

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

COUNCIL MEETING: The Regular Council Meeting for January 3, 2023 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 Babbín, Jr.

Also present physically: Members of the public.
There was not anyone present by virtual meeting.

MINUTES OF THE PREVIOUS MEETINGS & CLAIMS: Hopes made the motion to approve the Council minutes as written for December 20, 2022. Motion seconded by Massine. On a voice vote the motion passed. (5/1) Sharpe abstained.

Greer made a motion to approve the claims for January 3, 2023.

	CLAIM No.	Monthly Total
November, 2022	29230 - 29231, 29270, 29283	\$ 6,611.50
December, 2022	29255 - 29269, 29272 - 29280	\$ 45,794.40
January, 2023	29232 - 29254, 29271 29281 - 29282	<u>\$ 3,488.09</u>
Claims Total (Expenditures)		\$ 55,893.99
December, 2022 Payroll		\$ 211,464.05
TOTAL Submitted		\$ 267,358.04

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

PUBLIC COMMENT:

Jose Funke, resident, reported that the owner of Alpine Meadows will be adding additional security across the trailer park and that the owner will be purchasing Rick Seders trailer park on railway. The new name will be Willow Springs Trailer Court. Funke added that there will be zero tolerance for illegal activities.

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.

Mayor Purcell extended a “Happy New Year and Welcome to 2023” to the community. He voiced the City’s goals for 2023 include updating the Personnel Policy Handbook, conducting a Community Needs Survey, and working with Tina Toyne, Economic Development on different projects that also include housing. Additional goals are to work with Chief Babbín on outreach education for the community and how to move forward in establishing a K-9 unit, and working with code enforcement to resolve issues.

Mayor Purcell reported that Kym VanDyke, with Love’s Travel Stop, has requested to be on the agenda for January 17th, all liquor licenses were received by the deadline, and Business License and Pet Licenses are due by February 1st.

Personnel Policy/City Policy:

Mayor Purcell reported the City has the following job openings: Full-time positions – Police Officers and Maintenance Worker I and Part-time positions – Animal Control, Court Clerk I, and General laborer. All positions are open until filled.

Sewer & Water:

Massine reported the Water Treatment Plant is doing good and maintenance is being done at the Wastewater Treatment Plant.

Law Enforcement:

Streets & Alleys:

Hopes reported the City crew has finished with snow removal and they are now working on alley clean up.

Parks & Playgrounds:

Lehr reported he is working on the grant application for the South Park Project.

Hopes noted that he sees kids using the skate park.

Finance/Landfill:

Resolutions & Ordinances:

Sharpe reported a committee meeting was held to discuss water flowing on the streets and the parking of automobiles for sale.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

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

UNFINISHED BUSINESS:

NEW BUSINESS:

Lehr reviewed the Annual Financial Report (AFR) for Fiscal Year 2021-2022 and presented a ratio analysis of the financial health of the City. Massine motioned to approve the Annual Financial Report. Espinoza seconded. On a voice vote the motion was unanimously approved.

Hopes motioned to go forward with amending *Ordinance 6-1-9: Water Flowing Upon Streets* by adding that no wastewater can flow upon any streets with the exception of approval from the Public Works Director and the sump pump ordinance. Massine seconded. On a voice vote the motion was unanimously approved.

Massine motioned to strike *Ordinance 6-1-10: Parking of Automobiles for Sale on Public Thoroughfares*. Espinoza 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 reviewed the Investment Report for the Second Quarter of FY 2023.

Lehr reported he received an update on the American Rescue Plan Act (ARPA) Water Fund, known as Pot B, and it has been certified by the DNRC, but has not been approved yet. They will decide if the City is approved at their next meeting that is scheduled for January 19th.

Lehr reported the Fire Department did not receive the FEMA Grant for SCBA's so the City will apply for a Rural Development Grant and the City will look into a Coal Board grant for a new grader at the landfill.

Police:

Chief Babbin announced the City of Hardin Police Department has been up and running for a year.

Legal:

Economic Development:

Tina Toyne, Economic Development Director, provided a review of meetings she has attended that include: The Department of Environmental Quality, the Montana Brownfield Program, Beartooth RC&D, 17H & 1 School District, the Coal Commitment Coalition, and community wide leaders and business leader to discuss needs and how to move forward.

RESOLUTIONS & ORDINANCES:

Ordinance NO. 2022-13: Second Reading - Amending Hardin City Code Repealing Certain Sections. Sharpe motioned to approve the second reading of the ordinance. Massine seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2022-14: Second Reading - Change of Classification Due to Type, User Volume, and Degree of Usage. Sharpe motioned to approve the second reading of the ordinance. Hope seconded. On a voice vote the motion was unanimously approved.

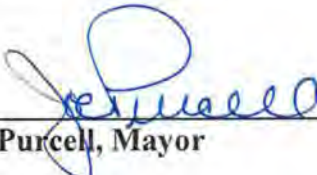
Mayor Purcell announced the ordinances will go into effect thirty days from the second readings.

ANNOUNCEMENTS:

Mayor Purcell announced City Offices will be closed on Monday, January 16, 2023 for Martin Luther Day, Christmas Tree pick-up is scheduled for January 3rd to January 6th; and the Community Watch Meeting is scheduled for Monday, January 23, 2023 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 and Maintenance Worker I and part time positions for Animal Control, Court Clerk I, and General Laborer. All positions are open until filled.

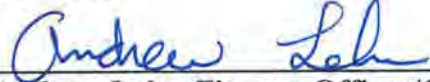
Hopes motioned to adjourn the meeting at 7:00 p.m. Greer seconded. On a voice vote the motion was unanimously approved.



