell phone band and transmit back to the center, and they work anywhere in the United States. Garcia reported that Chief Babbin has been using one of the radios on a trial basis for about seven days. He reported that when a call goes into the County 911, once they transmit it to 911iNet, it takes the liability off of them; they are not reliable after passing it off to "us". Sharpe asked if someone were to call 911iNet what number would they dial. Garcia noted they would call a toll fee number that would reach the dispatcher, all calls would be cased into the CAD system, and an officer will be dispatched. Mayor Purcell asked what the city would need to have in place for the reporting system. Garcia reviewed the process and noted it is cloud based. Mayor Purcell reported the cost in the proposal is $50,000 per year, the radios will be provided, and 24/7 service. Massine asked if the price would increase next year. Garcia voiced that it will always be $50,000 if the City continues with the same amount of radios and if more are needed it is negotiable. It was reported the timeline for implementation would be a couple of days to receive the radios and be up and running. Chief Babbin noted the use of the radio is easy and it is crystal clear no matter where his location was. Officer Calen Curtin voiced that this is the best option for the situation the City has and it is cost effective. He added that his concern is that it will still go through the County and the bottom line is if Big Hon County is willing to work with 911iNet to do that. Krebs suggested to wait for the service agreement before moving forward. He added that the cost seems reasonable and that the City can't hire an employee for less than that with the benefits package included. Espinoza asked who would call an ambulance if needed. Garcia reported the dispatch venter would call EMS and have them respond. Knudsen noted the Attorney General's Office is working to upgrade 911 dispatch to the next generation. Mayor Purcell noted a Special Council Meeting can be held to review the service agreement and move forward. Garcia reported he will get the service agreement forwarded. A meeting will be scheduled for Friday, April 8th; the time to be determined.

Ryan Olsen, with Text to 911, reviewed how the program works. He noted the State of Montana is currently in the process of the next generation 911 upgrade. The program will allow for text messaging to a dispatch command center. The one-time cost for set-up and 7/24 monitoring is $12,000; there is not a recurring cost. Sharpe asked if the City is set up with this, will it be sent to the Hardin Police Department or PSAP (public safety answering point). Olsen noted that the program would need to have interoperability with the County dispatch. Sharpe asked if the City set up the texting to 911 at the City Police Department and not to the PSAP, will it violate any Federal or State Laws. Olsen noted that it was a good question. He added that there are no recurring costs, no licensing, and recommended implementation across the County. Krebs voiced that it would be good to have this implemented through the County. It was suggested that the County could be approached to share the fee for the program. Chief Babbin noted that it is a new concept and he wants the City of Hardin to flourish. He added it could be a value to this community and

the City needs to continue to press forward or the City and the Citizens of Hardin. Knudsen provided examples of emergency situations of when the text to 911 would be utilized. Jose Funke, resident, noted to talk about resources at the Friday meeting and added the County is not going to do anything for us. Corrina Kirschenmann-Kuntz noted that she made some phone calls to the Montana 911 Program and the Attorney General's Office and they both provided complaint forms that can be submitted to them.

STAFF REPORTS:

Public Works:

Hurff reported the City crew has been moving dirt at the landfill; there was a meeting with the Environmental Protection Agency (EPA) to review a contract for disposal of the Crow Tribal building demolition; and the City will be going out to bid for a new landfill loader. Hurff reported the City received a letter from Department of Environmental Quality (DEQ) approving to build up on the current ash cell.

Hurff reported the City is currently working on job descriptions for summer seasonal help; the 2021 CCR water report has been posted, Alley Clean up is set for this week; Simek, with Stahly Engineering, came to Hardin to look over the 1st avenue Street Project and will provide Council with option for the project; storm water ditches are being cleaned; Stahly Engineering is working on Phase II of the Wastewater Treatment Plant Project and is anticipating to go out to bid sometime this summer and for construction to begin this fall to this winter; the City is continuing to purchase 300 gallon garbage cans from Billings; and the parks department will be fertilizing the parks soon.

Finance:

Lehr reported the audit for Fiscal Year 21 has started remotely; he will provide preliminary budgets to City departments this month for them to start going through; he will receive the renewal agreement for health insurance tomorrow; and the LWCF grant has been submitted.

Police:

Chief Babbin reported the department is continuing to take calls for service.

Legal:

Knudsen reported he has been reviewing the environmental contract for accepting the asbestos from Crow Agency. He will keep Council updated.

Economic Development:

Mayor Purcell announced there has been an offer made for the Economic Development position and he will update Council on the outcome.

RESOLUTIONS & ORDINANCES:

Resolution NO. 2294: Approving the Appointment of the City Attorney. Krebs motioned to approve the resolution and include the correction to the dates as previously noted. Massine seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2295: Loan from the General Fund to the Parks Capital Project Fund. Krebs motioned to approve the resolution. Massine seconded. On a voice vote the motion was unanimously approved. Lehr pointed out that if the application for the grant is not approved, the funds will be returned to the General Fund.

Ordinance NO. 2022-02: License Fees for Beer, Wine, Liquor and Marijuana Businesses. Sharpe motioned to approve the ordinance as written. Espinoza seconded. Krebs voiced that he will be voting no against the ordinance and that $500 is not enough for an annual fee. On a voice vote the vote was unclear. Hopes asked for a hand vote. On a hand vote there was a tie vote with Massine, Espinoza, and Sharpe voting Yea and with Hopes, Greer, and Krebs voting Nay. The Mayor broke the tie vote by voting Yea. The motion passed.

ANNOUNCEMENTS:
Mayor Purcell announced the City currently has full time positions open for Police Officers, a TAC Officer/Administrative Assistant, part time Court Clerk I, and part-time General Laborer. The next Community Watch Meeting is scheduled for 6:00 p.m. Thursday, April 28, 2022 at the Hardin Depot; the City-County Planning Board has a public hearing scheduled for Monday, April 11, 2022 at 7:00 p.m.; and a Special Council Meeting is scheduled for 7:00 p.m. Friday, April 8, 2022 to address proposals for 911 dispatch services.

Krebs motioned to adjourn the meeting at 8:44 p.m. Espinoza seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

CITY of HARDIN, MONTANA

SPECIAL COUNCIL MEETING: The Special Council Meeting for April 8, 2022 was called to order at 7:00 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, and present virtually was Aldermen Jeremy Krebs. Alderman Antonio Espinoza was not present.

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

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

PUBLIC COMMENT:

Mayor Purcell reported that the special meeting was called to discuss three options for dispatch of the Hardin Police Department. The first option is Text to 911 with a one time $12,000 charge. The second option is 911INET, which would provide the dispatching service, for an annual cost of $50,000 the first year, and $55,000 every year thereafter. The final option to discuss is the 10-8 records management system (RMS) that the Police Department will need to interface with the 911INET dispatching services. Mayor Purcell noted that the 10-8 software would also include the evidence room reporting, would cost $15,500 per year and would replace the RIMs records management program that the City would need to interface with the County Computer Aided Dispatch (CAD). He also noted that Rural Development was fine with the City replacing the RIMs software with 10-8, using Text to 911 and the 10-8 RMS program.

Knudson noted the agreement is short, and doesn't bind the City to go to court in Alabama for any legal matters. Massine asked if the contract could be 6 or 9 months. Javier Garcia, 911INET, stated that the investment would require at least a one year service agreement as they are investing a lot on their end. Hopes asked if the contract amount would go above $55,000. Garcia explained that he would not ask for any additional money unless the number of officers increases. Krebs inquired if equipment breaks, would the City be responsible to replace. Garcia noted that all equipment is under warranty and will be replaced at no cost to the City. Jose Funke asked Garcia if Big Horn County doesn't want to work with 911INET, will he still dispatch for the City? Garcia stated that they will still dispatch for the City, and would hope that something can be negotiated that will have a positive impact for the community. Babbin stated that the City doesn't have dispatch and we need a system. He also noted that the setup provided by 911INET is better than the current system at Big Horn County, and the City should move forward as he feels the technology provided is the way of the future. Massine motioned to go forward with the 911INET service agreement. Sharpe seconded. On a voice vote the motion was unanimously approved.

Babbin discussed the 10-8 RMS system and how technology is adjusting away from hardware-based systems to cloud-based systems. He also noted that he called Saline, Illinois dispatch to determine what their thoughts were on the system. The representative from Saline noted that they loved the system and that is easy to use. Babbin explained the features of the 10-8 system, that the reviews of the system were all positive and that the City is receiving a discount. Hopes asked if the cloud-based system was secure. Babbin noted that the system runs on AWS GovCloud, has redundancies on both coasts and is used by the Department of Justice, and Homeland Security to name a few. Mayor Purcell stated the cost would be $15,500 plus $1,500 for on-site training. Greer asked if the agreement was year to year. Mayor Purcell noted the quote says the price will go up 5% annually and that 3- or 5-year agreements could be signed to avoid the cost. It was noted to try the software for one year before deciding on a multi-year agreement. Hopes motioned to approve the quote from 10-8 Systems. Greer seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell explained that the Text to 911 process will take 3-5 months to complete. Text to 911 will have to initiate the process with the cell carriers involved, such as AT&T, Verizon, etc, but shouldn't be overly complicated because they have completed this process throughout Montana. Greer asked if the texts would go through 911INET or through Big Horn County. Knudson

explained that the program is flexible and could be designated to go to the officer phone or the dispatcher for the police department. Greer inquired if the City would have to get approval from the State. Knudson stated that there are no State statutes or Administrative Rules of Montana (ARM) that state the public service answering point has to receive texts for service, only phone calls. Mayor Purcell also noted that Text to 911 would be promoting the program and is built into the one-time cost. Massine motioned to approve the Text to 911 contract. Hopes seconded. On a voice voted the motion was unanimously approved.

Mark Kuntz stated it sounds like the Police Department will be receiving cutting edge technology and extended a thank you to the City Council for moving forward with the proposals.

The meeting adjourned at 7:41 p.m.

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

Joe Purcell, Mayor

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for April 19, 2022 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: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, 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 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 April 5, 2022. Motion seconded by Hopes. On a voice vote the motion was unanimously approved. Greer motioned to approve the committee minutes as written for April 5, 2022. Espinoza seconded. On a voice vote the motion was unanimously approved. Massine made the motion to approve the Special Council meeting minutes as written for April 8, 2022. Hopes seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for April 19, 2022.

	CLAIM No.		Monthly Total
March, 2022	28257 - 28274, 28276 - 28278 28283 - 28285	$	36,023.61
April, 2022	28275 - 28279 28281 - 28282, 28286 - 28289	$	55,405.41
TOTAL Submitted		**$**	**91,429.02**

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

PUBLIC COMMENT:

MAYOR:

Mayor Purcell reported there was a meeting with the Union Representative last week and noted the proposed requests will be brought to Council; there was an offer extended for the Economic Development position, but he has not heard it the applicant accepted; and the Community Clean Up will be combined with the annual school event Operation Sparkle and is scheduled for May 13, 2022 from 10:00 a.m. to 2:00 p.m. The event will be at the 200 block of Center Avenue where the Volunteer Fire Department, Emergency Medical Services, and the Hardin Police Department will have educational stations for the students.

Personnel Policy/City Policy:

Mayor Purcell reported there are two police officer applicants that are pending paperwork before being forwarded to the Police Commission; applications are being accepted for a Terminal Agency Coordinator (TAC) Officer/Administrative Assistant, a part-time Court Clerk I, two full-time Seasonal positions; and he and Chief Babbin continue to work with School Superintendent Chad Johnson regarding the School Resource Officer (SRO) position. Mayor Purcell added the goal is to have the SRO in place by this fall and they will be an employee of the Hardin Police Department, but will be contracted with the School District.

Sewer & Water:

Lehr reviewed the Competitive Grant funding received through the ARPA (American Rescue Plan Act). The City will use the funds to construct a new bigger water tank on the hill. Greer asked what the life expectancy was of the current tank and why replace it. Hurff reported that in 2018 it

had ten years remaining. Hurff asked if the demolition of the existing tank was required. Dax Simek, of Stahly Engineering, noted the new construction would be adjacent to the existing tank. Greer noted that skin coating the existing tank would not cost a lot. Hurff noted that would add seven more years to the life of it.

Law Enforcement:

Espinoza reported the next Community Watch Meeting is scheduled for 6:00 p.m. Thursday, April 28, 2022 at the Hardin Depot.

Streets & Alleys:

Massine reported there is a van with windows broken out and stuff laying beside it on Crawford Avenue and 9th Street.

Massine asked if the city had heard from the state regarding speed limit and parking signs that were requested. Lehr noted that he has contacted the state and was told they did not receive the letter that was mailed to them. He added the city will forward another letter. Massine requested a committee meeting to discuss the parking downtown.

Parks & Playgrounds:

Lehr reported the Land Water Conservation Fund (LWCF) application is being reviewed and will be submitted to the National Park Service this week.

Krebs noted there are a lot of potholes around town and asked if they could be temporarily repaired until the patching machine is out.

Finance/Landfill:

Resolutions & Ordinances:

Sharpe requested a committee meeting to review the sign ordinance.

SPECIAL COMMITTEES:
PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

Knudsen reviewed the Limitation of Liability section in the EJCDC contract with Stahly Engineering for Phase II of the Wastewater Treatment Plant Project. He noted that at the last meeting he pointed out the limitation of liability amount and suggested for the limitation of engineer's liability to be the cost of the project. Simek noted that the EJCDC is an industry standard that gives three options for limitation of liability. He added that he recommends the $1,000,000 liability. Sharpe motioned to approve the proposal for Phase II of the project. Greer seconded. On a voice vote the motion was unanimously approved.

NEW BUSINESS:

Mayor Purcell reported Paul Green, with the Big Horn County Fair, presented his requests to Council at the last meeting. They include a water truck, driver, water, and use of the light poles for advertising. The fair will purchase the banners, the City has been asked to put them up. Krebs motioned to approve the requests. Espinoza seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported the River Valley Farmers Market is requesting the closure of the 200 block of North Center Avenue between the hours of 3:30 p.m. and 8:30 p.m. every Thursday in August and the first two Thursdays in September, September 4th and September 8th. In addition, there are requests for handicap accessible restrooms and a handwashing station. Greer motioned to approve the request. Hopes seconded. On a voice vote the motion was unanimously approved. Hurff reported the City is looking into estimates to build a permanent bathroom in the Plaza.

Mayor Purcell reported the City received a letter from the City-County Planning Board (CCPB) recommending the denial of the request from YESCO to construct a

billboard on Mitchell Avenue. The proposed sign is a 14' x 48' billboard sign. Greer reported the consensus of the board was mostly negative, they didn't like the look of it, and they thought it wouldn't be appealing to the neighborhood. Greer noted that he has provided a picture to council of what the sign looks like adding the consensus was they would rather see it somewhere else. Greer voiced that YESCO had an offer to lease the property, it will only have two LED lights to light up the sign, there is a $275 session fee for each side, and that it is economical for a business in town. Krebs noted that it is his understanding that the job of the CCPB is to make sure the applications are in line with zoning and city ordinances. He then asked what the denial was based on and with did it not comply with, because it should not be based on personal preference. Knudsen noted that Council can take the recommendation or they can overwrite it. Sharpe referenced City Code 11-1-8-3. Krebs asked if it the sign complied with that. Knudsen noted it does not. Sharpe motioned to approve the denial of the sign. Braden Saunders, with YESCO, (via Zoom) voiced that his understanding of the code is, this will be an off-premise sign, not on the premises of a business. He added that he believes the code is for an on premises sign. Saunders voiced they are happy to talk about making the sign smaller; this is a good location for them. Knudsen noted that the point of a conditional use application is to make an exception to the code. Corrina Kirschenmann-Kuntz noted the sign will not be lit up 24/7 and they will not allow advertising for adult business, alcohol, marijuana, or cigarettes. Saunders voiced the advertising will be within the community standards in mind with what is advertised and the lights will be on timers that are flexible if needed. Cory Kenney noted that he doesn't like the idea of having a sign that big and that a thirty-foot sign would be no problem. Mayor Purcell asked what the size options were. Saunders noted the 14'x48' and 10'x30' are the standard. Greer motioned to approve a 10'x30' sign. Sharpe rescinded his motion to approve the CCPB recommendation to deny the application. Hopes seconded the motion to approve the sign. On a voice vote the motion was unanimously approved.

Lehr reviewed the letter of credit from Little Horn State Bank and asked for Council approval. Greer motioned to approve the report. Hopes seconded. On a voice vote the motion was unanimously approved.

Hurff reported the he received a bid from Liquid Engineering for the amount of $5,700 for the fall screen cleaning at the Wastewater Treatment Plant. He also received a bid from Midco in the amount of $8,470. Hurff recommended to move forward with Liquid Engineering and lock in the amount of $5,700. Krebs motioned to approve the bid. Sharpe seconded. On a voice vote the motion was unanimously approved.

Cyndy Maxwell, with Joint Powers Trust, reported the increase for health benefits is around 8.1% for fiscal year 2023. She added there would be a savings if the City went to VSP for the vision insurance. Lehr reported Option I rates include the current vision insurance and Option II includes the VSP coverage. Lehr noted Option II will save the City and employees more money. Krebs motioned to approve Option II to include VSP vision benefits. Greer seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff provided an update on the request for the landfill to receive a building from Crow Agency that contains asbestos. Hurff noted the City's Operating and Maintenance Manual (O&M) is unclear on friable vs non-friable asbestos. Hurff noted that Barry Damschen, Engineering Consulting Services, was contacted and he is working on an amendment to add the information to the O&M. The amendment will be brought to Council.

Hurff reported the City has advertised a Call for Bids for a new landfill loader.

Hurff reviewed City Code 8-2-7 (F) referencing the costs of installing and connecting sewer to a building shall be bore by the owner. Hurff added that he would like to see the same clarification in City Code 3-3A-28 that references water connections. Sharpe requested a Sewer and Water committee meeting.

Finance:

Lehr reported he was contacted by Visionary Broadband, out of Sheridan, WY. They will be applying for a grant, through ARPA funding, to provide broadband in Hardin and Big Horn County. A letter of support from the City has been submitted to Visionary Broadband.

Lehr reported he has been working with Hurff on the Capital Improvement Plan (CIP) and preliminary budgets will be forwarded to City departments for review; reporting for ARPA funding is due by the end of April; the Hardin Volunteer Fire Department and Public Works are receiving radios from 911iNET in addition to the Police Department; and Maestro, a flex savings account provided through First Interstate Bank, will no longer be serving entities that have less than fifty participants enrolled. Maxwell noted that JPT provides a flex savings account. Lehr noted the City recently received an application for a Police Officer.

Police:

Chief Babbin reported two officers have completed training in Helena. Also, he has been working with AT&T for a dispatch number for the City Police. The best options at this time are (406) 665-7791, 7900, 7901, 7919, and 7991. He added that he has asked them if they can do better. Mayor Purcell noted that 7900 would be the most visual to remember. Chief Babbin noted that when a number is established it can be put on magnets, a billboard, and the water bills.

Greer asked about parking citations. Chief Babbin reported they are working on it and that he would like to see the ordinance changed. The parking citations will be discussed at the next committee meeting.