Joe Purcell, Mayor



ATTEST:



Andrew Lehr, Finance Officer/City Clerk

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

COUNCIL MEETING: The Regular Council Meeting for January 17, 2023 was called to order at 6:34 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Clayton Greer, Chris Sharpe, Rock Massine, and Jeremy Krebs. Antonio Espinoza was excused. Steve Hopes entered the meeting at 6:45 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 Babbins, 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 3, 2023. Motion seconded by Krebs. On a voice vote the motion was unanimously approved. Sharpe motioned to approve the Committee minutes as written for January 3, 2023. Greer seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for January 17, 2023.

	CLAIM No.		Monthly Total
December, 2022	29284 - 29301, 29304 - 29312	\$	46,268.77
January, 2023	29302 - 29303, 29313	\$	3,067.04
TOTAL Submitted		\$	49,335.81

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

PUBLIC COMMENT:

Cory Kenney, local business owner, voiced that he would like to see fireworks allowed not only on the Fourth of July, but during New Year’s Day, maybe a combination of December 31st to January 1st. He added that he doesn’t want to see people getting tickets for celebrating.

MAYOR:

Mayor Purcell announced he will be in Helena Thursday, January 19th and Friday, January 20th for the Montana Municipal Interlocal Authority (MMIA) and Montana League of Cities and Towns board meetings. He added that he will also be attending a meet and greet with Montana Legislators to discuss issues that are affecting municipalities.

Personnel Policy/City Policy:

Mayor Purcell reported the City has the following job openings: Full-time positions – Police Officers and Maintenance Worker I and Part-time positions – Animal Control, Court Clerk I, and General laborer. All positions are open until filled.

Sewer & Water:

Massine reported the Water Treatment Plant is doing good and Dax Simek, with Stahly Engineering, will provide a report on the Wastewater Treatment Plant upgrades.

**Law Enforcement:
Streets & Alleys:**

Parks & Playgrounds:

Krebs reported the Land Water Conservation Fund (LWCF) application for the South Park Project will be submitted after an estimate for the equipment is received.

Finance/Landfill:

Greer voiced that he would like to donate to the Mason Moore Foundation. Mayor Purcell noted more information will be gathered for the next meeting.

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

Mayor Purcell reported that the recommendation from the City-County Planning Board (CCPB) to approve the Love's Preliminary Plat application was tabled at the December 20th meeting due to some concerns. Kym VanDyke, with Love's Travel Stop, provided Council with a new map site layout plan for RV's to exit onto Kokomo Road. Mayor Purcell noted that all the concerns that were discussed at the Meeting of December 20th, have been addressed. Knudsen referenced page number 9 of the Love's RV Campground Preliminary Plan – Staff Report from Forrest J. Mandeville, AICP – Planning Consultant for the City-County Planning Board. (Steven Hopes entered) Knudsen noted the Preliminary Plat complies with subdivision regulations. Krebs asked if there was a limit on how long an RV could be parked there. VanDyke noted there are rules and regulations within the parks nationwide and that they are as strict or stricter as KOA campgrounds. Derrick, manager of the local Hanser's Hardin, voiced there is a lot of traffic going in and out of Love's now and how he is concerned with the ability to get wreckers in and out of the parking lot, also the fire department, police department and EMS. VanDyke voiced that Love's had in the past submitted a request to MTDOT for a turning lane, but was denied. He added that their road is no different than in front of Taco Bell and Flying J and that they want to be treated the same as any street in the town. Laurie Tschetter, local business owner, voiced they meet all the specifications to come in; but she doesn't think they are a good fit; there are already two rv parks here that have supported the community for years; and that it is such a close proximity to the interstate. Kenney voiced that Love's has done a great job and that we need to let businesses into town; we need it in this town; it is overdue. Greer motioned to approve the preliminary plan with the update as presented. Sharpe seconded. On a voice vote the motion was unanimously approved.

Greer motioned to approve the recommendation from the City-County Planning Board to approve the Love's Conditional Use application. Krebs seconded. On a voice vote the motion was unanimously approved.

NEW BUSINESS:

Dax Simek, with Stahly Engineering, provided an update on Phases II and III of the Wastewater Treatment Plant Project.

Greer reported the City-County Planning Board recommends the approval, with conditions, of the annexation requested by Dan Kern, for .6 acres property to be annexed into the City of Hardin. Kern voiced that he would allow an easement. Krebs motioned to approve the recommendation as put forward by the CCPB. Massine seconded. On a voice vote the motion was unanimously.

Mayor Purcell reported that Lodge Grass applied for ARPA funding, but are not in a place to manage the funds. The Town of Lodge Grass has asked the City of Hardin to manage or administer the ARPA grant on their behalf. Knudsen noted there would be a lot of legal and financial research that would need to be done and the City would be assuming liability for the project. Knudsen asked if he should move forward with the research. Krebs asked what the benefit to the City of Hardin would be. Mayor Purcell noted there is no benefit, but it would help a neighboring community complete a project. Sharpe motioned to decline helping. Massine seconded. On a voice note the motion was unanimously approved. Hopes voiced the City can help in other ways. Mayor Purcell noted that Lehr has been providing some guidance and they can be given resources and contact information to get them back on track.

STAFF REPORTS:

Public Works:

Hurff reported the Landfill Loader will be completed around January 23rd, it will be shipped to Alabama for additional equipment, and then will be shipped back to Billings, MT for a final inspection. Hurff reported he does not have an update on the garbage truck.

Finance:

Lehr reported there is a resolution to approve the submission of a USDA RD grant for self-contained breathing apparatuses (SCBA) equipment for the Hardin Volunteer Fire Department. He reported the current equipment is past certification.

Police:

Chief Babbin provided some information about an incident at the Hardin Skate Park. He voiced that City Parks close at Sunset.

Legal:

Economic Development:

RESOLUTIONS & ORDINANCES:

Resolution NO. 2317: Authorizing Submission of an Application of a USDA Rural Development Community Facilities Grant for Specific Fire Fighting Equipment. Massine motioned to approve the resolution. Hopes seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2318: Approving a Petition to Annex Certain Lands to the City of Hardin, MT: Krebs motioned to approve the petition. Greer seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2023-01: To Remove the Prohibition of Parking Automobiles for Sale on a Public Thoroughfare. Sharpe motioned to approve the first reading of the ordinance. Hopes seconded. On a voice vote the motion was unanimously approved.

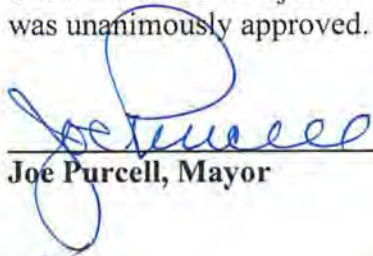
Ordinance NO. 2023-02: Regarding Water Flowing Upon Streets. Krebs motioned to approve the first reading of the ordinance. Hopes seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

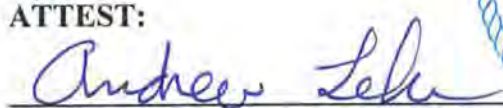
Mayor Purcell announced The Community Watch Meeting is scheduled for Monday, January 23, 2023 at 6:30 p.m. and will be held in Council Chambers.

Mayor Purcell announced the following job openings: Full time positions for Police Officers 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 7:45 p.m. Massine seconded. On a voice vote the motion was unanimously approved.


Joe Purcell, Mayor

ATTEST:


Andrew Lehr, Finance Officer/City Clerk



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

COUNCIL MEETING: The Regular Council Meeting for February 7, 2023 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 Babbins, Jr.

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

MINUTES OF THE PREVIOUS MEETINGS & CLAIMS: Sharpe made the motion to approve the Council minutes as written for January 17, 2023. Motion seconded by Hopes. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for February 7, 2023.

	CLAIM No.	Monthly Total
December, 2022	29324, 29326 - 29327 29353, 29382	\$ 39,572.72
January, 2023	29314 - 29323, 29325, 29328 29351, 29352, 29355 - 29373 29375 - 29381, 29383 - 29399	\$ 70,179.87
February, 2023	29329 - 29350, 29400 - 29402	\$ 4,777.47
Claims Total (Expenditures)		\$ 114,530.06
January, 2022 Payroll		\$ 208,990.86
TOTAL Submitted		\$ 323,520.92

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

PUBLIC COMMENT:

Jose Funke, resident, voiced that he is concerned about the roads by Maverick, Rangeview Drive, and Bonanza Court. He noted that he has submitted complaints about the thick ice and the roads have been bladed, but they don't pick it up. Hopes noted the blade that is used on ice is only designed to cut it and put grooves in it.

MAYOR:

Mayor Purcell noted the Montana Leagues of Cities and Towns meetings went well and he will be meeting with Tina Toyne, Economic Director, to look at HUD programs.

Personnel Policy/City Policy:

Mayor Purcell reported the animal control position is pending and will be under the Police Department with varying hours; a new police officer was hired; and offers have been extended to two rookie applicants. The City has the following job openings: Full-time positions – Police Officers and Maintenance Worker I and Part-time positions – Animal Control, Court Clerk I, and General laborer. All positions are open until filled.

Sewer & Water:

Law Enforcement:

Streets & Alleys:

Hurff reported the City Crew has been using the ice-teeth to blade and the hotsoy to open up drains.

Parks & Playgrounds:

Krebs reported passing Resolution NO. 2319 would authorize the submission of the application to the Land Water Conservation Fund (LWCF) for the South Park Project.

Finance/Landfill:

Resolutions & Ordinances:

Sharpe reported the committee provided Knudsen with direction to draft an ordinance for landfill late fees.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

NEW BUSINESS:

Greer motioned to approve Amendment NO. 26 with Barry Damschen Consulting, LLC. Hopes seconded. On a voice vote the motion was unanimously.

Hurff reported he received a quote for Kois Brothers, in the amount of \$6,542.24, to replace the hydraulic cylinder in the Peterbilt garbage truck. Hurff noted that the replacement cylinder will allow the City to fix the current one to have an extra on hand. Massine motioned to approve the quote. Espinoza seconded. On a voice vote the motioned was unanimously approved.

Lehr reviewed the Cash Pledge Report. Massine motioned to approve the report. Espinoza seconded. On a voice vote the motion was unanimously approved.

Krebs motioned to approve the submission of the Request for Records disposal form RM88. Hopes seconded. On a voice vote the motion was unanimously approved.

Krebs motioned to approve the submission of the request for Records disposal form RM60. Espinoza seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported a quote was received in the amount of \$67,269.82 from Duval Ford for an equipped K-9 Police Vehicle. It was noted the City was awarded a grant from the Coal Board for a K-9 Vehicle. Hopes motioned to approve the quote. Greer seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff noted Barry Damschen, Landfill Engineer, looked at the proposed canister site at the Landfill. Damschen will provide an estimate around April.