Chief Babbin voiced that he is impressed with 911iNET. He has an app on his City cell phone that connects him to dispatch. He added that he received a letter of approval from CJIN (Criminal Justice Information Network) for 24/7 services. The number to use currently to contact the Police Department is 406-679-0906. Chief Babbin noted that Javier Garcia, with 911iNET, met with Big Horn County and they were interested in their services, this would take 911 calls through them to the City Police. He hasn't heard from them at this time.

Legal:

Knudsen reported the environmental contract for accepting the asbestos from a building in Crow Agency is still in the negotiation process. He reviewed the portions of the contract that raise concerns. Massine voiced that when he was at the City, accepting the asbestos was looked into, but he didn't feel good about it from day one. Hopes voiced that if they don't like the contract, don't accept the asbestos. Greer noted that if they don't have a place to take it, they will put it somewhere else. Mayor Purcell reported updates will be brought back to Council.

Economic Development:

Mayor Purcell announced there has been an offer made for the Economic Development position, but he has not received an update.

RESOLUTIONS & ORDINANCES:

Ordinance NO. 2022-02: Second Reading - License Fees for Beer, Wine, Liquor and Marijuana Businesses. Greer motioned to approve the second reading of the ordinance. Hopes seconded. On a voice vote the motion was approved (5/1) Krebs voted Nay.

ANNOUNCEMENTS:

Mayor Purcell announced the following employee anniversaries for April: Joshua Freeman, 1 year; Richard Jefferson, 1 year; Judy Stieber, 8 years; and Kristi Wedel, 16 years. The City currently has full time positions open for Police Officers, a TAC Officer/Administrative Assistant, two Seasonal Employees, and a part time Court Clerk I. The next Community Watch Meeting is scheduled for 6:00 p.m. Thursday, April 28, 2022 at the Hardin Depot; Get Trashed with the Mayor Community Event with the Hardin School District is scheduled for May 13th, from 10:00 a.m. to 2:00 p.m. The final agenda will be noticed to the public.

Greer motioned to adjourn the meeting at 8:06 p.m. Hopes seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for May 3, 2022 was called to order at 6:55 p.m. with Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, and Jeremy Krebs. Antonio Espinoza 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 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 April 19, 2022. Motion seconded by Hopes. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for May 3, 2022.

	CLAIM No.		Monthly Total
April, 2022	28290, 28315 - 28364	$	59,637.02
May, 2022	28291 - 28313	$	2,410.00
Claims Total (Expenditures)		$	62,047.02
April, 2022 Payroll		$	212,532.67
TOTAL Submitted		**$**	**274,579.69**

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

PUBLIC COMMENT: N/A

MAYOR:

Mayor Purcell reported the new number to contact the Hardin Police Department is 406-665-7900. Signs displaying the number have been placed in the windows of businesses and printed on keychains and magnets. Mayor Purcell announced that Operation Sparkle, with Hardin Public Schools and the City, is scheduled for Friday, May 13th from 10:00 a.m. to 2:00 p.m. in the Plaza. The event will include educational displays from the City Police, Hardin Volunteer Fire Department, Big Horn County Ambulance, Public Health, One Health and Saint Vincent Clinic.

Mayor Purcell announced Northern Engineering and Consulting, Inc is holding an open house on Friday, May 13th from 11:30 a.m. to 2:00 p.m. at 314 North Center Avenue.

Mayor Purcell reported there was a second meeting with the Union Representative for negotiations of the Union contract; the final version will be brought to Council.

Personnel Policy/City Policy:

Mayor Purcell reported there are two police officer applicants pending going forwarded to the Police Commission and there has been an offer extended to a rookie applicant.

Sewer & Water:

Sharpe noted the ordinance for water connections will be voted on.

Law Enforcement:

Chief Babbin reported the Community Watch meeting went well. He added it is important for the public to know that "if you see something, say something". The next Community Watch

Meeting is scheduled for 6:00 p.m. Thursday, May 19, 2022 at the Hardin Depot.

Streets & Alleys:

Massine reported downtown parking will be revisited when the letter from the state is reviewed.

Massine reported the patching machine has been worked on and the city crew has been sweeping the streets, cleaning alleys, and burning ditches.

Parks & Playgrounds:

Krebs noted the park restrooms are scheduled to be opened this weekend. There is a new contact person for the Land Water Conservation Fund (LWCF) grant and the City is to call every Thursday for updates.

Finance/Landfill:

Greer noted the committee discussed the Landfill Operation & Maintenance Plan (O&M) for accepting asbestos.

Resolutions & Ordinances:

Sharpe reported the committee discussed court surcharges for parking and dog tickets, setting park hours to dusk to dawn, parking enforcement fines, and another meeting was scheduled for June 7, 2022 to address sign ordinances and community decay.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

The City received a newsletter from Montana Municipal Interlocal Authority.

UNFINISHED BUSINESS:

Knudsen reviewed the landfill contract with Big Horn County. He added the original has expired. Massine motioned to approve the contract. Sharpe seconded. On a voice vote the motion was unanimously approved.

NEW BUSINESS:

Mayor Purcell reported the cost of the t-shirt for Operation Sparkle is $22,160. The school is providing shirts for all students and will reimburse the City for the purchase. Greer motioned to approve the requests. Hopes seconded. On a voice vote the motion was unanimously approved.

Hurff reported Barry Damschen, Landfill Engineering Consultant, submitted an amendment to the Landfill Operation & Maintenance Plan that clarifies both friable and nonfriable asbestos may be received at the landfill. Greer motioned to approve the amendment. Sharpe seconded. 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. Greer motioned to approve the request. Massine seconded. On a voice vote the motion passed 4-1. (Krebs abstained)

Mayor Purcell asked Council if they wanted to proceed with the contract to accept a building from Crow Agency that contains asbestos. Massine motioned to not move forward with a contract to accept the asbestos. Greer seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell asked for closure of the 200 block on May 13, 2022 from 10:00 a.m. to 2:00 p.m. for the Community Clean Up Event. Greer asked if porta potties were needed and suggested there should be some there. Hopes motioned to approve the street closure and for the City to provide two porta potties for the event. 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. Massine seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported he will be absent from May 15 to May 23, 2022. Sharpe motioned to approve the absence. Massine seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported Damschen has submitted plans to consider for a canister site at the landfill and he reviewed ongoing projects the City is working on.

Hurff reported the opening of the Call for Bids for a new landfill loader is scheduled for Tuesday, May 10, 2022 at 10:00 a.m.

Finance:

Lehr reported a list for Unclaimed Property, for checks that have not been redeemed, has been posted to the public.

Lehr provided a narrative of the Quarterly Financial Report for the Third Quarter of Fiscal Year 2022. Massine motioned to approve the report. Sharpe seconded. On a voice vote the motion unanimously approved.

Police:

Chief Babbin reported 911iNET and 10-8 systems are up and running. The number to call for the City of Hardin Police is 406-665-7900. He added it is important to get this number out there and that if there are any issues with it to let the department know.

Legal:

Economic Development:

Mayor Purcell announced that Tina Toyne was hired for the Economic Development position and Paul Green was contracted as needed.

RESOLUTIONS & ORDINANCES:

Ordinance NO. 2022-03: Parking Enforcement and Penalties. Greer motioned to approve the ordinance to include amending the surcharge to $10, general parking violations to $20, and handicap and fire lane or fire hydrant violations to $100. Hopes seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-04: Water Tapping Procedures. Sharpe motioned to approve the ordinance to include the typo correction. Greer seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell announced the City-County Planning Board has scheduled public hearings for Monday, May 9th at 7:00 p.m. for Dowlin and Bloom Montana; the bid opening for the Landfill Loader is scheduled for Tuesday, May 10th at 10:00 a.m.; and "Sparkle" Day Annual Community Clean Up Event with Mayor Purcell and Hardin Public Schools is scheduled for May 13th from 10:00 a.m. to 2:00 p.m. at the Downtown Plaza. The City currently has full time positions open for Police Officers, a TAC Officer/Administrative Assistant, two Seasonal Employees, and a part time Court Clerk I. Greer announced there is a Sheriff Candidates forum Saturday, May 14th at 3:00 p.m. at the old Jimmies Variety Store. The next Community Watch Meeting is scheduled for 6:00 p.m. Thursday, May 19, 2022 at the Hardin Depot.

Greer motioned to adjourn the meeting at 7:38 p.m. Hopes seconded. On a voice vote the motion was unanimously approved.

~~Joe Purcell, Mayor~~ Acting Mayor Jeremy Krebs

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for May 17, 2022 was called to order at 6:30 p.m. with Council President Jeremy Krebs presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, and Jeremy Krebs. Chris Sharpe was present by virtual meeting.

Also present: Finance Officer/City Clerk Andrew Lehr, 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: Massine made the motion to approve the Council minutes as written for May 3, 2022. Motion seconded by Hopes. On a voice vote the motion was unanimously approved. Greer made the motion to approve the Landfill Committee minutes as written for May 3, 2022. Motion seconded by Hopes. On a voice vote the motion was unanimously approved. Massine made the motion to approve the Resolutions or Ordinances Committee minutes as written for May 3, 2022. Motion seconded by Espinoza. On a voice vote the motion was unanimously approved. Greer made the motion to approve the Sewer and Water Committee minutes as written for May 3, 2022. Motion seconded by Hopes. On a voice vote the motion was unanimously approved. Massine made the motion to approve the Streets and Alleys Committee minutes as written for May 3, 2022. Motion seconded by Hopes. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for May 17, 2022.

	CLAIM No.		Monthly Total
April, 2022	28365 - 28374, 28392 - 28397	$	26,622.34
May, 2022	28314, 28375 - 28381 28383, 28389, 28398 - 28409	$	34,756.40
TOTAL Submitted		**$**	**61,378.74**

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

PUBLIC COMMENT: N/A

MAYOR: N/A

Personnel Policy/City Policy:

Lehr reported there are two police officer candidates that have been interviewed and will be moved forward to the Police Commission. The candidates are "rookies" and will require a more extensive pre-employment process.

Sewer & Water:

Law Enforcement:

Espinoza reported there are people still requesting magnets with the number to reach the City Police and the next Community Watch Meeting is scheduled for 6:00 p.m. Thursday, May 19, 2022 at the Hardin Depot. Lehr noted the number was printed on the latest water bills that were sent out.

Streets & Alleys:

Massine reported the City has been street sweeping and working on culverts. He added the asphalt machine has not been out yet.

Parks & Playgrounds:

Krebs noted the park restrooms are open and there is nothing new to report on the Land Water Conservation Fund (LWCF) grant.

Finance/Landfill:

Greer reported that Lehr talked about going forward with a Request For Proposals (RFP) for investment services and that it will be reviewed by Knudsen and brought back to Council for approval.

Resolutions & Ordinances:

Sharpe reported the committee discussed public depositories. Krebs reported Knudsen will look into other options that may be available for City investments other than the requirement of keeping them within the City Limits.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

The City received information on Municipal Summits scheduled for June 2022.

UNFINISHED BUSINESS:

Knudsen noted the amendment to the curfew ordinance was drafted in 2020; this was when Covid hit and meetings were being held online only. The Ordinance will be addressed later in the meeting.

NEW BUSINESS:

Ginnie Ladwig, with the Hardin Chamber of Commerce, reported Little Big Horn Days are scheduled for June 24th and June 25th. She submitted a letter requesting street Closure of the 200 block on Center Avenue for both days, portable restrooms, to include a handicap restroom and a handwashing station, a water truck, d207river, and water for the arena, and the presence of City Police Officers during the events. Ladwig reported the Hardin Volunteer Fire Department will be applying for the beer and wine license for the street dance on Saturday, June 25th. Greer motioned to approve the requests. Espinoza seconded. On a voice vote the motion was unanimously approved.

Brit Eben, Vice President and Treasurer of the Jail House Gallery, noted that the Gallery is having an Open House on Saturday May 21, 2022 from 10:00 a.m. to 2:00 p.m.. She requested use of electricity in the Plaza. Massine motioned to approve the request. Espinoza seconded. On a voice vote the motion was unanimously approved.

Krebs reported the City received a letter of recommendation from the City-County Planning Board to deny the application submitted by Robin and Kathy Dowlin to have horses on property at 232 S. Mitchell Avenue, because it would violate existing City Code. Greer noted that there was not anyone at the meeting representing the Dowlin's. Greer motioned to deny the application as recommended. Espinoza seconded. On a voice vote the motion was unanimously approved.

Greer reported the City received a letter of recommendation from the City-County Planning Board to approve the Medical and Adult-Use Marijuana Dispensary application submitted by Bloom Montana located at 569 3rd Street East. Massine motioned to approve the recommendation. Greer seconded. Lehr clarified that the approval is not for a City Business License to operate, only for the dispensary to be located within City zoning. On a voice vote the motion passed 5-1. (Krebs opposed)

Massine reported the City received a letter from Zach Kirkemo, with the Montana Department of Transportation (MDOT), regarding speed limit signs at the Primary School on 3rd Street. The existing signs would be replaced with bouncing balls on top and new speed limit signs of 15-mph. Massine noted the City has a deadline to contact the MDOT for the recommendation to be placed before the Montana Transportation Commission for consideration at their August 25th meeting. Greer voiced something needs to be done about the crossing guards at the Primary School, they are not wearing

vests. Knudsen was asked if he could send a letter to the school. Knudsen concurred that he will. Massine motioned to move forward with the recommendation. Espinoza seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed the Investment Policy Proposal for Fiscal Year 2022/2023. Knudsen voiced that he would like to have a resolution for the policy. Lehr Agreed. It will be brought forward to the next meeting.

STAFF REPORTS:

Public Works:

Lehr reported bids for a new landfill loader were opened Tuesday, May 10th at 10:00 a.m. He reviewed the bids and it was noted they will be on the Council agenda for June 7, 2022.

Finance:

Lehr noted he will be scheduling budget meetings and asked Council to contact him for input on which week from the end of June to the first few weeks of July would work.

Lehr reported the City was notified the State Entitlement Funds for Fiscal year 2023 will be $851,786.54.

Lehr noted an invoice was received from the School District for pool repair and maintenance in the amount of $31,000. He added the pool has been closed for a year and City residents have not been able to use it. Krebs reported this will be on the Council agenda for June 7, 2022.

Police:

Chief Babbin reported the department is going twenty-four hours a day, seven days a week and that dispatch is working out well. He added the School Resource Officer position is expected to be in place by the next school year.

Harry Kautzman asked why the Police Department doors are locked all the time. Chief Babbin reported there is not someone inside all day until a TAC Officer Administrative Assistant is hired. Kautzman expressed concerns of dispatch. Chief Babbin noted that dispatch logs all calls, so it is important to let him know the dates and times so he can address it.

Chief Babbin reported he has been asked about people being drunk in the parks. He noted it is not a crime in the State of Montana unless there is an open container, begging, blocking of sidewalks, etc. He added that people sleeping there is not a crime. Massine asked how we address the issue and Chief Babbin noted with a loitering/loafing charge. Carole Foxe asked if there was an ordinance for that and it was noted there is not. Massine asked if an ordinance could be drafted. A Resolutions or Ordinances Committee meeting will be scheduled.

Legal:

Economic Development:

Lehr announced that Tina Toyne started the Economic Development position this week.

RESOLUTIONS & ORDINANCES:

Ordinance NO. 2022-03: Second Reading - Parking Enforcement and Penalties. Greer motioned to approve the second reading. Massine seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-04: Second Reading - Water Tapping Procedures. Greer motioned to approve the second reading. Hopes seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-05: Curfew of Minors. Espinoza asked why the curfew was set at fifteen years old. Knudsen reported this was the recommendation of Council two years ago. Espinoza motioned to approve the ordinance with an amendment to change the age from fifteen years old to sixteen years old. Krebs seconded. On a voice vote the motion was unanimously approved. Greer motioned to approve the ordinance with the amendment as noted. Hopes seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-06: Surcharges for Certain Animal Fees. Knudsen noted this addresses dogs without licenses and dogs at large. Greer motioned to approve the ordinance. Espinoza seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:
Krebs announced the following employee anniversaries: Jeremy Beckman, 27 years; Matthew Buskirk, 2 years; and Sherry Kirschenmann, 4 years.

City offices will be closed Monday, May 30th in Observance of Memorial Day.

The City currently has full time positions open for Police Officers, a TAC Officer/Administrative Assistant, two full time Seasonal Employees, and a part time Court Clerk I.

Hopes motioned to adjourn the meeting at 7:38 p.m. Greer seconded. On a voice vote the motion was unanimously approved.

Jeremy Krebs, Acting Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

CITY of HARDIN, MONTANA

SPECIAL COUNCIL MEETING: The Special Council Meeting for May 23, 2022 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: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, Antonio Espinoza, and Jeremy Krebs.

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

Also present by virtual meeting: Members of the public.

PUBLIC COMMENT: N/A

Knudsen reported allegations have been brought against Chief Babbin and Officer Calen Curtin by the State of Montana. The County Deputy Attorney filed charges in District Court on an issue that happened in March. Knudsen noted that both Babbin and Curtin will have to hire criminal defense attorneys. Knudsen referenced Montana Code Annotated (MCA) 2021, Title 39 Chapter 2 Part 701 (39-2-701), Indemnification of an employee. Knudsen noted that the employees were working within the scope of their duties making the City of Hardin responsible to indemnify them and pay for legal defense. Knudsen reported every year $25,000 is put into the budget for outside legal counsel. The City insurance, Montana Municipal Interlocal Authority (MMIA), will not cover criminal defense. Knudsen asked for Council approval to go forward with indemnification, with the understanding the City will be paying for their legal defense.

Espinoza asked if they have attorneys. Knudsen noted it is their choice to hire who they want. There was discussion on different scenarios regarding costs and outcomes of the charges. Knudsen noted that after approval from the City to indemnify the employees, the employees will provide attorney retainage agreements to the City. Hopes motioned to indemnify Chief Donald Babbin and Officer Calen Curtin. Espinoza seconded. Krebs asked if updates of legal fees could be provided for transparency. It was noted that the bills will be presented with the claims. On a voice vote the motion was unanimously approved.

The meeting adjourned at 6:44 p.m.

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

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 7, 2022 was called to order at 6:30 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Chris Sharpe, Rock Massine and Antonio Espinoza. Clayton Greer and Jeremy Krebs were present by virtual meeting.

Also present: Finance Officer/City Clerk Andrew Lehr, 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 May 17, 2022. Motion seconded by Hopes. On a voice vote the motion was unanimously approved. Sharpe made the motion to approve the Resolution or Ordinances Committee minutes as written for May17, 2022. Motion seconded by Espinoza. On a voice vote the motion was unanimously approved. Hopes made the motion to approve the Finance Committee minutes as written for May 17, 2022. Motion seconded by Greer. On a voice vote the motion was unanimously approved. Espinoza made the motion to approve the Special Council minutes as written for May 17, 2022. Motion seconded by Greer. On a voice vote the motion was unanimously approved. Hopes made the motion to approve the Closed Personnel minutes as written for May 17, 2022. Motion seconded by Espinoza. On a voice vote the motion was approved (5/1) Krebs abstained.

Greer made a motion to approve the claims for June 7, 2022.