Hurff reported the City Crew has been blading snow, sanding, and using the hotsoy to clear drains; the thermal imaging repairs have been completed; the new garbage truck is expected to be on the assembly line in March; and there has been a lot of graffiti in the parks and on street signs around town.

Krebs asked if there was any information about the academy parking lot. Mayor Purcell noted that he will follow up with Joe Connelly about the details.

Finance:

Espinoza motioned to approve the Investment Report. Greer seconded. On a voice vote the motion was unanimously approved.

Hopes motioned to approve the Quarterly Report. Espinoza seconded. On a voice vote the motion was unanimously approved.

Lehr reported he will be submitting the Rural Development Grant for SCBA's for the fire department tomorrow; Montana Municipal Interlocal Authority is requiring cities and towns to amend personnel policies related to the marijuana bill, a draft will be presented to Council for approval; the application for the South Park Project will be submitted upon approval of Resolution NO. 2319; the Montana Allocation grant information for Water and Waste Water Treatment Plant projects have not been posted as of today; and only one bid was received for the Audit Request for Proposals, there will be another bid process.

Police:

Mayor Purcell extended a "Thank You" to Chief Babbin for providing the 2022 Police Department Report. Chief Babbin voiced the report is of everything the department has accomplished this past year. Chief Babbin reported a new officer started today; the K-9 vehicle is in Livingston and it should be easy to find a dog; and a solar speed limit sign has been ordered to replace the battery operated one by the Dollar Tree.

Legal:

Economic Development:

Tina Toyne, Economic Development Director, provided a report of trainings and conferences she has attended and will be attending in the future. She has been working on a grant for the County; she noted there is a grant available for women owned businesses; and she is now a board member on the South East Tourism Board. Toyne noted that she is waiting to hear about the Main Street Grant on Wayfinding.

RESOLUTIONS & ORDINANCES:

Resolution NO. 2319: Authorizing Application for Land & Water Conservation Fund Assistance. Krebs motioned to approve the petition. Greer seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2023-01: Second Reading - To Remove the Prohibition of Parking Automobiles for Sale on a Public Thoroughfare. Greer motioned to approve the second reading of the ordinance. Hopes seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2023-02: Second Reading - Regarding Water Flowing Upon Streets. Greer motioned to approve the second reading of the ordinance. Hopes seconded. On a voice vote the motion was unanimously approved.

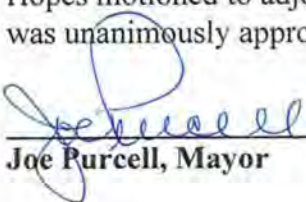
Mayor Purcell voiced the Ordinances will become law thirty days from the second reading.

ANNOUNCEMENTS:

Mayor Purcell announced the City-County Planning Board has scheduled a Public Hearing for 7:00 p.m. Monday, February 13, 2023 in Council Chambers for Town and Country Supply Zone Change; City offices will be closed Monday, February 20th for Presidents Day; and the date and time for the next Community Watch meeting will be noticed when the date and time have been determined.

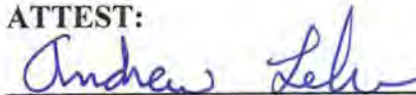
Mayor Purcell announced the following job openings: Full time positions for Police Officers, Court Clerk I, and Maintenance Worker I and part time positions for Animal Control and General Laborer. All positions are open until filled.

Hopes motioned to adjourn the meeting at 7:30 p.m. Greer seconded. On a voice vote the motion was unanimously approved.



Joe Purcell, Mayor

ATTEST:



Andrew Lehr, Finance Officer/City Clerk



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

COUNCIL MEETING: The Regular Council Meeting for February 21, 2023 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 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 February 7, 2023. Motion seconded by Espinoza. On a voice vote the motion was unanimously approved. Sharpe motioned to approve the committee minutes as written for February 7, 2023. Greer seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for February 21, 2023.

	CLAIM No.	Monthly Total
November, 2022	29404, 29407	\$ 2,867.20
December, 2022	29405, 29408	\$ 1,261.50
January, 2023	29403, 29406, 29409 29414, 29421 - 29422, 29424	\$ 20,118.29
February, 2023	29410 - 29413, 29415 - 29420 29423, 29425 - 29430	\$ <u>282,242.26</u>
TOTAL Submitted		\$ 306,489.25

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

PUBLIC COMMENT:

Tyler Chavez, resident, voiced that he is not in favor of the zone change request submitted for Town and Country. Chavez added that no one from Town and Country showed up at the City-County Planning Board hearing, it would make it more congested around the residents, and as a resident on the block, he and other residents are not for it. Bill Joseph, resident, voiced that he lives behind Town and Country and he also opposes it. He noted that his property value will most likely go down and it is a no-win situation it seems like for him.

MAYOR:

Mayor Purcell reported that he received a request, second proposal, from Mayor Dabney of Lodge Grass regarding managing ARPA funds on their behalf. He and Knudsen will review the proposal and it will be brought back to Council to address further.

Mayor Purcell reported the Chamber of Commerce applied for and was awarded an Eastern Initiative Tourism Grant for infrastructure and improvements of the Depot.

Personnel Policy/City Policy:

Mayor Purcell reported the City has the following job openings: Full-time positions – Police Officers, Maintenance Worker I, Court Clerk I and Part-time positions – Animal Control and General laborer. All positions are open until filled.

Sewer & Water:

Massine reported the VFD module at the Water Treatment Plant is being repaired, the fiberglass housing at the 6th Street lift station has a little leak, and the aerators are up and going at the Waste Water Treatment Plant.

Law Enforcement:

Streets & Alleys:

Hopes reported the City Crew has been busy opening up drains and cleaning streets.

Parks & Playgrounds:

Lehr reported he was notified the City can apply for and submit the application for the Land Water Conservation Fund (LWCF) for the South Park Project in Fiscal Year 2023. The application cycle for 2022 has closed.

Finance/Landfill:

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell announced a Resource Partners for Business Event is scheduled for March 29th at 9:00 a.m. at the Big Horn County Courthouse.

UNFINISHED BUSINESS: N/A

NEW BUSINESS:

Mayor Purcell reported the City received a letter of recommendation from the City-County Planning Board (CCPB) to deny the Zone Change Request Application that was submitted by Town and Country Supply Association. Greer noted the CCPB recommended denial for several reasons. Greer referenced Resolution 1992 that prohibits the City from authorizing the establishment of an alternative system for the public supply of water and noted the location is adjacent to and surrounded by residential zoning. Greer motioned to deny the application. Espinoza seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell noted Lehr submitted a letter outlining reasons why the City should not implement a late fee on landfill charge accounts. There were suggestions to have them pay at the time or in advance. Mayor Purcell voiced it can be managed internally by finance and utility billing. Knudsen referenced City Code 8-1-21; giving authority to manage fees.

Lehr reported Montana Municipal Interlocal Authority (MMIA), has requested a policy update regarding the passage of the bill in the legislature concerning marijuana. The update is necessary to renew the Employment Practices Coverage for the City. Department of Transportation drivers are the only people that can be tested for marijuana. Knudsen noted that since marijuana is legal in Montana, it is to be treated like alcohol. Now that it is legal, it cannot be held against someone unless they are under the influence. Lehr noted the proposed changes have been reviewed by MMIA. Massine motioned to approve the changes. Hopes seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reviewed costs for the repairs at the 6th Street Lift Station, the loader is in the process of being built, and the computer in the compactor was repaired last week.

Hurff reported an additional \$8,500 was requested by Autocar for the purchase of the garbage truck, reasons provided to Hurff were the increase in metal and labor costs.

There was discussion about the increase and legal ramifications of opposing or not paying the additional amount. Hopes motioned to approve the additional payment of \$8,500 for the garbage truck. Espinoza seconded. On a voice vote the motion was unanimously passed.

Hurff reported the signs for the skate park will be ordered soon, classes to receive a certified sprayers license are scheduled for March, stop signs have been fixed, a hole in the sidewalk on 4th street has been repaired, and the hotshot is up and running.

Finance:

Lehr reported on the Rural Development Grant application that was submitted for SCBA's for the Fire Department. He learned there is only \$200,000 for the State of Montana to allocate for equipment through the RD Grant. He added he is looking to supplement the RD grant application with a coal board grant application.

Lehr reported there is one new police candidate that is currently going through the process, a letter was received notifying the City will receive \$100,464.01 in BaRSAA (Bridge and Road Safety and Accountability Act) funds for 2023, the State Revolving Fund (SRF), Series B, that was used for Phase I of the Waste Water Treatment Plant Project has \$48,726 remaining and Series A of the fund will be forgiven when the SRF fund is fully drawn, and the City requested an extension on the awarded amount from the Coal Board for the Waste Water Treatment Plant Project.

Lehr reviewed funds received from the Tax increment District and the payment amount that is expected be made to the TIFD bond. Lehr reported the City will be getting a letter of award for the funds that will be received from the Montana minimum allocation.

Police:

Chief Babbin reported Officer Josie Passes started the School Resource Officer position yesterday, calls have been coming in, and the K-9 vehicle is expected within two months.

Chief Babbin voiced that he is being considered for another position in the North East. He noted that he has not given the Mayor his notice yet.

Legal:

Knudsen reported there was a meeting with the new manager at Rocky Mountain Power to discuss the landfill account for ash disposal. He noted the City is negotiating with them to get them caught up and tonnage and monthly rates will be a part of the negotiations.

Economic Development:

Tina Toyne, Economic Development Director, provided information about the Resource for Partners Business event that is scheduled for March 29th at 9:00 a.m. at the Big Horn County Courthouse.

RESOLUTIONS & ORDINANCES:

Resolution NO. 2320: Amending the Landfill Fee Schedule. Geer motioned to deny the resolution. Sharpe seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell announced the following employee anniversaries – Trevor Lutt, 11 years and Drew Lehr, 3 years; The City has published Public Notices regarding items placed in the City sewer system and Depositing of Snow and Ice Restricted, Request for Proposals for Audit Services are due by Friday, March 17th at 4:00 p.m., and the date and time for the next Community Watch meeting will be noticed when they have been determined.

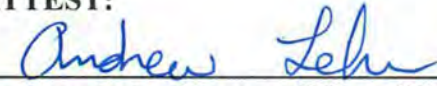
Mayor Purcell announced the following job openings: Full time positions for Police Officers, Court Clerk I, and Maintenance Worker I and part time positions for Animal Control and General Laborer. All positions are open until filled.

Hopes motioned to adjourn the meeting at 7:12 p.m. Greer seconded. On a voice vote the motion was unanimously approved.



Joe Purcell, Mayor

ATTEST:



Andrew Lehr, Finance Officer/City Clerk



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

COUNCIL MEETING: The Regular Council Meeting for March 7, 2023 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 Babbins, 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 February 21, 2023. Motion seconded by Greer. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for March 7, 2023.