	CLAIM No.		Monthly Total
May, 2022	28410, 28433 - 28463 28466 - 28484, 28487 28490 - 28499	$	112,333.62
June, 2022	28411 - 28432, 28464 - 28465 28485 - 28486, 28488 - 28489	$	148,338.87
Expenditures Transfer funds	28410	$	260,835.16
Claims Total (Expenditures)			
Transfer		$	(162.67)
May, 2022 Payroll		**$**	**177,862.04**
TOTAL Submitted		**$**	**438,534.53**

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

PUBLIC COMMENT: N/A

MAYOR:

Mayor Purcell reported the City is working with Teamsters on the Collective Bargaining Agreement. It will go before the members for approval and then to Council.

Mayor Purcell introduced Tina Toyne as the new Economic Development Director and noted that she and Jacy Head, with Beartooth RC&D, will be working with together. He added that Toyne will provide a monthly report to Council.

Personnel Policy/City Policy:

Mayor Purcell reported that one new officer was hired last week and there is a rookie application that is pending approval. The City currently has job openings for the following: Police Officers, School Resource Officer (SRO), TAC/Officer/Administrative Assistant, Assistant Public Works Director, Janitor, Code Enforcement/Animal Control, and a part time Building Inspector that will also serve as Floodplain and Safety Coordinators. One of the full time Seasonal positions, the part time Court Clerk I position, and part time General Laborer position are currently pending employment.

Sewer & Water:

Law Enforcement:

Espinoza reported the next Community Watch Meeting is scheduled for 6:00 p.m. Monday, June 27, 2022 at the Hardin Depot.

Streets & Alleys:

Hurff noted the durapatcher will be used to fill the smaller potholes. Massine reported there is a meeting scheduled with Dax Simek, of Stahly Engineering, to review street projects. Massine voiced that he would like to also visit with Simek regarding the WasteWater Treatment Plant Project. He added with inflation and the lack of part availability there is concern it will slow down the momentum of the project. He would like to know if the current plant will be okay.

Parks & Playgrounds:

Krebs asked Lehr if there was an update on the Land Water Conservation Fund (LWCF) grant for South Park. Lehr reported he was contacted by the director and they are working together to make a few adjustments to the application.

Hurff reported the parks have been sprayed and fertilized by TruGreen.

Finance/Landfill:

Resolutions & Ordinances:

Sharpe reported the committee discussed public depositories. He added there are conflicts within State Codes and that City Code would need be changed. Knudsen noted the Investment Policy can be passed now and amended later.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

The City received a newsletter from the Montana Department of Transportation and the 2022 Directory of MT Municipal Officials.

UNFINISHED BUSINESS:

Massine asked if the letter of recommendation for the signs at the Primary School was forwarded to the State. Lehr reported it will this week.

Massine motioned to move forward with the 2022-2023 Investment Policy. Sharpe seconded. On a voice vote the motion was unanimously approved.

NEW BUSINESS:

Mayor Purcell voiced that the Hardin Volunteer Fire Department submitted a request for a Beer and Wine permit to include the permit fees to be waived for the Street Dance during Little Big Horn Days on June 25th. Massine motioned to approve the requests. Espinoza seconded. On a voice vote the motion passed (5/1). Krebs abstained.

Brian Mischel, with Big Horn County Disaster Emergency Services (DES), provided an overview and reviewed the process of the Regional Multi-Hazard Mitigation Plan. Massine motioned to adopt the plan and Notice of Intent. Hopes seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported the City was invoiced $31,000 for the contribution for the annual maintenance of the swimming pool. It has been noted the pool is not open and City residents have not been able to use it. Espinoza voiced the City will benefit in the end. Mayor Purcell noted the City has been paying one-third of the cost of maintenance each year. Krebs voiced that he thinks the City should give them the $31,000. He and Greer expressed concern that if there is a meeting for another agreement that the contribution may be higher. Knudsen noted that there is a difference between updating and maintenance; general maintenance and upkeep is different than a renovation project. Hopes motioned to pay the invoiced amount. Massine suggested to set up a meeting. Espinoza agreed. Hopes withdrew his motion. Krebs motioned to approve the $31,000 invoice. Greer seconded. Sharpe voiced that he would like to see a meeting. Espinoza motioned to table the decision until the next meeting. Hopes seconded. On a voice vote the motion passed (4/2). Krebs and Greer opposed.

Alan Ness, owner of Laundry Time in Billings Heights, introduced Nathan Matelich, a Commercial Real Estate Developer & Broker /Owner of Coldwell Banker Commercial in Billings. Ness voiced that his goal is to develop a nice laundry facility at 303 North Center Avenue. Ness added that additional amenities will include food, an eating area, ice cream, coffee, soda and the sale of every day essentials to meet customer needs while they are there. Ness reviewed the benefits the business would be to the community. Ness noted he and Matelich have met with the State and City Building Inspectors. He added they would like to add double doors on the South side of the building where they would open into the park area that is owned by the City. He added that they would take care of the maintenance for the park area. Massine asked about the liability to the City. Knudsen noted an indemnification agreement would release the City of liability. Ness reported that having the double doors will provide easy access to the facility. Knudsen noted it is zoned C1 and they may need to complete a conditional use application and go before the City-County Planning Board. Greer and Krebs noted the park area was given to the City under a grant. Lehr will look further into it.

Hurff reported the access to the river at the WasteWater Treatment Plant (WWTP) and intake has failed in one section of the culvert. Hurff provided estimates from True North Steel, in the amount of $9,084.36 and Fergusons Water Works, in the amount of $11,800. Hurff recommended True North Steel. Massine motioned to approve the estimate form True North Steel. Hopes seconded. Greer asked if it would provide enough load bearing for a septic tank truck. Greer suggested to have an engineer look at it. Mayor Purcell voiced there is a motion to approve the True North Steel estimate as long as it meets load bearing requirements and an engineer looks at it. On a voice vote the motion was unanimously approved.

Hurff reviewed the bids that were received for a new Landfill Loader. He voiced that none of the bids met the specifications of the bid proposal. Hurff recommended to Council to go out to bid again. Massine motioned to reject the bids and go out to bid again for a new loader. Hopes seconded. On a voice vote the motion was unanimously approved.

Chief Babbin reviewed a quote from Axon Enterprise, Inc., in the amount of $10,822.40, to lease four additional tasers for the police department. He added these additional tasers will bring the total to nine for the department. Krebs motioned to approve the quote. Hopes seconded. On a voice vote the motion was unanimously approved.

Lehr reported he met with Larry Keltner, President of First Interstate Bank, about different options for accounts payable to pay invoices by credit cards; this will eliminate checks and provide a cash back option. Lehr recommended to increase the credit card limit with First Interstate to $120,000 to enable the City to pay invoices through the credit card. The card will be more secure, vendors can be paid by ACH, and there is a 1% cash back rebate. Lehr added they have already checked the list of vendors for the City and they do not charge a fee to run credit cards for accounts payable. Mayor Purcell reported the positive pay will remain in place. Krebs motioned to approve the recommendation. Massine seconded. On a voice vote the motion was unanimously approved.

Jean Drew, resident, asked about the appearance of the town and what was being done about fences and trees being down and windows being boarded up. Massine noted that he has seen a positive start since code enforcement has been putting out signs. Knudsen reviewed the process

from receiving a complaint to placing charges. Mayor Purcell voiced that having a written complaint provides the paper trail for when it goes to the attorney.

STAFF REPORTS:

Public Works:

Hurff reported there is a meeting scheduled to meet with Simek tomorrow at 1:00 p.m. and he will ask him to look at the culvert at the WWTP. Hurff noted the communication to the intake and hill tank building is near finished and he provided updates on other projects the City crew has been working on. Hurff reported the curb stop program has been good with helping people repair/replace their curb stops.

Finance:

Lehr reported the timeline to file claims for Unclaimed Property has passed and the list will be presented to Council for approval before submitting to the state.

Lehr scheduled Budget Meetings for June 28th, 29th, and 30th and July 12th, 13th and 14th.

Lehr reported the City will receive $70,920.51 from the Fuel Tax Allocation for Fiscal Year 2023.

Lehr noted that he would like to close the CDBG (Community Development Block Grant Program) account that was created for the Big Horn Memorial Hospital Association during Fiscal Year 2018-2019. The account is charged a monthly service fee. Lehr voiced the main operating account can be used for this grant. It will be placed on the next Council agenda for approval.

Police:

Chief Babbin reported a new officer started last week. He added the officers are closing the park restrooms at night and the School Resource Officer position is expected to be in place by the new school year.

Chief Babbin reported he has been asked about people being drunk in the parks. He noted it is not a crime in the State of Montana unless there is an open container, begging, blocking of sidewalks, etc. He added that people sleeping there is not a crime. Massine asked how we address the issue and Chief Babbin noted with a loitering/loafing charge. Carole Foxe asked if there was an ordinance for that and it was noted there is not. Massine asked if an ordinance could be drafted. A Resolutions or Ordinances Committee meeting will be scheduled.

Legal:

Knudsen reported he has looked at the interlocal agreement between the school and the City for the School Resource Officer and it looks good.

Economic Development:

Tina Toyne, Economic Development Director for the City and County, provided her contact information to Council.

RESOLUTIONS & ORDINANCES:

Resolution NO. 2296 - Investment Policy for Fiscal Year 2022/2023. Sharpe motioned to approve the resolution. Hopes seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-05 - Second Reading - Curfew of Minors. Greer motioned to approve the second reading of the ordinance. Krebs seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-06 - Second Reading - Surcharges for Certain Animal Fees. Hopes motioned to approve the second reading of the ordinance. Espinoza seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-07 - Park Hours. Hopes motioned to approve the first reading of the ordinance. Sharpe seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:
Mayor Purcell announced the City-County Planning Board has a Public Hearing for the Kindergarten Readiness Center scheduled for Monday, June 13, 2022 at 7:00 p.m. and the Hardin Community Blood Drive is scheduled for Thursday, June 16th from 1:45 p.m. to 6:00 p.m. at the First Alliance Church at 934 1st St West.

The City currently has full time positions open for Police Officers, a TAC Officer/Administrative Assistant, Part Time General Laborer, and two full time Seasonal Employees.

Massine motioned to adjourn the meeting at 8:26 p.m. Espinoza seconded. On a voice vote the motion was unanimously approved.

Joe Purcell

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for June 21, 2022 was called to order at 6:30 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine and Antonio Espinoza. Jeremy Krebs was absent.

Also present: Finance Officer/City Clerk Andrew Lehr, 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 June7, 2022. Motion seconded by Greer. On a voice vote the motion was unanimously approved. Greer made the motion to approve the Resolution or Ordinances Committee minutes as written for June 7, 2022. Motion seconded by Espinoza. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for June 7, 2022.

	CLAIM No.		Monthly Total
May, 2022	28500 - 28503, 28505 - 28510 28512, 28514 28520, 28524	$	29,968.62
June, 2022	28511, 28513 28515- 28519, 28521 - 28523 28525 - 28529	$	161,303.89
TOTAL Submitted		**$**	**191,272.51**

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

PUBLIC COMMENT:

Carole Fox, resident, asked if there was a dog catcher in town. She added there is a whole pack of dogs that is always together. Mayor Purcell noted the animal control will be back tomorrow.

Espinoza asked what the criteria was for burn permits. Mayor Purcell noted he will clarify it with code enforcement.

Jean Drew, resident, asked about property management. Knudsen noted the ordinances are being reviewed. Knudson added that he, Mayor Purcell, and Chief Babbin have talked about an ordinance for dead trees.

Dan Willoughby, local business owner, asked where the City was at with 2-hour parking downtown. Mayor Purcell noted that he is not sure that the City has received a response from the state at this time. Greer suggested another committee meeting. Willoughby noted that there are elderly customers that come into the business that can't park because people park there all day. Massine noted that at the time the parking was discussed, Chief Babbin had voiced that it would be hard to enforce. Massine added that he would like to see something done with the parking. Corrina Kirschenmann-Kuntz noted there are vehicles that park in the wrong direction on the opposite side of the road. It was noted the police department can be notified. Schneider noted the vehicles on third street are parked down to the bakery again. Willoughby added that it makes it dangerous coming out of the alley.

MAYOR:

Mayor Purcell reported the City will be meeting with Teamsters on the Collective Bargaining Agreement to review the pay matrix and he will be meeting with Tina Toyne, Economic Development Director, to review the Growth Management Plan.

Mayor Purcell reported the City did a Community Survey in 2018 and he is looking to update it and have another survey. The purpose of the survey is to address the needs of the community and what they want to focus on.

Mayor Purcell provided some details of the meetings he attended last week for the Montana Municipal Interlocal Authority (MMIA) and Montana Leagues of Cities and Towns (MTLCT). He reported that MMIA will no longer cover libraries and MTLCT addressed the housing shortage across the state and property tax reform. He will provide further updates as he receives them.

Personnel Policy/City Policy:

Mayor Purcell reported a rookie applicant is pending approval from the Police Commission; there are two Police Officer positions that are open; and the School District and City are one step closer to advertising the position for a School Resource Officer (SRO). Mayor Purcell reported the TAC/Officer/Administrative Assistant position, two of the Seasonal positions, the part time Court Clerk and General Laborer positions have been filled. The City has job openings for a full time Assistant Public Works Director, a Code Enforcement/Animal Control, Maintenance Worker I or II, a part time Building Inspector, that will also serve as Floodplain and Safety Coordinators, and a part time Janitor. One of the full time Seasonal positions is currently pending employment.

Sewer & Water:

Massine reported that he, Hurff, and HDR met to walk through the WasteWater Treatment Plant and looked at different options. He added that he feels the project isn't moving as fast as he hoped it to be. Massine noted there is concern of the availability of parts ands the cost of inflation. A proposal will be prepared and brought to Council.

Law Enforcement:

Espinoza reported the next Community Watch Meeting is scheduled for 6:00 p.m. Monday, June 27, 2022 at the Hardin Depot. He noted that he attended the School Board Meeting and they also want to post signs at the school playgrounds like the ones that will be posted at City parks.

Streets & Alleys:

Massine reported that Dax Simek, of Stahly Engineering came to Hardin to review street projects. Hurff reported Simek will provide a report.

Parks & Playgrounds:

Lehr reported he and Hurff are working to re-submit the Land Water Conservation Fund (LWCF) grant for South Park.

Finance/Landfill:

Resolutions & Ordinances:

SPECIAL COMMITTEES:
PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

It was noted that Alan Ness and Nathan Matelich had come to the previous Council meeting and asked for approval to put double doors on the south side of the building at 303 North Center Avenue. Knudsen voiced that it was suggested they would need to submit an application for a conditional use and it has been determined that it is not necessary. Knudsen reported the park area is deeded to the City from the County. He reviewed a clause of the agreement that would revert the property back to the County if

a portion of this area was not used as a park area for a period of five years in succession. Knudsen reported the item is on the County Commissioners agenda for Friday Morning. Mayor Purcell noted that if the City is willing to give the property back to the County then the owner of the laundromat can purchase the property from them. He asked Council for permission to negotiate the property if the County requests it back. Greer motioned to approve the request. Massine seconded. On a voice vote the motion was unanimously approved. Nathan Matelich, Commercial Real Estate Broker and on behalf of Alan Ness, owner of Laundry Time, asked if the County does not want the property back, would the City have a problem with the double doors to be put in. Knudsen noted that the City would need an indemnification agreement and that agreement would need approval from Council.

Mayor Purcell reported he and Lehr met with the Superintendent and Business Manager of the school district regarding the swimming pool. The history of payments made to the school are not clear on what the payments were specifically made for, ie. routine maintenance, operations of the pool, etc. The City will work with them to put together an interlocal agreement and move forward from there. Mayor Purcell noted that he has notified them that a payment will not be made this year.

NEW BUSINESS:

Landa Uffelman reviewed activities that are scheduled for the 4th Annual 4th of July Celebration. She requested use of the Plaza, electricity, dumpsters, porta potties, street sweeping, extra cones and street closure of the 200 block from 7:00 a.m. to 7:00 p.m. Greer motioned to approve the requests. Espinoza seconded. On a voice vote the motion was unanimously approved.

Daina Green, with the Future Farmers of America (FFA) Alumni, has requested approval for a Beer/Wine Permit to include the permit fees to be waived for the 4th Annual 4th of July Celebration. Sharpe motioned to approve the requests. Hopes seconded. On a voice vote the motion was unanimously approved.

Ginnie McDonald-Ladwig, on behalf of the Area Chamber of Commerce, voiced that the Chamber would like to spruce up the downtown area for Little Big Horn Days. She requested a donation to purchase flowers to plant in the planters in the downtown area. Ladwig added that a greenhouse in Laurel is willing to give them a free planter for every $100 purchase. She noted that she will be taking care of the planters. Greer motioned to approve a donation in the amount of $750 to the Chamber of Commerce for the flowers. Massine seconded. On a voice vote the motion was unanimously approved.

Ronda Carlson, with Cushing Terrell, and on behalf of the Hardin School District 17H, voiced she is working with the school district on the expansion of the Kindergarten Readiness Center. Carlson voiced that the letter of recommendation from the City-County Planning Board is not quite accurate. She pointed out paragraph two of the letter that recommended approval subject to the owners obtaining additional parking. Carlson added that is in conflict with the City Zoning ordinance. Knudsen noted that he has concerns that there is not sufficient off-street parking. Greer voiced the parking will push parents to double park and cause more chaos to what is there now. Knudsen reviewed City Code 11-1-7-2 addressing off-street parking for schools; it requires five parking spaces per each classroom, with seven classrooms there would need to be twelve off street parking spaces. Carlson noted there is no additional property to put the parking on. Greer voiced his concern is with the health and safety of the children. Carlsen responded the arrangement will be better than it is now. Greer noted that both properties around the school are for sale. Carlson noted the school district is aware of the concern and that she cannot speak for them. Massine asked if plans were developed for water retention. Hurff reported that he has forwarded the plans to Simek and had a call into Johnson (on the Construction Documents), he has not heard anything yet. Carlson voiced it is a commercial property the state of Montana has jurisdiction and they approved the project. Greer motioned to not approve the conditional use application based on parking issues. Massine seconded. Sharpe and Espinoza motioned to oppose the motion to not approve the application. Hopes abstained. The motion failed. (4/1) Hopes abstained. Espinoza motioned to approve the conditional use application as presented. Sharpe seconded. Massine and Greer opposed. Hopes abstained. On a voice vote the motion was at a tie vote with, Espinoza and Sharpe voting Yea and with Massine and Greer voting Nay, with Hopes abstaining. The Mayor broke the tie vote by voting Yes to approve the conditional use application. Motion passed.

Lehr asked for Council approval to close the CDBG (Community Development Block Grant Program) account with First Interstate that was created for the Big Horn Memorial Hospital Association. Greer motioned to approve the request to close the account. Hopes seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reviewed the changes to the Council Committee Appointments. The committee members for each committee will remain the same with Massine the Chairperson of the Sewer and Water Committee and Hopes the Chairperson of the Streets and Alleys Committee. Espinoza made the motion to approve the changes as presented by Mayor Purcell. Greer seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported that one of the Variable Frequency Drives (VFD) at the Water Treatment plant is down and the alternate pump is being used. Hurff requested to use emergency funds to replace the VFD. Hurff noted that he reached out for bids. The drive is thirty to forty weeks out and the cost is around $10,000. Greer motioned to approve the use of Emergency Funds for the replacement part. Hopes seconded. On a voice vote the motion was unanimously approved.

Hurff reported that he and Chris Schneider, Landfill Lead, met with the power plant and they will be wetting the ash down after delivering it to the landfill.

Hurff noted the City crew has been cleaning storm drains, clearing streets, retrieving trash cans, and picking up tree limbs; Simek will provide a general cost analysis for the 1st Street Project; and the culvert that was ordered for the Wastewater Treatment Plant meets the interstate rating for weight capacity.

Massine voiced that he would like to commend the employees at the Landfill for doing a great job, the ash pit looks good. Greer thanked the City Crew for the work they have done after the recent storm.

Finance:

Lehr reported the letter to the Montana Department of Transportation for the speed limit signs at the primary school has been submitted; the Budget meetings of June 28th, 29th, 30th and July 14th were scheduled for 5:30 p.m.; the City received the final contract from the Montana Coal Endowment Program for the Water Treatment Plant Preliminary Engineering Report; he has met with Angela Cross, with Rural Development (RD), about the grant for equipment for the police department and there are options for grants for turn out gear for the Fire Department.

Police:

Chief Babbin reported the program Text 911 is being tested, it is working fine and that all texts will go through 911iNet. He added the officers are closing the park restrooms at night, the School Resource Officer position is expected to be in place by the new school year, and the TAC Officer started on yesterday.

Greer asked what the status was on a K-9 and vehicle. Mayor Purcell noted that the City is waiting until the Police Department is fully staffed.

Legal:

Knudsen reported he has reviewed other codes for City parks and found that some have designated safe play zones for kids and also prohibit glass containers in the parks, these can be codified and made penalties. Designating kid only zones would open up the rest of the park for other uses. Hopes motioned to call a committee meeting. Massine seconded. On a voice vote the motion was unanimously approved.

Knudsen reported he is reviewing the agreement for the School Resource Officer (SRO).

Jean Drew asked if the city would consider a tree ordinance. Knudsen noted it has been discussed and he requested to start with a dead tree ordinance. Massine motioned to approve the request and schedule a committee meeting. Sharpe seconded. On a voice vote the motion was unanimously approved.

Economic Development:

Mayor Purcell reported he will be meeting with Tina Toyne, Economic Development Director, and asked Council to let them know if they have any suggestions or ideas.

RESOLUTIONS & ORDINANCES:

Ordinance NO. 2022-07: Second Reading - Park Hours. Greer motioned to approve the first reading of the ordinance. Espinoza seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-08: Deposit of City Funds. Greer motioned to approve the first reading of the ordinance. Hopes seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell announced the following employee anniversaries: Dean Baker, 8 years; Michael Hurff, 12 years; Tammy Mendez, 3 years; and Shawndae OldElk, 1 year; Budget Meetings are scheduled for 5:30 p.m. June 28th, 29th, 30th and July 13th and 14th, continuing as needed; and City of Hardin offices will be closed on Monday July 4th for Independence Day.

Hopes motioned to adjourn the meeting at 8:05 p.m. Greer seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for July 5, 2022 was called to order at 6:46 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, and Jeremy Krebs. Antonio Espinoza entered the meeting at 7:08 p.m.

Also present: Finance Officer/City Clerk Andrew Lehr, 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 June 21, 2022. Motion seconded by Hopes. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for July 5, 2022.

	CLAIM No.		Monthly Total
May, 2022	28520	$	739.50
June, 2022	28530 - 28540, 28542 - 28563 28590 - 28597	$	50,184.83
July, 2022	28504, 28564 - 28589	$	8,563.79
Claims Total (Expenditures)		**$**	**59,488.12**
June, 2022 Payroll		$	195,986.28
TOTAL Submitted		**$**	**255,474.40**

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

PUBLIC COMMENT:

Chris Winterrowd, representing HEP Club (Help Every Pet), provided a pamphlet with information from City and State codes regarding animals at large. She noted there is a stray animal problem in the City and HEP receives calls, but they cannot pick up the animals and local law enforcement is not willing to pick them up. Winterrowd noted that city policy has already been set up in City Code 6-2-6: Impoundment. She reviewed a list of points that was provided by Dave Pauli, the US Humane Society representative in Billings, MT. Mayor Purcell voiced there was Animal Control in place until July 1st, there is a problem, and that the City is addressing it. Mayor Purcell noted that law enforcement was instructed to take calls and it is continuing to be monitored and get stray animals as we can. Winterrowd noted that people need to be made uncomfortable enough to keep their dogs in.

Cory Kenney suggested for the City to invest in a sixteen-foot hydraulic bumper pull trailer. Greer noted the City does have a grapple and a front-end loader. Kenney added that it would be in the best interest of the city to have one for loading branches, for alley clean up, and for use after wind storms.

Jose Funke noted that he has questions about ditches the city owns and that he put in a complaint about a ditch by his house and hasn't heard anything yet. Mayor Purcell voiced the city will have someone look into it.

Elle Ross, Executive Director of Helping Hands Food Bank, extended an invitation to attend an Open House for the food bank on Wednesday, July 20th form 6:00 p.m. to 8:00 p.m.

MAYOR:

Mayor Purcell reported the City is working with Teamsters to finish the pay matrix and he will be meeting with Tina Toyne, Economic Development Director, to discuss the goals of the City.

Personnel Policy/City Policy:

Mayor Purcell reported there are two rookie applicants pending approval from the Police Commission; there is one open Police Officer position; and the City has job openings for a full time Assistant Public Works Director, a Code Enforcement/Animal Control, a part time Janitor and a part time Building Inspector that will also serve as Floodplain and Safety Coordinators.

Sewer & Water:

Massine asked if the Variable Frequency Drive (VFD) had been ordered. Hurff confirmed that it has been ordered. (Espinoza entered the meeting). Massine reported that Dax Simek, of Stahly Engineering, will provide an update on the process of the Wastewater Treatment Plant Project to Council.

Law Enforcement:

Espinoza reported the next Community Watch Meeting is scheduled for 6:30 p.m. Monday, July 25, 2022 at the Hardin Depot.

Streets & Alleys:

Hopes reported the committee discussed parking and the recommendation is to send a letter to the State asking for approval to place two-hour parking signs from 3rd Street to 5th Street on Center Avenue from 8:00 a.m. to 5:00 p.m. Monday through Friday.

Hopes reported City employees have been filling potholes, sweeping streets, and mowing.

Parks & Playgrounds:

Lehr reported he and Hurff are continuing to work on the Land Water Conservation Fund (LWCF) grant for South Park.

Finance/Landfill:

Resolutions & Ordinances:

Sharpe reported the committee has asked Knudsen to draft ordinances for park rules and the regulation of trees.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

The City received a newsletter from the Montana Department of Transportation.

UNFINISHED BUSINESS:

NEW BUSINESS:

Mayor Purcell reported that the original location to build a skate park was behind First Interstate Bank, but that location will require the costs of subdividing. Mayor Purcell voiced that he has offered Wilson Park as a location. Dr. Megkian Doyle, director of the Community Action Programs for Youth and Families at One Health, noted that the project needs to move forward this year and the other option is not feasible. Megkian reported the project will provide social and emotional support activities for the community. Hopes asked if the skate park was going to be above ground or below. Whitney Wilson noted that if the water table is high, it would be built above ground. Greer motioned to approve the proposal. Hopes seconded. On a voice vote the motion was unanimously approved. Mayor Purcell voiced the motion passed for One Health to build the skate park at Wilson park.

Knudsen reported a Quitclaim Deed would give the property on the south side of 301 North Center Avenue back to Big Horn County so the owner can purchase that

property. The county has agreed to sell the property. Hopes motioned to approve the Quitclaim Deed. Greer seconded. On a voice vote the motion was unanimously approved.

Hurff asked for approval to purchase bulbs for the disinfectant system at the Wastewater Treatment Plant from TrojanUV in the amount of $13,574.50 and noted this does not include freight. He added it is routine maintenance. Krebs motioned to approve the purchase to include freight costs. Sharpe seconded. On a voice vote the motion was unanimously approved.

Lehr asked for approval to close the Streets Capital Fund and to transfer the remaining amount to the General Fund main account. He added that there is currently $1.00 or so in the account. Hopes motioned to approve the request. Greer seconded. On a voice vote the motion was unanimously approved.

Lehr asked for approval to open a Police Capital Fund Account and noted that it will be used to purchase equipment for the Police Department. Greer motioned to approve the request and added to move any money left in the Streets Capital Fund to the Police Fund. Espinoza seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported the City crew has been cleaning streets and mowing and more three-hundred gallon garbage cans have been picked up from Billings. Hurff noted a geological report will be done for the 1st Street Project and there are not any updates on the garbage truck.

Finance:

Lehr reported the Request for Proposals (RFP) for Financials closed today and he received one RFP from First Interstate Bank. A Presentation will be provided by First Interstate Bank on July 12th by Zoom. Lehr noted a recommendation will be brought before Council.

Lehr reported Unclaimed Property has been processed and will be submitted to the State of Montana.

Police:

Calen Curtin, City of Hardin Police Officer, provided a brief report of calls the department has responded to. Curtin reported Little Big Horn Days (LBHD) and the 4th of July went well and there was bike patrol during that time.

Legal:

Knudsen reported the agreement for the School Resource officer has been sent to the attorney for the Hardin School District.

Economic Development:

Tina Toyne, Economic Development Director, reported that she has been training and working with Jacy Head of Beartooth RC&D and that she is excited about working with Council and the County Commissioners. Mayor Purcell reported he and Toyne have a scheduled meeting this Thursday.

RESOLUTIONS & ORDINANCES:

Ordinance NO. 2022-08: Second Reading - Deposit of City Funds. Sharpe motioned to approve the second reading of the ordinance. Massine seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell reported the Landfill Loader Bids are due by 10:00 a.m. Monday, July 11, 2022; Budget Meetings are scheduled for 5:30 p.m. July 13th and 14th, continuing as needed; the City-County Planning Board has two Public Hearings scheduled for Monday, July 11, 2022 at 7:00 p.m. for Storage Units and Six-foot Chain Link Fence.

Mayor Purcell announced the following job openings: Full time positions for a Police Officer, Animal Control/Code Enforcement, Assistant Public Works Director, and Part time positions for Janitor/Facilities Maintenance and Building Inspector/Flood Plain/Safety Coordinator.

Greer motioned to adjourn the meeting at 7:33 p.m. Krebs seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for July 19, 2022 was called to order at 6:30 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, Antonio Espinoza, and Jeremy Krebs.

Also present: Finance Officer/City Clerk Andrew Lehr, 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: Hopes made the motion to approve the Council minutes as written for July 5, 2022. Motion seconded by Massine. On a voice vote the motion was unanimously approved. Sharpe motioned to approve the Resolutions or Ordinances Committee minutes as written for July 5, 2022. Espinoza seconded. On a voice vote the motion was unanimously approved. Hopes motioned to approve the Finance/Budget Committee meetings as written for June 28, June 29, and July 13, 2022. Greer seconded. On a voice vote the motion was unanimously approved. Hopes motioned to approve the Streets and Alleys Committee meeting as written for July 5, 2022. Massine seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for July 19, 2022.

	CLAIM No.		Monthly Total
May, 2022	28524	$	525.46
June, 2022	28598 - 28605, 28609 - 28618 28620 - 28628, 28638	$	88,242.72
July, 2022	28606 - 28608, 28619 28629 -28637	$	102,164.13
TOTAL Submitted		**$**	**190,932.31**

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

PUBLIC COMMENT:

Dylan Jefferson, with Silverleaf Apsaalooke Medical and Recreational Dispensary, addressed Council and provided information about his life, education, Military Service, and how PTSD (Post Traumatic Stress Disorder) has affected his life. He voiced there is a mental health epidemic in the community. Jefferson voiced that the Veterans Administration wanted to give him pills to treat PTSD and cannabis saved him. He works with veterans and is an advocate of cannabis for treatment. Jefferson asked Council to consider allowing another dispensary adding that they were in the final stages for their current location, but now their hands are tied.

MAYOR:

Mayor Purcell reported the Collective Bargaining Agreement is on the agenda for Council vote and he and Tina Toyne, Economic Development Director, will be meeting with Beartooth RC&D to review goals and the direction to move forward.

Personnel Policy/City Policy:

Mayor Purcell reported one of the rookie applicants for the Police Department has pulled his application and there is a rookie applicant that will go before the Police Commission. The City currently has positions open for three Police Officers, a School Resource Officer (SRO), an Assistant Public Works Director, and a part-time Building Inspector. The Animal Control/Code Enforcement position is pending the employment process. Mayor Purcell noted that he has reached

out to Yellowstone County regarding contracting for a building inspector, but he has not currently received any information.

Sewer & Water:

Law Enforcement:

Espinoza reported the next Community Watch Meeting is scheduled for 6:30 p.m. Monday, July 25, 2022 at the Hardin Depot.

Streets & Alleys:

Hopes reported the City Crew has been working to repair streets. Hopes noted the committee discussed parking on North Cody Avenue around the Kindergarten Readiness Center. It will be addressed after the construction is complete.

Parks & Playgrounds:

Lehr reported he and Hurff are continuing to work on the Land Water Conservation Fund (LWCF) grant application for South Park.

Finance/Landfill:

Greer reported that Barry Damschen will provide information for the cost to build a canister site at the landfill.

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

The City received a survey from Phillips 66 Pipeline LLC.

UNFINISHED BUSINESS:

NEW BUSINESS:

Mayor Purcell reported the City-County Planning Board (CCPB) submitted a letter of recommendation to approve a Conditional Use Permit for Storage Units on 13th Street West with the stipulation that a drainage catchment basin is incorporated into the site plan. Greer reported a catch basin was not addressed in the plot plan. Greer noted there would be a six-foot barbed wire fence around the property. It was noted that a fence with barb wire would have to be eight foot high. Greer motioned to table the conditional use permit to gather more information on the drainage plan and fence height. Hopes seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported the City-County Planning Board (CCP) submitted a letter of recommendation to deny a Conditional Use Permit from Thomas Meyers at 502 N. Crawford Avenue for a six-foot fence, because of concerns regarding design and materials. Greer noted the consensus of the CCPB to deny the application was due to there was not good pictures or a good description of the products for the fence. Greer added the City standard for a fence is four-foot chain link. Hopes motioned to follow the City-County Planning Board recommendation. Thomas Myers, applicant, voiced that he has lived there twenty years and has been victimized by vandalism at that location. He added that he has dogs and he doesn't want anyone to get bit. Massine motioned to table the application to send back to the City-County Planning Board with proper paperwork so the neighbors can be contacted. Greer added to waive the fee for the City-County Planning Board. Hopes seconded. On a voice vote the motion was unanimously approved.

Hurff read emails from Billy Coulon, with Evergreen Skateparks LLC, regarding the groundwater table in Wilson Park. Hurff reported he has drilled two holes and they did not fill up after five days. He noted that he did contact Coulon with the information, but has not received a response as of tonight so he is not sure what will work for him yet. Hurff noted that they are asking if the City would be able to help by paying for installation of a lift station. Krebs motioned to table the request until more information is received. Hopes seconded. On a voice vote the motion was unanimously approved.

Hurff reviewed the bid amounts and specification sheets for the three bids that were submitted for a 2022 Landfill Loader for the Landfill. Hurff recommended for approval of the lowest bid from RDO for the John Deere 624P with the bid amount of $270,000. Massine agreed. Espinoza motioned to approve the recommendation. Hopes seconded. On a voice vote the motion was unanimously approved.

Lehr reported the City received one bid, a bid from First Interstate Bank, for the Request for Proposals for Investment Services. Lehr reviewed the proposal and recommended approval. Sharpe motioned to approve the proposal as presented by First Interstate Bank. Massine seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reviewed the proposed Collective Bargaining Agreement and reported the employees have approved it. Hopes motioned to approve the agreement as presented. Massine seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported Barry Damschen will provide a report on the cost to build a container site at the landfill, the Variable Frequency Drive (VFD) has been installed at the Water Treatment Plant, the City Crew will be filling large potholes, and the City is currently waiting on a Geotech report for the 1st Street Project. Hurff reported the UV bulbs for the Wastewater Treatment Plant have been shipped, more 300-gallon garbage cans have been picked up from Billings, the parks have been sprayed for weeds, and the skate park project is moving forward.

Finance:

Lehr provided a review of the funding for the Wastewater Treatment Plant Project.

Lehr reported there is a conference call scheduled for Thursday with the auditor for the Fiscal Year 2021 Audit. The new website for the City will be reviewed to finalize and the website will include links to the Police Department and Economic Development.

Police:

Chief Babbin reported the new Terminal Agency Coordinator (TAC Officer) is an asset. Text 911 will go live tomorrow and there will be a media release on the program that will provide coverage for Big Horn County and the City of Hardin. Chief Babbin reported the next Montana POST for new candidates is scheduled for September 2023. He added that non-certified candidates can work with another officer for up to a year until they go to the academy. The School Resource Officer (SRO) position will be a huge plus to the agency.

Corrina Kirschenmann-Kuntz, resident, asked what the procedure was with vehicle tags that are past due and she reviewed Billings City Code. Chief Babbin reported they are given citations if they are expired.

Legal:

Knudsen reported the agreement for the School Resource officer has been sent to the attorney for the Hardin School District.

Economic Development:

RESOLUTIONS & ORDINANCES:

Resolution NO. 2297: Establishing wages for Certain City Employees for Fiscal Year 2022/2023. Sharpe motioned to approve the Resolution. Hopes seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2298: Establishing wages for Non-Union Employees for Fiscal Year 2022/2023. Hopes motioned to approve the Resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2299: Establishing wages and adopting a wage matrix for Certain City Employees for 2022/2023. Massine motioned to approve the Resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-09: Park Rules. Hopes referenced section 6-11-9 and noted that he would like to have added that people will pick up dog waste. Greer motioned to approve the ordinance by amending that the animal owner is responsible to pick up the animal waste. Knudsen recommended the amendment to state, "If an animal is brought to a City Park, the person in possession of the animal shall clean up after the animal". Greer motioned to approve the ordinance as amended and as recommended by Knudsen. Massine seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-10: Tree Ordinance. Massine asked if the City could set up a program like the one the City has for sidewalks. Knudsen noted that it would have to be looked into to see if the City is authorized by statue to do that. Krebs motioned to approve the ordinance. Hopes seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:
Mayor Purcell announced Judge Jim Seykora is celebrating seven years with the City; Alley Clean Up is scheduled for the week of July 25th, Public Hearings are scheduled for August 2, 2022 at 6:10 p.m. for Amendments to the Budget for FY 2021-2022 and 6:15 p.m. for Street Maintenance, Levies and Assessments for FY 2022-2023.

Mayor Purcell announced the following job openings: Full time positions for a Police Officer, Animal Control/Code Enforcement, Assistant Public Works Director, and a Part time Building Inspector/Flood Plain/Safety Coordinator.

Greer motioned to adjourn the meeting at 8:33 p.m. Espinoza seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

PUBLIC HEARINGS: Public Hearings for Amending the Budget for Fiscal Year 2021-2022 and Street Maintenance District and levies and assessments for Fiscal Year 2022-2023 were opened at 6:40 p.m. by Mayor Purcell.