	CLAIM No.	Monthly Total
December, 2022	29471	\$ 301.00
January, 2023	29486	\$ 4,305.74
February, 2023	29455, 29457 - 29470 29472 - 29485, 29487 - 29490 29492, 29495 - 29498	\$ 45,302.18
March, 2023	29374, 29431 - 29454 29456, 29491, 29493- 29494 29499	<u>\$ 550,240.17</u>
Claims Total (Expenditures)		\$ 600,149.09
February, 2023 Payroll		<u>\$ 203,277.40</u>
TOTAL Submitted		\$ 803,426.49

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

PUBLIC COMMENT: N/A

MAYOR:

Mayor Purcell reported the City Court Judge term ends June 30, 2023. The position will be advertised.

Personnel Policy/City Policy:

Mayor Purcell reported the Personnel Policy Handbook is currently being reviewed.

The City has the following job openings: Full-time positions – Police Officers, Maintenance Worker I, Court Clerk I and Part-time positions – Animal Control and General laborer. All positions are open until filled.

Sewer & Water:

Massine reported the Water Treatment Plant is doing good and the force main at the 6th Street Lift Station has been repaired.

Law Enforcement:

Espinoza reported the County reached out to him today wanting to set up a meeting with the County Commissioners, City Council, the Sheriff, and City Police Department. He noted he was told they will give him a letter to forward. They want to discuss issues between the departments and want to work together.

Streets & Alleys:

Hopes reported the City Crew has been out taking care of snow and ice, putting down sand, and working to open drains.

Parks & Playgrounds:

Krebs reported Hurff and two other employees will be taking the spraying license exam next week to become certified to spray the parks.

Krebs asked when the City could submit the application for the Land Water Conservation Fund (LWCF) for the South Park Project. Lehr reported he will continue to check back with the state for information of when the 2023 grant process will open.

Finance/Landfill:

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell reported an update on the 2023 Legislative Session is included in the packet.

UNFINISHED BUSINESS:

Krebs asked if there was any information about the parking at the swimming Pool. Mayor Purcell provided Council with a letter written to him from Joe Connelly, City Building Official, regarding the Academy Parking. Mayor Purcell reported that Knudsen has reviewed the code and the assessment in the letter that include the location of parking throughout the High School campus and what meets requirements and what doesn't. Krebs asked about the amount of vehicles that would be in the parking lot when there is a swim meet during class time and if that would matter. Knudsen noted that there is nothing in City Code about that and that they are within City Code. Greer questioned why they requested a variance to begin with and it was not clear. Sharpe voiced the City denied the variance. Krebs questioned that if it is in City Code and they are in compliance, then we cannot enforce them to. Massine suggested to have a committee meeting to address parking codes. Mayor Purcell noted there has always been an issue with event parking. Sharpe reported a committee meeting will be scheduled for April 4, 2023.

NEW BUSINESS:

Mayor Quincy Dabney, Town of Lodge Grass, reported that the town is currently on a no pay list from the Department of Administration for the competitive Pot C money they were awarded from ARPA (American Rescue Plan) funding. The funds are to be used for Phase II construction of the Lodge Grass Wastewater Treatment Facility. He added Lehr has been working with them to get their financials and 2019 audit draft ready to submit to the state so they can be removed from the no pay list. Mayor Dabney noted they have a timeline to meet. He reviewed the proposal. Mayor Dabney will work with the attorney for Lodge Grass and forward a draft contract to Knudsen. Mayor Dabney extended a "Thank You" to Council for considering the proposal.

Greer motioned to approve the renewal of the Service contract for 911 INET LLC in the amount of \$55,000. Hopes seconded. On a voice vote the motion was unanimously approved.

Greer motioned to approve the renewal for 10-8 Systems/CAD System in the amount of \$15,500. Massine seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported Century Link sent the City a bill for a fiber line that was cut when work was being done on a ditch. The negotiated amount is \$7,519.78. Hopes motioned to approve amount to be paid to Century Link. Massine seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Finance:

Lehr reviewed the Closure/Post Closure Estimate for the Landfill. Damschen recalculated the estimate to include the ash cell expansion and it provided an additional eighteen years.

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

Lehr reported the Chamber of Commerce received an Eastern Initiative Tourism Grant, in the amount of \$45,000 for infrastructure and improvements of the Depot; the City received the third draw from the Coal Board grant for Phase II of the Wastewater Treatment Plant Project; the City received \$33,333 from the Montana Street Wayfinding Planning Grant and the City match is \$16,667; the new City website is in the final stages and hopefully will be up by the next Council meeting; the City received an award letter for the Montana Minimum Allocation Grant (ARPA funds); Stahly Engineering will be providing a Preliminary Engineering Report for Phase II (a combination of Phases II and III) of the Wastewater Treatment Plant Project; and Montana House Bill 76 would allow BaRSAA (Bridge and Road Safety and Accountability Act) funds to be distributed to municipalities without them having to be requested by Resolution.

Police:

Chief Babbin reviewed calls for service and noted the amount of calls have drastically increased. He noted the parking at the High School has improved; he has asked the school to help with parking procedures.

Carole Fox voiced trucks unload downtown and park in the road at 3rd and Center; you can't see around them and it is dangerous. Chief Babbin noted it has been an issue and they have received other complaints.

Legal:

Knudsen reported the City has a contract with WIPFLI to audit from July 2020 to June 2021. He added they are delinquent, they have been notified of the breach of contract and that they have twenty days to comply or they will be in default and will have to give the money back.

Lehr reported the current Request for Proposals for Audit Services is due March 17, 2023 by 4:00 p.m.

Economic Development:

Tina Toyne, Economic Development Director, provided information about the Resource for Partners Business event that is scheduled for March 29th at 9:00 a.m. at the Big Horn County Courthouse.