Present at the Hearing were:
Council Members: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, Antonio Espinoza, and Jeremy Krebs.

City Staff: 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

There was no Public Comment.

The Public Hearing adjourned at 6:42 p.m.

COUNCIL MEETING: The Regular Council Meeting for August 2, 2022 was called to order at 6:43 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, 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 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 July 19, 2022. Motion seconded by Massine. On a voice vote the motion was unanimously approved. Hopes motioned to approve the Streets and Alleys Committee minutes as written for July 19, 2022. Massine seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for August 2, 2022.

	CLAIM No.		Monthly Total
June, 2022	28639 - 28640, 28679, 28705	$	10,440.39
July, 2022	28641 - 28653,28678 28680 - 28704	$	72,101.16
August, 2022	28654 - 28677	$	2,565.12
Claims Total (Expenditures)		**$**	**85,106.67**
July, 2022 Payroll		$	205,195.76
TOTAL Submitted		**$**	**290,302.43**

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

PUBLIC COMMENT:
Cory Kenney voiced the proposed system for the storm drain for the skate park is expensive and odds are one will not be needed there.

MAYOR:

Personnel Policy/City Policy:

Mayor Purcell reported the Police Department hired a rookie officer and there is an offer extended to another rookie applicant that is going through the process. The City currently has positions open for two Police Officers, a School Resource Officer (SRO), an Assistant Public Works Director, an Animal Control/Code Enforcement and a part-time Building Inspector. Mayor Purcell noted that he has reached out to other cities regarding contracting for a building inspector, but he has not currently received any information. Massine asked if the City was to continue advertising additional to the website and job services. Mayor Purcell noted Indeed will be used.

Sewer & Water:

Law Enforcement:

Espinoza reported the next Community Watch Meeting is scheduled for 6:30 p.m. Monday, August 22, 2022 at the Hardin Depot.

Streets & Alleys:

Hopes reported Alley Clean Up has been done and the City Crew has been patching holes and will continue to work on them. Hopes noted the committee discussed parking on North Cody Avenue around the Kindergarten Readiness Center. It will be addressed after the construction is complete.

Parks & Playgrounds:

Lehr reported the Land Water Conservation Fund (LWCF) grant application for South Park will be submitted in January. Krebs asked if the company that sells playground equipment could be contacted to see if their quote for the equipment could be extended to a further date.

Finance/Landfill:

Greer reviewed information, provided from Barry Damschen, for the cost to build a canister site at the landfill. A Committee meeting will be scheduled for August 16, 2022.

Resolutions & Ordinances:

Greer reported the committee discussed the possibility of adding a third marijuana dispensary to be located in the city limits. He added that 312 Dispensary will be contacted to clarify if they will be doing business. A committee meeting will be scheduled for August 16, 2022.

SPECIAL COMMITTEES:
PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

NEW BUSINESS:

Mayor Purcell reported a Conditional Use Permit from Melvin Schuman to build storage units was tabled at the last meeting until more information was provided on the drainage plan and fence height. Hopes asked about putting curb and gutter on both sides of the property. Hurff reported that he has spoken with Schuman about the curb and gutter and that the City has the option to split the cost. Knudsen referenced City Code (Title 9, Chapter 1, Section 4, Subsection D) noting the City can split the cost or order the property owner to pay the full cost. Schuman reviewed a map showing the draining system and fence height of eight foot. Schuman added that he wanted to look at the feasibility of the project before following through with purchasing the property. Hopes motioned to approve the application with the requirement for curb and gutter to be installed on 12th and 13th Street. Espinoza seconded. On a voice vote the motion passed. (5/1) Massine voted Nay.

Hurff read an email received from Dax Simek, of Stahly Engineering, regarding a stormwater pump station for the skate park to be located at Wilson Park. Hurff noted that Billy Coulon, with Evergreen Skateparks LLC, had previously asked if the City could pay for the installation of a lift station. The estimated cost is between $12,000 and $14,000. Mayor Purcell noted that he didn't want to delay the project any further and asked Council if they would be willing to approve the cost to not exceed $14,000. Krebs voiced that he and Greer could design one. Greer motioned to approve for himself and Krebs to design the pump station. Hopes seconded. On a voice vote the motion was unanimously approved.

Michael Scales, Administrative Assistant for the Hardin Police Department, asked Council for permission to purchase Code Red, a service that provides mass notification to the community in the amount of $2,500 per year. Scales reported the service offers information for emergency and non-emergency situations, road closures for city departments, ie. landfill, water main breaks, road closures, etc. This service notifies the community through phone, email, texting, and social media. Scales noted the individuals that have access to the system would have control of how the message goes out. It was noted the service would be useful in missing persons alerts, if there was an active shooter, and with appropriate press releases to avoid misinformation. Massine motioned to approve the service in the amount of $2,500 for the first year and to re-evaluate at the end of that year. Espinoza seconded. On a voice vote the motion was unanimously approved.

Massine asked who will contact 312 Dispensary. Mayor Purcell reported that he will follow up with them.

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

STAFF REPORTS:

Public Works:

Hurff reported the skate park project is expected to start in about three weeks. Hurff voiced that even though the City is short-handed, the employees are working hard at their jobs.

Finance:

Lehr provided a review of the 4th Quarter Financials. He noted that he is currently waiting on a few things, some include grant receivables and taxes, before closing out the year.

Lehr reviewed Taxable Values he received from the Department of Revenue. A Budget/Finance meeting will be scheduled for August 16, 2022 to discuss mills.

Lehr noted he wants to send a Past Due letter to Rocky Mountain Power. He added they are past due on their water/sewer, ash, and post closure accounts.

Police:

Chief Babbin reported the new candidate is non-certified and will attend the next available Montana POST academy, adding that a non-certified candidate can work with another officer for a year. Chief Babbin noted that the department is currently waiting for more parking citations to be delivered; Text-to-911 is up and running, it will be pushed out to the press so the public will be aware of it and will be provided on the next water bills; and the door to the Police Department will be open from 8:00 a.m. – 5:00 p.m. when the Administrative Assistant is there. Chief Babbin reported a website is being created for the Police Department for no monthly cost, the only fee will be for setting up the domain.

Knudsen noted that he has met with Chief Babbin to discuss rewriting the ordinance for parking citations. Currently parking tickets are treated the same as an assault, etc. Knudsen recommended to go back to a civil fine rather than a criminal fine and change who collects those fines. He noted that he will meet with Mayor Purcell and bring it back to the committee. Knudsen noted it will be a decision made by Council. Council agreed for Knudsen to draft the amended Ordinance for the next meeting.

Legal:

Knudsen reported he hasn't heard from the School District regarding the agreement for the School Resource Officer.

Economic Development:

Tina Toyne, Economic Development Director, provided a review of current and future projects. She will be training with Jacy Head of Beartooth RC&D.

RESOLUTIONS & ORDINANCES:

Resolution NO. 2300: Amendments to the Budget for FY2021/2022. Krebs motioned to approve the Resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2301: Assessing the Cost of Street Maintenance in District #1 for Fiscal Year 2022/2023. Hopes motioned to approve the Resolution. Krebs seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-09: Second Reading - Park Rules. Krebs motioned to approve the second reading of the ordinance. Sharpe seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-10: Second Reading - Tree Ordinance. Massine asked Knudsen if a program could be set up like the one the City has for sidewalks. Knudsen reported that he did not find existing statutes. Krebs motioned to approve second reading of the ordinance. Hopes seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell announced the following job openings: Full time positions Police Officers, Animal Control/Code Enforcement, Assistant Public Works Director, and a Part time Building Inspector/Flood Plain/Safety Coordinator.

Krebs motioned to adjourn the meeting at 8:16 p.m. Espinoza seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for August 16, 2022 was called to order at 6:30 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Rock Massine, Antonio Espinoza, and Jeremy Krebs. Chris Sharpe was absent.

Also present: Finance Officer/City Clerk Andrew Lehr, 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 August 2, 2022. Motion seconded by Massine. On a voice vote the motion was unanimously approved. Greer motioned to approve the Resolutions or Ordinances Committee minutes as written for August 2, 2022. Massine seconded. On a voice vote the motion was unanimously approved. Massine motioned to approve the Public Hearing minutes as written for August 2, 2022. Espinoza seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for August 16, 2022.

	CLAIM No.		Monthly Total
June, 2022	28708, 28731, 28740	$	11,581.89
July, 2022	28706 - 28707, 28709 - 28710 28712 - 28721, 28723 - 28730 28732 - 28735, 28737 - 28738 28742	$	45,688.13
August, 2022	28711, 28722, 28736 28741, 28743 - 28744	$	25,896.26
TOTAL Submitted		**$**	**83,166.28**

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

PUBLIC COMMENT: N/A

MAYOR:

Personnel Policy/City Policy:
Mayor Purcell reported the City currently has positions open for Police Officers, an Animal Control/Code Enforcement and a part-time Building Inspector. Mayor Purcell noted there is an offer extended to another rookie applicant that will be going forward to the Police Commission.

Sewer & Water:
Massine reported the Wastewater Treatment Plant is working with engineers on the auger monster and the Water Treatment Plant is pumping a lot of water.

Law Enforcement:
Espinoza reported the next Community Watch Meeting is scheduled for 6:30 p.m. Monday, August 22, 2022 at the Hardin Depot.

Espinoza extended a "Congratulations" to Chief Babbin for being with the City for a year.

Streets & Alleys:
Parks & Playgrounds:

Finance/Landfill:

Greer noted landfill dump containers were discussed and another committee meeting will be scheduled after more research is done.

Resolutions & Ordinances:

Hopes reported the committee discussed parking and penalties, changing it from a criminal charge to a civil charge.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

The City received a newsletter from Montana Municipal Interlocal Authority.

UNFINISHED BUSINESS:

Mayor Purcell reported that he has spoken with 312 Dispensary and they are waiting on a final inspection to be done by the State.

NEW BUSINESS:

Lehr reviewed the Mill Levies and the Permissive Medical Levy for Fiscal Year 2022-2023. (Krebs left the meeting at 6:39 p.m.) Lehr recommended to raise the Mill Levies to twenty-one (21). Greer motioned to approve the recommendation. Hopes seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed the State Entitlement Distribution for Fiscal Year 2023. Hopes motioned to approve the proposal as presented by Lehr. Espinoza seconded. On a voice vote the motion was unanimously approved.

Lehr provided a review of the Cost Allocations for Fiscal Year 2023. Massine motioned to approve the allocations as presented. Hopes seconded. On a voice vote the motion was unanimously approved.

Knudsen reviewed the agreement between the City of Hardin and the Hardin School District for a School Resource Officer (SRO). He recommended an exception to give Mayor Purcell the authority to make changes to the agreement date, if it needs to be changed, and the authority to change the date of when the quarterly installment payments would be due. Cory Kenney asked what the SRO would do during summer break. Chief Babbin reported they will come back to the Police Department. Hopes asked about other schools in the school district, outside of the City limits. Espinoza pointed out the agreement is for the program being implemented in the School District. Knudsen noted there would be no jurisdiction outside of the City limits. Chief Babbin voiced that does need to be added. Massine voiced concern of the way the agreement is written regarding where the School District could request the reappointment of a new SRO. Knudsen noted it is limited to professional standards. Greer motioned to approve the contract with the addition of clarification the officer will only be in the City limits and to allow the Mayor to adjust the initial date and payment. Espinoza seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed the updated Investment Policy with changes requested by First Interstate Bank. (Krebs re-entered the meeting at 7:06 p.m.) Massine motioned to approve the policy as presented by Lehr. Greer seconded. On a voice vote the motion passed. (4/1) Krebs abstained.

STAFF REPORTS:

Public Works:

Mayor Purcell voiced that Hurff is on vacation.

Finance:

Lehr reviewed the investments in the account through First Interstate Bank and reported the City will be receiving a grant disbursement from Rural Development for the Police Equipment Grant.

Police:

Chief Babbin reported the Police Department website is hardpd.com. Forms that can be found on the website include: Registration for CodeRED, an alarm information form, and a form to complete if you would like to request additional patrol for your home or business. Chief Babbin noted that Text to 911 is running. Chief Babbin extended a "Thank You" to Javier Garcia, of 911iNET, for providing the radio systems and added that if the Department didn't have them, it wouldn't be here today. Mayor Purcell reported there has been a lot of positive feedback regarding the business and vehicle checks. Chief Babbin reported the department will be enforcing school zones, the officers have received training for vehicle pursuits, and the department has started posting pictures of wanted people on the departments Facebook page.

Mayor Purcell reported the City is painting crosswalks by the schools.

Legal:

Knudsen reported the City and Big Horn County will be looking to negotiate agreements for detention services and a victim's witness advocate.

Economic Development:

RESOLUTIONS & ORDINANCES:

Resolution NO. 2302: City of Hardin Investment Policy for Fiscal Year 2022/2023. Massine motioned to approve the Resolution. Greer seconded. On a voice vote the motion passed. (4/1) Krebs abstained.

Ordinance NO. 2022-11: Parking Enforcement and Penalties. Hopes motioned to approve the first reading of the ordinance. Espinoza seconded. On a voice vote the motion was unanimously approved.

Corrina Kirschenmann-Kuntz noted asked that the City Codes regarding parking are looked into regarding the situation of the project by the swimming pool and the Kindergarten Readiness Center.

ANNOUNCEMENTS:

Mayor Purcell announced the following job openings: Full time positions Police Officers, Animal Control/Code Enforcement, and a Part time Building Inspector/Flood Plain/Safety Coordinator.

Kenney voiced the weeds at the old boys and girls club are horrible. Mayor Purcell noted the City does not currently have a code enforcement officer. Also, he has reached out to the state and at this time no one is interested. Massine asked if letters could be sent on behalf of the City regarding weed issues. Mayor Purcell noted it can be addressed.

Krebs motioned to adjourn the meeting at 7:31 p.m. Hopes seconded. On a voice vote the motion was unanimously approved.

Joe Purcell

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

PUBLIC HEARINGS: The Public Hearings for Adopting the Final Budget for Fiscal Year 2022-2023 and setting mill levies, assessments and user fees were opened at 6:16 p.m. by Mayor Purcell.

Present at the Hearings were:
Council Members: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, and Antonio Espinoza.

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

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

Lehr reviewed changes that were made to the General Fund for the School Resource Officer.

Lehr reported that Pot B, from the American Rescue Plan Act (ARPA), can be used for lining the water hill tanks, purchasing mixers for the tanks, purchasing Variable Frequency Drives (VFD's) for the Water Treatment Plant, and for replacing the water line when the 1st Street replacement project is done.

Cory Kenney, local business owner, asked why lights went up and when would the taxpayers see a savings instead of a bump since NorthWestern Energy replaced bulbs. Greer voiced the charge for the lights haven't been addressed. Lehr reported it was expected that NorthWestern Energy would be asking the Public Service Commission for an increase in rates in 2023 and noted that assessments haven't gone up in the last three to four years.

The Public Hearing adjourned at 6:24 p.m.

COUNCIL MEETING: The Regular Council Meeting for September 6, 2022 was called to order at 6:30 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, and Antonio Espinoza, and Jeremy Krebs was present by virtual meeting.

Also present: Finance Officer/City Clerk Andrew Lehr, Deputy City Clerk Angela Zimmer, City Attorney Jordan Knudsen, by virtual meeting, 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 August 16, 2022. Motion seconded by Hopes. On a voice vote the motion passed. (4/1) Sharpe abstained. Greer motioned to approve the Landfill Committee minutes as written for August 16, 2022. Massine seconded. On a voice vote the motion passed. (4/1) Sharpe abstained. Hopes motioned to approve the Resolutions or Ordinances Committee minutes as written for August 16, 2022. Espinoza seconded. On a voice vote the motion passed. (4/1) Sharpe abstained. Greer motioned to approve the Budget/Finance Committee minutes as written for August 16, 2022. Hopes seconded. On a voice vote the motion passed. (4/1) Sharpe abstained.

Greer made a motion to approve the claims for September 6, 2022.

	CLAIM No.		Monthly Total
June, 2022	28748	$	225.00
July, 2022	28745	$	13,049.96
August, 2022	28746 - 28747, 28749 - 28751 28753 - 28757, 28782 - 28831 28834 - 28835	$	100, 936.98
September, 2022	28758 - 28781,28833, 28836	$	8,432.22
Claims Total (Expenditures)		**$**	**122,644.16**
August, 2022 Payroll		$	192,406.21
TOTAL Submitted		**$**	**315,050.37**

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

PUBLIC COMMENT:

Jose Funke, resident, reported that Alpine Meadows is under new ownership and he is managing the park. He noted that speed bumps will be put in and the owner is looking to add smart meters to the units in the next three months. Mayor Purcell asked Funke to provide the City with information about the smart meters.

Katherine Fabrizius, resident, voiced she has an issue with dogs running; there are two houses that have too many dogs and cats that should be licensed as kennels; and there are dogs barking all hours of the night. Mayor Purcell reported the City does not currently have an animal control officer.

Corrina Kirschenmann-Kuntz, resident, voiced that she had met with the superintendent of the school district about abandoned vehicles parked behind her property. She noted they did clear all of them out, but one. Kuntz reported she also visited with him about the new academy asking them to think about parking. Kuntz referenced City Code 11-1-7-2: Off Street Parking Spaces Provided and noted that she would like for the City to look at updating the codes for parking.

MAYOR:

Mayor Purcell reported he received an update from Megkian Doyle, with One Health, regarding the skate park project at Wilson Park. The playground equipment has been ordered and will be installed in the Spring of 2023 and the skate park is expected to be complete in about six weeks.

Personnel Policy/City Policy:

Mayor Purcell reported the City currently has positions open for Police Officers, an offer has been extended to a rookie applicant, the School Resource Officer (SRO) position will be advertised soon, also positions are open for Animal Control/Code Enforcement and a part-time Building Inspector.

Sewer & Water:

Massine reported the Water Treatment Plant will be collecting water samples this Thursday.

Law Enforcement:

Espinoza reported the previous Community Watch Meeting went well and the next meeting is scheduled for 6:30 p.m. Monday, August 22, 2022 with the location to be determined.

Streets & Alleys:

Parks & Playgrounds:
Krebs reported Hurff will provide an update on the parks.

Finance/Landfill:
Greer reported landfill dump containers were discussed. Mayor Purcell voiced he has moved the landfill drop containers to New Business to become an action item that can be voted on.

Resolutions & Ordinances:

SPECIAL COMMITTEES:
PETITIONS & COMMUNICATIONS:
The City received a letter from Montana Department of Transportation and a map of the Homecoming Parade route for Friday, September 9th.

UNFINISHED BUSINESS:

NEW BUSINESS:
Greer motioned to approve the Budget as presented for Fiscal Year 2022-2023. Hopes seconded. On a voice vote the motion was unanimously approved.

Sharpe motioned to amend Resolution 2146 by changing the time the permits may be issued to "sunset" to match the current ordinance for park hours. Espinoza seconded. On a voice vote the motion was unanimously approved.

Espinoza asked for Council approval to hold the Community Watch meetings in Council Chambers. Massine approved the request. Hopes seconded. On a voice vote the motion was unanimously approved.