Toyne provided an overview of the conferences, meetings, and trainings she has attended and information about current projects that include housing, infrastructure, economic development, and grants.

RESOLUTIONS & ORDINANCES:

ANNOUNCEMENTS:

The City-County Planning Board has a Public Hearing for a Zone Change Request scheduled for Monday, March 13th at 7:00 p.m. in Council Chambers; Request for Proposals for Audit Services are due by Friday, March 17th at 4:00 p.m.; Resource Partners for Business Event is scheduled for Wednesday, March 29th at the Big horn County Courthouse from 9:00 a.m. – 4:00 p.m.; the City has published Public Notices regarding items placed in the City sewer system and Depositing of Snow and Ice Restricted, Weed Mowing Bids will be advertised soon and will be due by 2:00 p.m.

on March 29th; and the date and time for the next Community Watch meeting will be noticed when they have been determined.

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

Massine asked if there would be discussion of fees for ash from the power plant. Knudsen reported the City is waiting for them to send a proposal.

Greer motioned to adjourn the meeting at 8:43 p.m. Massine seconded. On a voice vote the motion was unanimously approved.



Joe Purcell, Mayor

ATTEST:



Andrew Lehr, Finance Officer/City Clerk



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

COUNCIL MEETING: The Regular Council Meeting for March 21, 2023 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, 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 March 7, 2023. Motion seconded by Hopes. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for March 21, 2023.

	CLAIM No.		Monthly Total
January, 2023	29531	\$	189.99
February, 2023	29500 - 29517, 29520, 29525 - 29526	\$	62,293.27
March, 2023	29518 - 29519, 29521 - 29524, 29527 - 29530, 29532	\$	76,436.48
TOTAL Submitted		\$	138,919.74

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

PUBLIC COMMENT:

Jose Funke, resident, expressed his concerns about the Big Horn County Sherriff's Department.

Corrina Kirschenmann-Kuntz voiced her concerns regarding the construction for the alternative school by the swimming pool.

MAYOR:

Mayor Purcell reported the 2022 Drinking Water Quality Report is posted on the City website.

Mayor Purcell noted that candidate filing opens in April and closes in June. Antonio Espinoza, Jeremy Krebs, and Chris Sharpe are up for re-election.

Personnel Policy/City Policy:

Mayor Purcell reported the City has filled the part-time Animal Control position.

The City has the following job openings: Full-time positions – Police Officers, Maintenance Worker I, and Court Clerk I.

Sewer & Water:

Massine reported Hurff received a quote for around \$34,000 for a grinder unit for the Wastewater Treatment Plant; In Control submitted a proposal for automated cyber security at the Water Treatment Plant; and the report of the 2022 Drinking Water Quality reports the water is safe and meets Federal and State regulations.

Law Enforcement:

Mayor Purcell reported he has been communicating with County Commissioner Larry Vandersloot on agenda items for a meeting regarding law enforcement.

Streets & Alleys:

Hopes reported the City Crew has been working on drains and sanding streets. He added it is difficult to fill pot holes between the freezing and thawing temperatures. Krebs voiced the pot holes are bad all over and they need to be made priority.

Parks & Playgrounds:

Krebs asked Hurff about the certified sprayers license class. Hurff reported he is looking to take the second part of the test in a few weeks.

Finance/Landfill:

Resolutions & Ordinances:

Sharpe reported a committee meeting will be scheduled for April 4th to discuss parking/zoning.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

NEW BUSINESS:

Mayor Purcell reported the City received a recommendation from the City-County Planning Board to approve a zone change request submitted by Flocelo Ramirez and Benedictina Venegas. The Staff Report noted the request was to change the zoning from R2 to C2, but it was indicated that C1 is a better fit for the proposed use of a greenhouse. Ramirez and Venegas were present. Krebs voiced there is a lot of support from neighboring businesses and Ramirez has a reputable business. Krebs motioned to approve the request to change the zoning from R2 to C1. Hopes seconded. On a voice vote the motion was unanimously approved.

Lehr reported the second time the City advertised for a Request for Proposal (RFP) for Audit Services that Wipfli, LLP, the current auditor, was the only bid received. Lehr noted the City recently advertised again for a RFP for Audit Services and Denning, Downey & Associates, P.C. submitted the only proposal. The proposal is to audit fiscal years 2021-2022 and 2022-2023 and to have the reports to the City before the end of this year. Denning & Downey would then audit 2023-2024 the following year. Hopes motioned to approve the proposal from Denning, Downey & Associates. Greer seconded. On a voice vote the motion was unanimously approved.

Lehr requested approval to set up a new accounting fund for the Eastern Montana Tourism Grant funds that were received for the Chamber of Commerce. Hopes motioned to approve the request. Espinoza seconded. On a voice vote the motion was unanimously approved.

Chief Babbitt reported the City received a grant to purchase RTS Ballistic Shields in the amount of \$6,389.93 and asked for approval. Lehr noted this grant was part of the same Rural Development grant that the City has been drawing from. Hopes motioned to approve the request. Espinoza seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported Knudsen has reviewed the EJCDC contracts from Stahly Engineering. The first EJCDC contract is for the reconstruction of: 1st Street West from North Lewis Ave. to North Terry Ave.; North Lewis Ave. from 1st Street West to 3rd Street West; and North Terry Ave. from 1st Street West to 3rd Street West, with the total length of approximately 2,600 lineal feet. Hopes motioned to approve the contract. Massine seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported the second EJCDC contract with Stahly Engineering is to prepare plans and specifications for the following: Replacement of the water main in 1st Street from North Lewis Ave. to North Terry Ave.; Installation of water and sewer mains in Watson Street; Replace a sewer manhole in 6th Street; Preparation of a Water Preliminary Engineering Report; and Administration of the ARPA Grant. Massine motioned to approve the contract. Hopes seconded. Robie Culver, Grant Administrator of Stahly Engineering, noted there is about \$5,000 budgeted in the ARPA funds to help with the audit bill. Dax Simek, Project Manager of Stahly Engineering, noted that the plan is to bundle the many projects and bid them all at once. On a voice vote the motion was unanimously approved.