Knudsen reported he will look further into the option for the City to move the Legal Holiday Columbus Day to the day after Thanksgiving. He noted Columbus Day is a State recognized holiday. Greer motioned to table the subject for it to be further reviewed by legal. Sharpe seconded. On a voice vote the motion was unanimously approved.

Massine motioned for approval to move forward with Barry Damschen, Landfill Engineer, to do an engineer study and design a landfill transfer station with the estimated cost of $10,000. Hopes seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:
Public Works:
Hurff reported there is a six-week plan for the skate park to be completed, the City contributed a little pit run and crew for hauling, the culvert was donated by the County, the City purchased a pole for electricity and an electrician was hired to do the wiring, and NorthWestern Energy has been contacted to get the electricity tied in.

Hurff reported the City is repairing a main leak in the sidewalk at Custer Park and park signs will have small signs installed on them with the word "sunset". Hopes asked about the sprinkler system in Wilson Park. Hurff reported the sprinkler system will need to be adjusted. Cory Kenney asked about adding insulation for the culvert at the restroom in Custer Park, while revamping it. He added maybe it could be opened a few weeks earlier. Hurff noted he can look into it.

Hurff reported he had a meeting with Dax Simek, of Stahly Engineering, and Jake Ostrander, of HDR, Inc., on the new intake building at the Wastewater Treatment Plant; the new garbage truck is anticipated to be complete around April of 2023; he reached out to Kois Brothers to request a bid for a nine yard vac-con truck to replace the current one; the streets crew has been working cutting down weeds, painting, filling pot holes, and they will be working to fill larger holes tomorrow; the street has been black topped at the Kindergarten Readiness Center; the curb and gutter is being worked on for the new storage units at 12th and 13th Street; YESCO is installing the billboard sign off of Mitchell Avenue; lead and copper samples will be taken this Thursday; the City went out to bid for curb stop replacements; and it was approved for Damschen to design a drop container site

at the landfill. Hurff extended a "Thank You" to Massine for pulling weeds at the fire department. Hurff reported the City currently does not have a code enforcement employee. Mayor Purcell reported the City removed weeds at the old USDA office and a letter needs to be sent to the owners of the old boys and girls club.

Finance:

Lehr reported he has completed year-end adjustments, the TIFD Annual Report will be on the next Council agenda, and he reviewed the Tax Increment Finance District (TIFD) and reported a bond payment has been made.

Lehr reported he was notified the Land Water Conservation Fund grant application process will be opening in December of this year. The City will submit the application for the South Park Project with the required updates and budgets.

Lehr reviewed the new investment programs and noted they are acquiring interest at much higher rates than the previous investment programs.

Police:

Chief Babbin extended a "Thank You" to the concerns that were addressed through public comment. He noted the two main issues in the City when he came here were locals drinking in public and parking. He added that eleven-hundred parking tickets were issued last month. New citations will be issued when the new ordinance goes into effect. Chief Babbin reported there is not currently an animal control/code enforcement, the department is extremely busy, City Court has ordered two animals to be put down. There is only one officer on duty at a time and he is hopeful to have two officers on duty at the same time in the future. Chief Babbin voiced for citizens to call the department if they have a problem with animas and that the department can handle animals running at large. The only issue is what to do with them when they catch them. Chief Babbin reviewed the process for tagging and towing vehicles. He added that it will all take time and he does believe that the department is moving forward with everything they are doing.

Chief Babbin voiced that the Hardin Police Department is a premiere law enforcement agency. He added that the charges brought against them have been dismissed and that everything they do is accounted for. He voiced that he would like to get accredited. The accreditation would require an outside agency to review policy and standards. He reported he reached out to the City insurance and there is a grant available for the accreditation. Greer asked what the fee was. It was noted the first year is $8,000. Sharpe asked if it was an annual assessment. Chief Babbin reported it is done every four years, the grant would cover the first year, it would be the first in the state of Montana, and the City would receive a discount on insurance.

Legal:

Knudsen reported he is expecting to receive the contract for the School Resource Officer (SRO) from the school district soon.

Economic Development:

Mayor Purcell reported 312 Dispensary has received approval from the state and they are working on signage for their business.

Tina Toyne, Economic Development Director, reported she has been training with Jacy Head, of Beartooth RC&D. Toyne provided updates on projects and meetings she has attended that include Brownfield Sites, grants for Community Development Block Grants (CDBG) and Department of Environmental Quality (DEQ), she attended a meeting with MT Cooperative Development Center for the possibility of daycares or grocery stores, she attended a meeting in Colstrip where they discussed different uses for coal, she is working with Breanne Uffelman to help find local grants, and she attended the Big Sky Passage Railway Summit and added it is important for the City and County to start getting ready and plan for it, it is happening. Toyne noted that Antonio Espinoza, head of the County Road Department, Jacy Head, and Commissioner Sidney Fitzpatrick will be presenting for a Coal Board grant for the County.

RESOLUTIONS & ORDINANCES:

Resolution NO. 2303: Assessing Lighting District NO. 1, FY 2022/2023. Greer motioned to approve the Resolution. Hopes seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2304: Assessing Lighting District NO. 54, FY 2022/2023. Sharpe motioned to approve the Resolution. Massine seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2305: Assessing the Cost of Garbage Disposal to City Property Owners for FY 2022/2023. Espinoza motioned to approve the Resolution. Hopes seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2306: Approve Assessments Being Placed on The Real Property Tax Rolls as a Special Assessment. Massine motioned to approve the Resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2307: Adopting the Budget for Fiscal Year 2022/2023. Massine motioned to approve the Resolution. Hopes seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2308: Amount of Taxes to be Levied on Taxable Property for the FY 2022/2023. Massine motioned to approve the Resolution. Greer seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2309: Approving Guidelines for Ordinance Title 6, Chapter 3, Public Drinking. Hopes motioned to approve the Resolution. Greer seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-11: Second Reading - Parking Enforcement and Penalties. Greer motioned to approve the second reading of the ordinance. Massine seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell announced the City-County Planning Board has Public Hearings scheduled for Monday, September 12, 2022 at 7:00 p.m. for a fence, roof line extension, and the High School Academy; the Community Watch Meeting is scheduled for Monday, September 26, 2022 at 6:30 p.m. and will be held in Council Chambers; and Audit Request for Qualifications are due by 4:00 p.m. Friday, September 23, 2022.

Mayor Purcell announced the following job openings: Full time positions for Police Officers, Animal Control/Code Enforcement, and part time positions for a Building Inspector/Flood Plain/Safety Coordinator and General Laborer. All positions are open until filled

Kenney asked about the sign in front of the Stanton building. Mayor Purcell noted that he called the owner twice, a formal letter will be written. It was noted that the broken glass is a safety issue.

Greer motioned to adjourn the meeting at 7:47 p.m. Hopes seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for September 20, 2022 was called to order at 6:30 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, 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 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 September 6, 2022. Motion seconded by Hopes. On a voice vote the motion was unanimously approved. Greer motioned to approve the Landfill Committee minutes as written for September 6, 2022. Massine seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for September 20, 2022.

	CLAIM No.		Monthly Total
August, 2022	28824, 28826 - 28831 28834 -28835, 28837, 28839 - 28846 28849 -28851, 28853 - 28854, 28858	$	54,026.04
September, 2022	28833, 28838, 28847 - 28848 28852, 28855 - 28857	$	136,069.29
TOTAL Submitted		**$**	**190,095.33**

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

PUBLIC COMMENT: N/A

MAYOR:

Mayor Purcell reported there has been concerns expressed about stop signs. He requested for citizens to report those concerns to Chief Donald Babbin. The Police Department will do traffic studies at the locations and will forward recommendations to Council. Greer noted that the snow removal zone will need to be adjusted for the new ambulance building. Krebs voiced that stop signs would be better than yield signs, people go through them.

Mayor Purcell noted that County dispatch reached out to the City about wanting to offer for the City to be dispatched by them. They were asked to continue sending calls to 911iNet for the City Police Department to be dispatched.

Mayor Purcell noted that he will be at the Montana League of Cities and Towns Conference from October 5th to October 7th.

Personnel Policy/City Policy:

Mayor Purcell reported the City currently has positions open for Police Officers, a rookie applicant is currently going through the process begore being forwarded to the Police Commission, also positions are open for Animal Control/Code Enforcement and a part-time Building Inspector. The applications will be reviewed for interviews to be scheduled.

Sewer & Water:
Law Enforcement:

Streets & Alleys:

Hopes reported the construction company has left deep grooves in the street at Cody Avenue and between 2nd Street and 1st Street. Mayor Purcell noted it will be addressed when the project is finished.

Krebs asked Knudsen if anything can be done about the potholes in Sunset trailer park. Knudsen reported there is an agreement and they are responsible for maintenance. Krebs noted the City garbage trucks go through there. Cory Kenney suggested for the attorney to send them a letter requesting them to do maintenance per their contract.

Parks & Playgrounds:

Krebs reported the City put in a culvert for the storm water drain pit at Wilson Park. Hurff reported the builders of the skate park will be going to Lodge Grass to build a skate park there and will return to Hardin to finish the project at Wilson Park. They are looking to pour the concrete at both parks at the same time.

Finance/Landfill:

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

The City received a letter from the Montana Department of Transportation.

UNFINISHED BUSINESS:

Mayor Purcell reported he received a legal opinion from Knudsen regarding the Columbus Holiday. Knudsen noted the question was if the Columbus Day holiday could be exchanged for the day after Thanksgiving. He added that Columbus Day is a State recognized holiday. He advised Council to proceed with extreme caution. Hopes asked if a day can be added. Knudsen noted the office has to be open every day, for a period of time, unless it is the weekend or a Holiday. Hopes motioned to not change the holiday. Krebs seconded. On a voice vote the motion was unanimously approved.

NEW BUSINESS:

The City received a letter of recommendation from the City-County Planning Board (CCPB) reporting the Planning Board voted to defer action on the variance request application from Hardin School District 17 H & 1 regarding parking for the proposed Hardin Academy. Greer reported the City Planner Cal Cumin has retired and the CCPB hired Forrest Mandeville as the new planner. Greer noted the parking plans do not provide enough spaces for the academy and the swimming pool. Also, there were questions about the ADA parking. Espinoza motioned to follow the recommendation of the CCPB to defer action until it has been further reviewed by the new City Planner. Hopes seconded. On a voice vote the motion was unanimously approved.

The City received a letter of recommendation from the City-County Planning Board (CCPB) to approve the conditional use application from Thomas Meyers to build a six-foot fence at 502 North Crawford Avenue. Kenney noted the top rail will block visibility and that he recommended to the CCPB to have him to put in a woven wire to keep the top steady and to not block visibility. Greer reviewed the materials Meyers was using to build the fence. Sharpe motioned to approve the recommendation. On a voice vote the motion was a tie vote with, Sharpe, Greer, and Espinoza voting Yea and with Massine, Krebs, ands Hopes voting Nay. The Mayor broke the tie vote by voting Yes to approve the application. Motion passed.

The City received a letter of recommendation from the City-County Planning Board (CCPB) to approve the variance application from Merle Johns to extend the roofline on his house to cover the front porch at 524 North Crow Avenue. It was noted the porch will not be enclosed. Massine motioned to approve the application. Hopes seconded. On a voice vote the motion was unanimously approved.

Hurff requested approval of the proposal from John Deere, in the amount of $9,250, to purchase a quick attach bucket for the landfill loader. Massine asked if they were interchangeable. Hurff reported he will research it to make sure it would interchange between the equipment at the landfill and streets department. Greer motioned to approve the request. Hopes seconded. On a voice vote the motion was unanimously approved.

Hurff requested approval to purchase ice slicer in the amount of $5,164.05, adding shipping costs are included. Krebs motioned to approve the request. Sharpe seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed and requested approval of the Tax Increment Finance District (TIFD) Annual Report for the Fiscal Year ending June 30, 2022. Greer motioned to approve the report. Hopes seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:
Public Works:

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

Lehr reported the Request for Qualifications (RFQ) for Audit Services are due this Friday.

Police:
Chief Babbin provided a report of calls of service the department has received and he reported the Terminal Agency Coordinator officer attended a conference last week. Chief Babbin voiced for citizens to report road signs that are blocked by graffiti or bushes to the department so they can notify the Public Works department. Chief Babbin noted he is looking into more body cameras; the current ones are disintegrating quickly for the time they are using them. He added the ones that were donated got the department going and they have served them well. Greer asked about the grant for the K-9 vehicle. Chief Babbin noted the grant the department received will pay for half of a K-9 vehicle. He added it is complicating to get equipment.

Chief Babbin reported the department received new parking tickets. Greer asked about parking on the state highway and what can be done there. Knudsen reported the City would need to get permission from the state like it did on Center Avenue. Hopes requested a Streets and Alleys Committee meeting to further address it.

Legal:
Economic Development:

RESOLUTIONS & ORDINANCES:
Resolution NO. 2310: Requesting distribution of Bridge and Road Safety and Accountability Program Funds. Krebs motioned to approve the Resolution. Massine seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:
Mayor Purcell announced that Randy Melville has been with the City for sixteen years; the Community Watch Meeting is scheduled for Monday, September 26, 2022 at 6:30 p.m. and will be held in Council Chambers; and Audit Request for Qualifications are due by 4:00 p.m. Friday, September 23, 2022; and Alley Clean-up is scheduled for the week of October 3rd and to please have items out by October 2nd.

Mayor Purcell announced the following job openings: Full time positions for Police Officers, Animal Control/Code Enforcement, and part time positions for a Building Inspector/Flood Plain/Safety Coordinator and General Laborer. All positions are open until filled.

Kenney voiced something needs to be done about the weeds on 3rd Street and added that we cannot afford to let our town look like that. Massine asked if a letter was sent to the old Boys and Girls Club. Mayor Purcell reported there has not.

Corrina Kirschenmann-Kuntz noted it looks nice since the Coldwell banker sign was removed on Center Avenue. She reported she has spoken with an individual that works with the covid relief fund regarding the parking at the Hardin Academy. She noted the funds cannot be used if it is an existing building, but if it is a new building the funds can be used for parking.

Chief Babbin noted that he gave Challenge Coins to each Council Member and reported they were designed by Officer Austin Gearhart. He added they set the standard of this agency.

Espinoza motioned to adjourn the meeting at 7:47 p.m. Massine seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for October 4 , 2022 was called to order at 6:30 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, 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 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 September 20, 2022. Motion seconded by Hopes. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for October 4, 2022.

	CLAIM No.		Monthly Total
September, 2022	28859-28903, 28929-28967	$	89,493.78
October, 2022	28904-28928	$	4,777.47
TOTAL Submitted		**$**	**94,271.25**

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

PUBLIC COMMENT: N/A

MAYOR:

Mayor Purcell reported that after talking with citizens and business owners, there are mixed opinions about downtown parking. A Public Hearing is scheduled for Tuesday, October 18th at 6:10 p.m. to provide the opportunity for citizens to voice their opinions and determine the best route to proceed.

Mayor Purcell noted that there has been concerns about stray animals, adding the City does not currently have enough manpower to go after them. He reported that Help Every Pet (HEP Club) is here to offer support.

Mayor Purcell extended a "Welcome" to Forrest Mandeville, the new Planning Advisor for the City-County Planning Board.

Mayor Purcell reported there have been concerns about projects around the city. A letter was submitted by Mary and Jean Slattery about the project for the school academy. He added the City Attorney is looking into it.

Mayor Purcell noted that he will be at the Montana League of Cities and Towns Conference from October 5th to October 7th.

Mayor Purcell announced the grand opening for the skate park is scheduled for October 29th.

Mayor Purcell reported the lease agreement with the Chamber of Commerce is being reviewed.

Personnel Policy/City Policy:

Mayor Purcell reported a rookie applicant is currently going through the pre-employment process and the City has been interviewing for the Animal Control/Code Enforcement, Building

Inspector, and part time General Laborer positions. A Court Clerk position will be advertised soon and the School Resource Officer position has been posted internally.

Sewer & Water:
Law Enforcement:

Streets & Alleys:

Hopes reported the City Crew has been patching pot holes, doing alley clean up, and they have the ice slicer mixed and ready. He added more pot holes will be patched, weather permitting.

Parks & Playgrounds:

Krebs reported park restrooms are closed for the season.

Finance/Landfill:

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

NEW BUSINESS:

The Chamber of Commerce has requested street closure of the 200 Block on October 31st for a Trunk or Treat event that is scheduled from 4:00 p.m. to 6:00 p.m. Hopes motioned to approve the request. Massine seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported the Chamber of Commerce has requested a donation of $6,000. Ginnie Ladwig, Executive Director, voiced to cancel the request. There was no action taken.

Brenda Hermanson, Treasurer of Help Every Pet of Hardin, provided a letter to each member of the Council. She voiced they are a non-profit organization that has been in Hardin for over thirty-two years. Hermanson reported most of their funding comes from fundraising and grants and that they are currently looking into more grants. They have received numerous calls about animal welfare in the City. They are requesting $15,000 from the City to help fund spay and neuter clinics to help animals within the City, to include feral cats. Hermanson asked if the City had animal traps that they could borrow and requested for the City to pay for ten days of boarding for cats and dogs that go to a care center for shelter. She added that all shelters are full. Hermanson voiced they are working to get animals placed with families instead of being euthanized. Krebs asked if they had a contract with the vets. Hermanson noted there is a contract with Animal Care Center for a $65 charge for spay and neuter and $12.50 for rabies vaccination. The HEP club would provide a certificate to the pet owner that allows for them to pay only $50 for the spay or neuter and it will have to be used in thirty days of being issued. The remaining balance of $62.50 would be paid by the City. It was noted the certificates would only be provided to people that live in the City limits. Krebs suggested for the veterinarian clinic to bill the city for payment. Janelle Weinberg voiced that is a better idea. Espinoza motioned to provide a $15,000 limit to spay and neuter dogs, cats, and feral cats and the billing will come directly from the vet. Greer seconded. On a voice vote the motion was unanimously approved.

Lehr reported the City received two proposals for the Request for Qualifications (RFQ) for Audit Services that closed Friday, September 23rd. The proposal from Denning, Downey & Associates, P.C. was for a one-time two-year audit that would be done in 2023 to complete the audits for Fiscal years 2021-2022 and 2022-2023. The second proposal is from Wipfli, LLP. Lehr recommended to go back out to bid with a Request for Proposals and noted it will be posted on the Montana Society of CPA's,

providing the opportunity to receive more bids. Hopes motioned to approve the recommendation to go out to bid again. Massine seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported Barry Damschen, Landfill Engineer, is planning to be here October 14th to look at the proposed canister site at the landfill; the quick attach bucket for the landfill loader is interchangeable with the equipment in the streets department; Greer and Krebs prepared a drawing of the drain system for the skate park; and the construction company is looking to do the concrete at the skate park on Monday. Hurff reported Phase II of the Wastewater Treatment Plant Project is in the design stage. He is currently waiting on cost updates for the 1st Avenue Street Project, there will be a meeting scheduled with Dax Simek of Stahly Engineering.

Hurff reported he is reviewing the Montana Best Management Practices for Storm Water Management. He is looking to incorporate information into City Codes.

Hurff reported the lead and copper testing results are good. There may be grants available to help residents replace lead service lines. It is required by the state to locate homes that have lead service lines.

Hurff reported the park restrooms are closed and that vandalism of the restrooms has increased the last few weeks.

Finance:

Lehr provided an information sheet to Council showing the Department of Revenues re-certified taxable valuation. He was contacted by the Department of Revenue that there was a calculation error in the Total Market and Total Taxable values. A Public Hearing for the proposal of the new mills amount is scheduled for Tuesday, October 18th at 6:00 p.m.

Lehr reported the City received the 2022 distribution of the Bridge and Road Safety and Accountability funds (BARSAA) in the amount of $91,576.03. He noted that any funds not used on the 1st Street Project can be used for another project.

Lehr noted that he followed up on the progress of the Coal Board Grant for the K-9 police vehicle and he is currently waiting for a response.

Lehr provided a brief review of investments.

Police:

Chief Babbin provided a report of calls of service the department has received for the month of September and also department statistics since January 1st.

Chief Babbin reported the new parking ordinance goes into effect Thursday; the department received seven AED's that were donated by the state and every police vehicle now has one; and the department is conducting traffic studies.

Legal:

Economic Development:

RESOLUTIONS & ORDINANCES:

ANNOUNCEMENTS:

Mayor Purcell announced that Alley Clean-Up is scheduled for this week; City offices are closed Monday, October 10th for Columbus Day; Public Hearings for Mill Levies for FY 2022-2023 and for Parking on Center Avenue/Downtown are scheduled for Tuesday, October 18th starting at 6:00 p.m.; and the Community Watch Meeting is scheduled for Monday, October 24, 2022 at 6:30 p.m. and will be held in Council Chambers.

Mayor Purcell announced the following job openings: Full time positions for Police Officers, Animal Control/Code Enforcement, and part time positions for a Building Inspector/Flood

Plain/Safety Coordinator and General Laborer. He also reported a Court Clerk position will be advertised soon. All positions are open until filled.

Massine motioned to adjourn the meeting at 7:37 p.m. Espinoza seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

PUBLIC HEARING: The Public Hearing for Mill levies re-certification for Fiscal Year 2022-2023 was opened at 6:08 p.m.by Mayor Purcell.

Present at the Hearing were:
Council Members: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, Antonio Espinoza, and Jeremy Krebs.

City Staff: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, and Chief Donald Babbin, Jr.

Lehr reviewed the revised 2022 Certified Taxable Valuation Information from the Department of Revenue for the Certified Taxable and Market Values and for the Tax Increment District. The revised 2022 Certified Taxable Valuation will need approval before the County can assess the revised values.

Krebs asked what the difference was in the mills before and how much it would raise the taxes. Lehr reported the total mills are higher, but the tax amount will be less because of the decrease in the permissive medical levy.

The Public Hearing adjourned at 6:13 p.m.

PUBLIC HEARING: The Public Hearing for Parking on Center Avenue/Downtown was opened at 6:13 p.m.by Mayor Purcell.

Present at the Hearing were:
Council Members: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, Antonio Espinoza, and Jeremy Krebs.

City Staff: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, and Chief Donald Babbin, Jr.

Mayor Purcell noted the Public Hearing is to discuss parking on Center Avenue and to give business owners the opportunity to voice concerns with parking downtown from 3rd Street to 5th Street on Center Avenue.

Archie Hopes, business owner, voiced he thinks a two-hour limit would work. He added that he likes to open early and by 11:00 a.m. the street is jammed all the way down. Mayor Purcell noted he thinks that it will hinder business with a two-hour parking limit. Krebs asked if it would only be from 8:00 a.m. to 5:00 p.m. and it was confirmed that it would be. Dan Willoughby, business owner, noted that some of his customers are older and if they see the street full, they will not stop. Krebs noted that the signs seem to work other places.

Hopes suggested to put up signs to see if they work or if something different would need to be done. Espinoza asked how can it be proven they were parked there for more than two hours; who is going to enforce it. It was noted the reality is that an officer can not be there every two hours. Espinoza suggested for the signs to say "Customer Parking Only". Sharpe asked how it can be proven whether they are a customer or not. Chief Babbin reported that he monitored 3rd Street and Center Avenue on October 4th and October 5th from 11:00 a.m. – 2:00 p.m. and 1st Interstate Bank down to the Farmer's Daughter there was plenty of parking, adding a person might have to walk. Chief Babbin voiced he thinks it needs to be left alone and that owners of businesses need to instruct their employees to park elsewhere. Hopes noted that everywhere the City has put signs, it has corrected the problem. It was pointed out that an individual may be parked downtown for more than two hours utilizing multiple businesses. Cory Kenney, business owner, voiced that signs are a fairly inexpensive way to see if it works and an easy way to keep people honest.

The Public Hearing adjourned at 6:34 p.m.

COUNCIL MEETING: The Regular Council Meeting for October 18, 2022 was called to order at 6:34 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, 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 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 October 4, 2022. Motion seconded by Hopes. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for October 4, 2022.

	CLAIM No.	Monthly Total
September, 2022	28968 - 28999	$ 47,000.54
September, 2022 Payroll		$ 295,125.02
TOTAL Submitted		**$ 346,903.03**

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

PUBLIC COMMENT:

Cory Kenney, local business owner, voiced the majority of the damage to 1st St West happened during construction at the hospital. He added the contractors should have been responsible for some of the cost other than the City paying for it (referencing the 1st Street Project).

Kenny Kepp, resident, asked how the skate park came to be the way it is, where it is at, and asked if there will be a fence around it. He added skateboarding will be until ten to eleven o'clock at night. Kepp recommended a six-foot fence.

Corrina Kirschenmann-Kuntz, resident, noted the code enforcement position is still available and asked if the City was interested in asking the City of Billings if they could help out. Mayor Purcell reported he has reached out to them and they were not interested. Kuntz noted there is a third-party agency that could help. She will provide the information.

MAYOR:

Mayor Purcell reported Hardin Public Schools is asking for donations of money or games for their family engagement game night.

Mayor Purcell extended a "Thank You" to the Big Horn County Commissioners for awarding the City of Hardin $331,000 of ARPA (American Rescue Plan Act) funding for the Water Treatment Plant projects, to install a water line on 1st Street, and to install water and sewer at Gable and North Center Avenue.

Mayor Purcell reported there was a meeting with Stahly Engineering to allocate funds for the Water and Wastewater projects.

Mayor Purcell announced the grand opening for the skate park is scheduled for October 29th.

Personnel Policy/City Policy: Mayor Purcell reported a rookie applicant is currently in the review process by the Police Commission and there was recently an interview for a

police officer position. The positions for Animal Control/Code Enforcement and Building Inspector are being restructured. The positions for Code Enforcement and Building Inspector will be combined into a part-time position and he will be meeting with Chief Babbin to further discuss the position for Animal Control. The City currently has an opening for a Court Clerk I part-time position and the School Resource Officer position will not be filled until the police department has more officers.

Sewer & Water:
Law Enforcement:

Streets & Alleys:
Hopes reported alley clean up is finished and the City crew is installing a new culvert at the river.

Parks & Playgrounds:
Krebs reported the park restrooms and sprinkler systems have been winterized. Krebs noted the concrete has been poured at the skate park and voiced that hopefully there will not be people there at nighttime with the park hours set from sunrise to sunset every day.

Finance/Landfill:
Greer reported Hurff received paperwork from Barry Damschen regarding the landfill container site. The information will be on the next Council Agenda.

Resolutions & Ordinances:
SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:
Mayor Purcell reported the Mill levies revised by the Department of Revenue for Fiscal Year 2022 were discussed at the public hearing. There was no further discussion. Massine motioned to approve the re-certified mills. Greer seconded. On a voice vote the motion was unanimously approved.

NEW BUSINESS:
Aleen Sellers, Director of Big Horn County Museum, submitted a letter requesting $500.00 to help cover the cost of some materials for a construction project to repair a building at the museum. Sellers provided a revised letter asking for a donation of $2,000 for the project. Sellers reported the museum applies for grants, they hold many events during the year for fundraising and Big Horn County contributes about $60,000 a year. Mayor Purcell reported the revised letter will be on the agenda for the next Council Meeting. Sellers noted that any contribution would be much appreciated. The item will be tabled until the next Council Meeting.

Hopes motioned to put "Customer Only" signs from 3rd Street to 5th Street on Center Avenue. Kenney suggested no time limit. Espinoza noted there is not anyone to enforce it. Krebs noted it will be on an honor system. Espinoza seconded. Mayor Purcell voiced the motion is to place Customer Parking Only signs from 3rd street to 5th Street on Center Avenue. Hopes added to include from 8:00 a.m. to 5:00 p.m. Mayor Purcell voiced there is a negative side to two-hour parking, it may discourage people from coming downtown. There was discussion on how two hours would not be a reasonable amount of time for someone that is dining or at the hair salon. Sharpe noted that he agreed with Kenney. Krebs noted he would want it to say two-hour parking. Chief Babbin voiced that bigger cities have someone all the time enforcing parking and that it costs money to do this. Rob Bryson, resident, asked if someone has tried talking to all the business owners to ask their employees not to park there, he provided an example of how it had worked years ago. Mayor Purcell noted the motion is to have Customer Parking Only from 8 a.m. to 5 p.m. On a voice vote the motion passed. (4/2) Greer and Krebs opposed.

STAFF REPORTS:
Public Works:
Hurff reported the curb stop program is working really well, "sunset" signs for the parks came in, and geotech drilling was done and a report will be completed so Stahly Engineering can go out to bid for the 1st Street Project .

Finance:

Police:

Chief Babbin provided a report of calls of service the department has received since the 1st of October and reported a grant was submitted for body cameras.

Michael Scales, Administrative Assistant for the Hardin Police Department, noted a report is submitted to the National Incident-Based Reporting System (NIBRS) each month and voiced the information is important when applying for grants.

Legal:

Kenney asked if a letter was sent to Sunset park about road maintenance. Mayor Purcell noted he will follow up with Knudsen.

Economic Development:

RESOLUTIONS & ORDINANCES:

Resolution NO. 2311: Fixing the amount of Taxes to be levied on Taxable Property for FY 2022-2023. Sharpe motioned to approve the resolution. Massine seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell announced the following employee anniversaries: Judge Richard Bowler, 5 years; Moses Gonzales, 44 years; Markus Takes The Horse and Angela Zimmer, each 7 years; the Community Watch Meeting is scheduled for Monday, October 24, 2022 at 6:30 p.m. and will be held in Council Chambers; and a notice for letters of interest to serve on the City-County Planning Board will be advertised next month.

Mayor Purcell announced the following job openings: Full time positions for Police Officers, Animal Control/Code Enforcement, and part time positions for a Building Inspector/Flood
Plain/Safety Coordinator and General Laborer. He also reported a Court Clerk position will be advertised soon. All positions are open until filled.

Massine motioned to adjourn the meeting at 7:37 p.m. Espinoza seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for November 1 , 2022 was called to order at 6:30 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, 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 Administrative Assistant for the City of Hardin Police Department Michael Scales.

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 October 18, 2022. Motion seconded by Massine. On a voice vote the motion was unanimously approved. Hopes motioned to approve the minutes as written for the Public Hearings of October 18, 2022. Espinoza seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for November 1, 2022.

	CLAIM No.	Monthly Total
September, 2022	29056	$ 1,260.00
October, 2022	29000 - 29018 29043 - 29055	$ 28,889.15
November, 2022	29019 - 29042	$ 2,565.12
TOTAL Submitted		**$ 32,714.27**

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

PUBLIC COMMENT:

Corrina Kirschenmann-Kuntz, resident, had provided a letter to Council that was written by the City-County Planning Board Planning Advisor, Forrest J. Mandeville, AICP, regarding the High School Academy. Kuntz noted that in her research she found that the school can use the funds to build parking lots and/or purchase land for parking lots. She added the community should not have to suffer for the poor parking plans. She asked Council to deny the variance and to look at the best interests of the community.

Cory Kenney, local business owner, noted that they have around eight and a half million dollars for the project and they can't bother to put in a parking lot. He added they need to be held accountable and asked Council to please not allow the variance.

MAYOR:

Mayor Purcell reported the City has requested American Rescue Plan Act (ARPA) funds for City projects; there was about two-hundred people at the Grand Opening for the skate park on Sunday, October 29th; and he reviewed plans One Health has for the park that will be implemented next spring.

Mayor Purcell reported that he will be attending the National League of Cities and Towns Conference as a delegate representing the Montana League of Cities and Towns from November 17th – 19th.

Personnel Policy/City Policy:

Mayor Purcell reported the City has openings for full-time Police Officers, a School Resource Officer, and part-time Animal Control, Building Inspector/Code Enforcement, Court Clerk I, and General Laborer. Positions are open until filled.

Sewer & Water:

Massine reported the intake screens at the Wastewater Treatment Plant were pulled, cleaned, and replaced and the steel water tank on the hill has been cleaned.

Law Enforcement:

Streets & Alleys:

Hopes reported the City Crew has replaced the culvert at the Wastewater Treatment Plant and the street sweeper is out clearing leaves from the streets.

Parks & Playgrounds:

Finance/Landfill:

Greer noted that he and Hurff have been discussing ideas for a canister site at the landfill.

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

Aleen Sellers, Director of Big Horn County Museum, submitted a letter requesting $2,000.00 to help fund various construction projects to help in the maintenance and up keep of all buildings at the museum. Espinoza asked if Big Horn County matched the $2,000. Sellers reported they have not and the $2,000 is matched through First Interstate Bank funding as well as other grants. Massine asked Lehr if the funds were available. Lehr noted Council has discretionary funds in the amount of $2,000 for fiscal year 2023. Massine motioned to donate $1,000 to the Big Horn County Museum. Greer seconded. On a voice vote the motion passed (5/1). Hopes abstained.

Mayor Purcell reported the City received a letter of recommendation from the City-County Planning Board (CCPB) to deny the parking variance application for the proposed Hardin School Academy. Greer noted that ADA Guidelines need to be followed. Ronda Carlson, with Cushing Terrell, and on behalf of the Hardin School District 17H, asked Council to table this at this time. She voiced that she tried to have it tabled at the last CCPB meeting; she could not attend the meeting virtually since the virtual meeting was not started; she did not receive the report from Mr. Mandeville until the Friday before the CCPB meeting; and they did not have time to prepare a proper response. Carlson noted they have more information to submit. Krebs asked why table it when they are doing construction now and asked how many parking spaces do they need. Knudsen referenced the letter from the CCPB Planning Advisor, Mandeville, recommending one parking space for every four fixed seats, plus one per hundred square feet of assembly space without fixed seats. Knudsen noted it is under City Code 11-1-7-2. Kuntz voiced that they have plans to build an amphitheater in the future and they don't have parking figured into that. Carlson voiced the CCPB proceeded with their meeting without all the information and the school district deserves due process to this issue. Hopes motioned to deny the variance application to uphold the recommendation of the CCPB. Espinoza seconded. On a voice vote the motion was unanimously approved.

NEW BUSINESS:

Landa Uffelman, local business owner, requested street closure of the 200 Block of North Center Avenue on Saturday, November 26th from 3:00 p.m. to 9:00 p.m. for the Hardin Christmas Stroll. She noted that she will be working with Hurff and the City

Crew on the Community Christmas Tree. Espinoza motioned to approve the requests. Massine seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported there are five bids presented for police body cameras. Massine asked Michael Scales, Administrative Assistant for the Police Department, what the best direction was and his opinion. Scales noted that the biggest concern is storage on the cloud, the Chief prefers to have the storage local. Mayor Purcell noted there are grants available. Scales noted one of the bids include an additional warranty and spending the extra money is not worth it. The cameras are only covered for one year under the warranty. Scales reported the ProVision is the most user friendly for the officers; they have experimented with all the cameras and they are happy with ProVision. Hopes noted that ProVision will download and hold the data for $33,000. Scales noted it will not cost that much without data storage, adding the Axon cameras will not provide what the department needs and they shut themselves off. Scales voiced Chief Babbin would prefer ProVision with the department providing their own storage. The officers need to have a quality piece of equipment as soon as possible, they are life savers, and they have protected our officers in the past. Sharpe asked what the ProVision would cost without the data storage. Scales noted that he will get the information. Hopes motioned to table the item for further information. Sharpe seconded. On a voice vote the motion was unanimously approved.

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

STAFF REPORTS:

Public Works:

Finance:

Lehr reviewed the Second Quarter Financial Reports for FY 2023. Massine motioned to approve the report. Greer seconded. On a voice vote the motion was unanimously approved.

Lehr reported Montana Municipal Interlocal Authority (MMIA) will cover the skate park at no additional cost if specific requirements are met. MMIA made recommendations of what the wording should be on the sign that is posted in the skate park.

Lehr noted the audit for Fiscal Year 2021 is underway and he is looking forward to receiving a draft report in the next few weeks.

Lehr reported Pot B of the ARPA funds have been requested for multiple projects. The application is being reviewed.

Police:

Legal:

Knudsen reported the agreement with Republic Services of Montana, Allied Waste Services, for waste disposal at the Landfill is expiring December 31st. He has drafted a letter notifying them the contract is expiring and to contact the City as they wish. Greer asked for a Landfill Committee meeting where disposal rates for Allied Waste and also ash disposal rates for Rocky Mountain Power can be discussed. A Committee meeting will be scheduled.

Knudsen noted the Police Department has reviewed City Codes and there are several that need to be amended or changed. They will be sent to Committee one code at a time and worked on before going to Council.

Economic Development:

Tina Toyne, Economic Development Director, reported she is meeting with local business owners to get their views of what to do in Hardin and also what the community wants to look at; she is working to get re-established with the Montana Main Street Program, they have grants available; she will be meeting with Mayor Purcell and Lehr on the Growth Management Policy; she noted that she has been studying the Policies for both the City and County; she has met with Senator Sharon Stewart Peregoy about building a relationship with the Crow Tribe and how to move forward; and she met with United States Representative Matt Rosendale about the housing shortage and she is working with his field representative.

RESOLUTIONS & ORDINANCES:

ANNOUNCEMENTS:
Mayor Purcell announced City Offices will be closed Tuesday, November 8th for Election Day & Friday, November 11th in Honor of Veteran's Day; the Community Watch Meeting is scheduled for Monday, November 28, 2022 at 6:30 p.m. and will be held in Council Chambers; and a notice for Letters of Interest to serve on the City-County Planning Board will be advertised this month.

Mayor Purcell announced the following job openings: Full time positions for Police Officers and School Resource Officer; and part time positions for a Building Inspector/Code Enforcement, Animal Control, Court Clerk I, and General Laborer. All positions are open until filled.

Greer motioned to adjourn the meeting at 7:28 p.m. Massine seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for November 15, 2022 was called to order at 6:30 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, 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, Chief Donald Babbin, Jr., and Administrative Assistant for the City of Hardin Police Department Michael Scales.

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 1, 2022. Motion seconded by Massine. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for November 15, 2022.

	CLAIM No.	Monthly Total
September, 2022	29061	$ 10,000.00
October, 2022	29057, 29059 - 29060 29062 – 29081, 29084 29086 - 29090, 29092 – 29102	$ 88,404.81
November, 2022	29058, 29082 - 29083 29085, 29103 - 29106	$ 55,502.96
Claims Total (Expenditures)		**$ 153,907.77**
October, 2022 Payroll		$ 197,517.89
TOTAL Submitted		**$ 351,425.66**

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

PUBLIC COMMENT: N/A

MAYOR:
Mayor Purcell reported that he will be attending the National League of Cities and Towns Conference as a delegate representing the Montana League of Cities and Towns from November 17th – 19th.

Personnel Policy/City Policy:
Mayor Purcell reported the City re-hired Joe Connelly for the part-time Building Inspector and Code Enforcement position; a new police rookie will start in December; and interviews have been completed for two other applicants for the Police Department.

Sewer & Water:
Law Enforcement:

Streets & Alleys:
Hopes reported the City Crew has been working through the holidays cleaning streets. He extended a "Thank You" to them for volunteering to come in for the good of the city.

Parks & Playgrounds:

Finance/Landfill:

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell reported the City received a Newsletter from Montana Municipal Interlocal Authority.

UNFINISHED BUSINESS:

Chief Babbin reported that he has searched numerous companies and cloud storage for body cameras is extremely expensive. The quote from ProVision includes ten body cameras for $5,250. He added that storage can be kept onsite. Krebs motioned to approve the quote from ProVision in the amount of $5,250. Massine seconded. On a voice vote the motion was unanimously approved.

NEW BUSINESS:

Mayor Purcell reported the Hardin Volunteer Fire Department is requesting to have a small fireworks show at the end of the Christmas Stroll on November 26th. The fireworks would be set off at the end of Center Avenue, North of the train tracks. Massine motioned to approve the request. Greer seconded. On a voice vote the motion was unanimously approved.

Hopes reported that the architects for the Big Horn County Ambulance Facility project submitted a curb cut proposal requesting a deviation from the City Code that allows forty feet. Hopes voiced to allow them go all the way to the alley. Holly Manning, with Slate Architecture, noted they are looking to lay down curb to connect to the existing curb and alley, the plan is for the whole length to be laid down. Massine motioned to approve the proposal. Hopes seconded. On a voice vote the motion was unanimously approved.

Knudsen provided a brief review of the Landfill Agreement with Northern Cheyenne. Massine motioned to approve the agreement. Hopes seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed the Letter of Credit from Little Horn State Bank and asked for Council approval. Greer motioned to approve the report. Hopes seconded. On a voice vote the motion was unanimously approved.

Knudsen reported there are many codes that will be presented to Council that need to be updated, amended, or appealed. The first one is Ordinance 2022-12 that is currently on the agenda.

STAFF REPORTS:

Public Works:

Hurff reported he has spoken with Stahly about designing a canister site at the landfill; fire hydrants have been winterized; the Christmas parade is scheduled for the 26th of November; the Santa Chair will be located in Al Sargent's Mini Mall on Center Avenue; and the City Crew is working to move snow off the roads.

Finance:

Lehr reported he and Hurff are updating the information for Montana State Parks Land Water Conservation Fund (LWCF) Grant for South Park; Tina Toyne, Economic Development Director for Big Horn County and the City of Hardin, approached him about the growth policy and working with the Montana Main Street Program and Montana Land Information Act Grant Program (MLIA) to GIS map businesses and apply for impact grants for the signs; and Toyne is looking into more planning grants.

Lehr reported there was a meeting with Stahly Engineering to review funding for Phase II of the Wastewater Treatment Plant Project. There will be another meeting next month to look into options of how to proceed with Phase II and Phase III of the project.

Police:

Chief Babbin provided a report of calls of service the department has received. He noted all City warrants have been transferred from the Big Horn County Sheriff's Department to the City of Hardin Police Department.

Legal:

Knudsen reported he has been contacted by Republic Services of Montana, Allied Waste Services, about the contract for waste disposal at the Landfill that expires December 31st. They are interested in a contract with some new conditions. A Landfill Committee meeting will be scheduled for December 6th to review their requests.

Economic Development:

RESOLUTIONS & ORDINANCES:

Resolution NO. 2312: Adopting 2021 Residential Building Code. Sharpe motioned to approve the resolution. Greer seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022: Amending City Code Regarding Reference to Big Horn County for Law Enforcement. Sharpe motioned to approve the ordinance. Massine seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell announced City Offices will be closed Thursday, November 24th for Thanksgiving; the Community Watch Meeting is scheduled for Monday, November 28, 2022 at 6:30 p.m. and will be held in Council Chambers; and Letters of Interest to serve on the City-County Planning Board are due by December 1st.

Mayor Purcell announced the following job openings: Full time positions for Police Officers and School Resource Officer; and part time positions for Animal Control, Court Clerk I, and General Laborer. All positions are open until filled.

Agenda items will need to be submitted by Wednesday, 12:00 p.m. before a Tuesday Council Meeting.

Chief Babbin reported he met with the Superintendent of Schools, Chad Johnson, and Johnson noted there will be a traffic study conducted at the Primary School and Kindergarten Readiness Center during pick-up and drop off times.

Greer motioned to adjourn the meeting at 7:22 p.m. Hopes seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for December 6, 2022 was called to order at 6:54 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Chris Sharpe, Rock Massine, 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 Chief Donald Babbin, Jr.

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

MINUTES OF THE PREVIOUS MEETINGS & CLAIMS: Hopes made the motion to approve the Council minutes as written for November 15, 2022. Motion seconded by Krebs. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for December 6, 2022.

	CLAIM No.		Monthly Total
September, 2022	29109	$	1,430.98
October, 2022	29136 - 29137, 29156	$	255.31
November, 2022	29107 - 29108, 29110 29135, 29142 - 29149 29151 - 29155, 29157 - 29183	$	64,902.06
December, 2022	29111 - 29134, 29138 - 29141	$	146,752.62
Claims Total (Expenditures)		**$**	**213,340.97**
November, 2022 Payroll		$	194,051.31
TOTAL Submitted		**$**	**407,392.28**

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

PUBLIC COMMENT:

Jose Funke, resident, extended a "Thank You" to the City Crew for plowing through Rangeview Drive and Bonanza Court and to the Fire Department for their quick responses on two different occasions. Funke asked the Mayor, Knudsen, City Council, and the Police Department to contact the School Board and to do something about the illegal parking going on at the Primary School. He noted he has contacted the City Police Department many times and they have responded. Chief Babbin reported that he has met with School Superintendent Chad Johnson and was told there will be a traffic study done.

MAYOR:

Mayor Purcell reported he and Council received a letter from the Big Horn County Museum extending a "Thank You" for the donation; he attended the National League of Cities and Towns Conference and received information on programs and grant opportunities adding that he will be working with Tina Toyne, Economic Development Director; there will be a meeting with Stahly Engineering to discuss new costs and project stages for Phase I and II of the Wastewater Treatment Plant Project; and Joe Connelly is part-time as the Building Inspector and Code Enforcement, he will be addressing issues for both departments and can be contacted by phone and by leaving written complaints.

Personnel Policy/City Policy:

Mayor Purcell reported he and Lehr are reviewing the Personnel Policy handbook to update and the City will be conducting a Community Needs Assessment Survey sometime after the new year.

Mayor Purcell reported the City is currently conducting interviews for Police Officers.

Mayor Purcell extended a "Thank You" to the City Crew for the snow removal, to City Admin for making the annual Christmas Party possible, and to the City Staff for the hard work this year.

Espinoza asked when the School Resource Officer (SRO) would be at the schools. Chief Babbin reported it will be the 23rd of January.

Sewer & Water:

Law Enforcement:

Streets & Alleys:

Hopes voiced the City Crew has done a tremendous job on snow removal and asked Hurff to forward the message.

Parks & Playgrounds:

Krebs reported he has been told thank you by a few kids about how nice the skate park is and how nice it is to have somewhere to skate.

Finance/Landfill:

Greer reported the committee discussed rates and terms of the Republic contract for garbage disposal at the landfill and Knudsen will have a draft contract available at the next meeting.

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

NEW BUSINESS:

Joel Bertolino, Executive Director/Food Ag Director, and Jacy Head, Economic Development Director, for Beartooth RC&D extended a "Thank You" to the City of Hardin for their support. They reviewed projects in Big Horn County and the City of Hardin area.

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

Mayor Purcell re-appointed Cyndy Maxwell for a two-year term with the City-County Planning Board (CCPB).

Mayor Purcell reported the City received three Letters of Interest to serve on the City-County Planning Board. Hopes motioned to appoint Tina Toyne, as the City Council appointment, to a two-year term on the CCPB. Massine seconded. On a voice vote the motion was unanimously approved.

The Republic Contract will be presented to Council at the next meeting.

Conrad Yerger, on behalf of he and his wife, read aloud a letter regarding the proposal to deed a parcel of land from the Yerger Subdivision to the City of Hardin. The

parcel is described as Lot 6A, is composed of 0.365 acres, and supports the detention/retention pond for Kokomo Road. Massine motioned to accept the proposal. Sharpe seconded. On a voice vote the motion passed. (5/1) Greer abstained.

Hurff reviewed the estimate from Big Sky Tire & Service CO, LLC, in the amount of $6,000, to purchase four new tires for the road grader. Massine motioned to approve the purchase. Greer seconded. On a voice vote the motion was unanimously approved.

The City Codes discussed during the committee meeting will be brought before Council for review and approval.

STAFF REPORTS:

Public Works:

Hurff reported the Christmas tree has been put up in the Plaza, the costs and impact of the First Street Project and water line replacement are being reviewed, Dax Simek, of Stahly Engineering, is working on a cost estimate for the canister site at the Landfill, and the City Crew has been working hard removing snow.

Finance:

Lehr reported he and Hurff are updating the information for the Montana State Parks Land Water Conservation Fund (LWCF) Grant for South Park; the Police Department has met the requirement to have six officers and can begin drawing on the COPS grant the City received from the Department of Justice; and Lehr reviewed the returns the City is receiving on the investment plan.

Police:

Chief Babbin provided a report of calls of service the department has received and reported the City has installed two radar signs, one on North Center Avenue and one on Third Street by the Primary School.

Legal:

Economic Development:

Tina Toyne, Economic Development Director, provided a review of a conference she attended and received information on grants for the City and County, she reviewed the Wayfinding grant and Montana's Brownfields Program.

RESOLUTIONS & ORDINANCES:

Resolution NO. 2313: Adopting 2021 International Energy Conservation Code. Greer motioned to approve the resolution. Hopes seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2314: Adopting 2021 International Existing Building Code. Hopes motioned to approve the resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2315: Montana Main Street Program Planning and Project Grant Application. Krebs motioned to approve the resolution. Massine seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-12: Second Reading - Amending City Code Regarding Reference to Big Horn County for Law Enforcement. Greer motioned to approve the ordinance. Espinoza seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell reported the City Employee Christmas Party is scheduled for Wednesday, December 7th at 6:30 p.m.; the City-County Planning Board will hold Public Hearings for Love's Preliminary Plat and Love's Conditional Use Application on Monday, December 12th at 7:00 p.m.; the Community Watch Meeting is scheduled for Monday, January 23, 2023 at 6:30 p.m. and will be held in Council Chambers; Alley Clean-Up is scheduled for December 27th to December 30th and Christmas Tree pick-up is scheduled for January 3rd to January 6th.

Mayor Purcell announced the following job openings: Full time positions for Police Officers and Maintenance Worker I and part time positions for Animal Control, Court Clerk I, and General Laborer. All positions are open until filled.

Greer motioned to adjourn the meeting at 7:22 p.m. Hopes seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

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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: Hopes made the motion to approve the Council minutes as written for November 15, 2022. Motion seconded by Krebs. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for December 6, 2022.

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Resolutions & Ordinances:

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PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

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STAFF REPORTS:

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Mayor Purcell announced the following job openings: Full time positions for Police Officers and Maintenance Worker I and part time positions for Animal Control, Court Clerk I, and General Laborer. All positions are open until filled.

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Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for December 20, 2022 was called to order at 6:30 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Rock Massine, and Jeremy Krebs. Chris Sharpe and Antonio Espinoza were absent.

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

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

MINUTES OF THE PREVIOUS MEETINGS & CLAIMS: Hopes made the motion to approve the Council minutes as written for December 6, 2022. Motion seconded by Greer. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for December 20, 2022.

	CLAIM No.	Monthly Total
November, 2022	29184 - 29213, 29215, 29225	$ 301,545.87
December, 2022	29214, 29217 - 29224 29226 – 29229	$ 28,909.31
TOTAL Submitted		**$ 330,455.18**

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

PUBLIC COMMENT:

Jose Funke, resident, voiced that he has been working with Mr. Taylor Sidwell, Principal of the Kindergarten Readiness Center (KRC), about putting crosswalks in at the KRC and Primary School. He passed out a diagram of the proposal and noted he would like to be on the next Council agenda. Mayor Purcell reported the school district is conducting a traffic study there and their ideas and requests will be presented to the Chief of Police and Public Works Director.

Funke asked if there could be something done about the crossing guards at the Primary wearing safety gear when helping students and parents cross the street. He asked for support to ask the school board to spend the funds for the gear. Greer voiced they have the vests, they just have to wear them.

Laurie Tschetter, local business owner, voiced there are safety issues at the Love's Truck Stop. She asked a Council Member to come look at the situation. She added there is a lot of traffic congestion, people are upset, the City is opening themselves up for a huge liability, and the one entrance is not going to be a good fit for the community.

MAYOR:

Mayor Purcell reported the City is continuing to work with Stahly Engineering on the plans for Phase II and Phase III of the Wastewater Plant Project. Stahly will present a proposal to Council in January.

Personnel Policy/City Policy:

Mayor Purcell extended a "Thank You" to the City employees for their hard work this year and reported City Offices will be closing at 12:00 p.m. on Friday, December 23, 2022.

Sewer & Water:

Law Enforcement:

Streets & Alleys:

Hopes voiced the City Crew has done a remarkable job removing snow and taking care of the equipment.

Parks & Playgrounds:

Finance/Landfill:

Resolutions & Ordinances:

Mayor Purcell reported a committee meeting will be held to discuss the items that were tabled at the last Council Meeting.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

NEW BUSINESS:

Chad Bower, of Republic Services, noted all the changes previously discussed are included in the contract; the only update requested on the contract that is before Council is the name on the signature page. Lehr reviewed the changes made to the contract. Hopes motioned to approve the contract to include the requested update on the name for the signature line on the last page. Greer seconded. On a voice vote the motion was unanimously approved.

Greer reported the recommendation of the City-County Planning Board is to approve the Preliminary Plat and Conditional Use Application that have been submitted for Love's Travel Stop to build a campground at their current location. Massine had concerns and questions about the gravel road needing to be paved, the sewer line going under the retention pond, and adding backflow preventers. Kym VanDyke, with Love's Travel Stop, voiced the campground is a great project for Love's and the City. He noted backflow preventers can be put in, if installing curb and gutter is a requirement, it will be done, and the ditches are mandated by the City and he will need help to figure out how to get that changed. VanDyke noted they did a full traffic study before the truck stop was built and it was submitted to the Department of Transportation (DOT). He has tried to get another entrance into the truck stop, but was denied by the DOT. Krebs voiced he doesn't think the campground should share the same entrance as the truck stop. Hopes and Krebs asked if Kokomo Road and Parker Lane could be used to reduce the traffic at Heth Road and Highway 47. After further discussion, Greer asked if an additional letter to the state would help. Cory Kenney suggested to have another light put in if not another exit. Hopes motioned to table the recommendation to approve the Preliminary Plat until parking is addressed, the verification of the ownership of Heth Road is obtained, and the plat is approved by Department of Environmental Quality and the Public Works Director. Massine seconded. Forrest Mandeville, Planning Advisor for the City-County Planning Board, noted there is a state requirement that the application for a plat is reviewed and a decision is made in the time frame of eighty working days from the time the sufficiency of the application was determined. He added there is time to review it into the end of February, first week of March. On a voice vote the motion was unanimously approved.

Hopes motioned to table the Conditional Use Application. Massine seconded. On a voice vote the motion was unanimously approved to table the Conditional Use Application.

Hurff reported Barry Damschen, landfill engineer, submitted a bid in the amount of $10,000 to design a cannister site at the City Landfill. He noted that he did receive a bid from Stahly Engineering in the amount of $23,000. Krebs asked what the total project cost was. Greer noted around $50,000 or more. Hurff reviewed the process; the site would be designed, put out to bid for construction, and the bids would come before Council for approval. Massine motioned to approve Amendment Number 25 with Barry

Damschen Consulting. Hopes seconded. On a voice vote the motion passed. (3/1) Krebs opposed.

Mayor Purcell reported a quote was received from Duval Ford for a K-9 Police vehicle in the amount of $39,702.80. Massine motioned to approve the quote. Hopes seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported there is an additional quote in the amount of $20,996 from Duval Ford to add safety equipment to the K-9 vehicle. Hopes motioned to accept the quote. Greer seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff provided a report on the thermal imaging that was done at the Water and Wastewater Treatment.

Finance:

Lehr reported he is working on the Annual Financial Report that is required to be turned in before the end of the year. He added that until the Audit for Fiscal Year 2021 is received from the auditor, the State may not fully accept it. He is currently working with the auditors to get the draft audit report.

Lehr reported there will be a meeting with Stahly Engineering to discuss the financial and application pieces of the Wastewater Treatment Plant Project.

Lehr noted that he will be providing a report to Council showing the breakdown of the investment account and how it has performed.

Police:

Chief Babbin reported the City Police Officers went to Yellowstone County for annual qualifying. He extended a shout out to Yellowstone County for providing the service. Chief Babbin reported the body cameras are up and running.

Chief Babbin addressed calls he has received for animals at large. He voiced the department will deal with aggressive animals or animals in need and that there are a lot of dogs running around. Chief Babbin reported the calls are handled on a case by case basis.

Legal:

Economic Development:

RESOLUTIONS & ORDINANCES:

Resolution NO. 2316: Approving Applications for License to Serve Beer, Beer and Wine, or Liquor. Krebs motioned to approve the resolution. Greer seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-13: Amending Hardin City Code Repealing Certain Sections. Hopes motioned to approve the first reading of the ordinance. Greer seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-14: Change of Classification Due to Type, User Volume, and Degree of Usage. Krebs motioned to approve the ~~resolution~~ Ordinance. Massine seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell announced the following Employee Anniversaries: Calen Curtin, 1 year; Jim Kuntz, 9 years; Julianne Stieber, 2 years; and Bryan Wilson, 1 year; City Offices will be closing at 12:00 p.m. on Friday, December 23rd and will be closed on Monday, December 26th for the Christmas Holiday and Monday, January 2, 2023 for New Years; Alley Clean-Up is scheduled for December 27th to December 30th and Christmas Tree pick-up is scheduled for January 3rd to January 6th; the Community Watch Meeting is scheduled for Monday, January 23, 2023 at 6:30 p.m. and will be

held in Council Chambers; and the Request for Proposals for Audit Services is due by4:00 p.m. on Friday, December 30th.

Mayor Purcell announced the following job openings: Full time positions for Police Officers and Maintenance Worker I and part time positions for Animal Control, Court Clerk I, and General Laborer. All positions are open until filled.

Massine motioned to adjourn the meeting at 7:48 p.m. Greer seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

CITY OF HARDIN OFFICIAL SEAL BIG HORN COUNTY, MONTANA

ATTEST:

Andrew Lehr, Finance Officer/City Clerk