Mayor Purcell reported seats, that were not needed, were removed from the new Ford Explorer police vehicles and the department is requesting to put the four sets of seats up for public auction. Massine motioned to approve the request. Hopes seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reviewed the projects that are listed in the EJCDC contracts with Stahly Engineering. He asked Council to please stop by to see him if they have any comments, concerns, or ideas regarding the projects and he will forward the information to Stahly.

Hurff reported there are not any current updates on the garbage truck; the landfill loader is in the process of getting the waste handlers package installed; the City will be working to fill the smaller pot holes and are looking to cutting out large sections of where the holes are and replace those sections.

Finance:

Lehr reported the Fiscal Year 2021 draft Audit is not yet finalized. Currently Wipfli is waiting for a response from the Two Rivers Authority to provide their comments and corrective action plan. Lehr added that the draft audit looks good.

Lehr noted that he has turned in the forms to the state for the Fire Department; he reported the City received a distribution of \$876,976.35. from the Montana State Entitlement Fund; the annual Insurance information has been submitted to Montana Municipal Interlocal Authority; the website for the Land and Water Conservation Fund Grant has not been updated with the new application periods; and the final draft audit will be presented at the next meeting.

Police:

Chief Babbin reviewed calls for service and noted the department is extremely busy. He noted a proposed bill that would require Big Horn County dispatch to relay all 911 calls to the City has passed the House and the Senate. It is now before Governor Greg Gianforte. Mayor Purcell noted that the bill forces entities with Public Safety Answering Point (PSAP) to notify all law enforcement in the area.

Chief Babbin announced that Shannon Pitsch has set up "Coffee with Cops". She is currently working on getting approval through the state. Tentatively it is scheduled for April 22nd from 8:00 a.m. to 10:00 a.m. at the Lariat Country Kitchen and April 27th at the Sargent Center on Center Avenue from 6:00 p.m. to 7:00 p.m. Once approved, it will be publicized.

Chief Babbin reported that calls have gone down at the high school since there has been a School Resource Officer (SRO) present.

Kirschenmann-Kuntz asked about getting more magnets with the City Police Department emergency number on it. It was noted it would be good to get them out again and for the SRO to also hand them out.

Legal:

Economic Development:

Tina Toyne, Economic Development Director, provided information about the Resource for Partners Business event that is scheduled for March 29th at 9:00 a.m. at the Big Horn County Courthouse.

RESOLUTIONS & ORDINANCES:

ANNOUNCEMENTS:

Mayor Purcell announced the following employee anniversaries for March: Tony Abril, 4 years; Merle Johns, 6 years; Ross Miller, 4 years; and Michael Stimpson, 25 years; the Resource Partners for Business Event is scheduled for Wednesday, March 29th at the Big Horn County Courthouse from 9:00 a.m. – 4:00 p.m.; Weed Mowing Bids are due by 2:00 p.m. on March 29th; Alley Clean-Up is scheduled for April 3rd – April 7th; a Resolutions or Ordinances Committee Meeting will be scheduled for April 4th to discuss zoning and parking codes; Letters of Interest to serve on the Police Commission will be advertised soon and will be due April 20th. There is not a Community Watch meeting scheduled at this time.

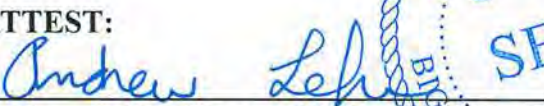
Mayor Purcell announced the following job openings: Full time positions for Police Officers, Court Clerk I, Maintenance Worker I, and advertisement will be done for the City Court Judge position.

Hopes motioned to adjourn the meeting at 7:27 p.m. Greer seconded. On a voice vote the motion was unanimously approved.



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 4, 2023 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., City Attorney Jordan Knudsen and Chief Donald Babbins, Jr.

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

MINUTES OF THE PREVIOUS MEETINGS & CLAIMS: Sharpe made the motion to approve the Council minutes as written for March 21, 2023. Motion seconded by Hopes. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for April 4, 2023.

	CLAIM No.		Monthly Total
March, 2023	29533 – 29547, 29573 - 29595	\$	59,827.62
April, 2023	29548 - 29572	\$	4,791.48
TOTAL Submitted		\$	64,619.10

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

PUBLIC COMMENT:

Big Horn County Sheriff Darrell King introduced himself and gave a breakdown of his past experiences and how he has the experience and knowledge to be a Sheriff. King stated that the Sheriff’s Office is buttoning down and taking care of current and unfinished business. King noted that he wants to mend fences and has started with federal agencies such as the FBI, US Marshalls Service, DEA, etc. King provided a quick run-down of the process that was used to arrive at his selection for undersheriff. It was noted that the Big Horn County Sheriff’s Office had a Montana Law Enforcement Academy Graduate on April 4th just like the City Police Department did. Mayor Purcell stated there has been a positive public reception of the current administration at the Sheriff’s Office. Espinoza asked King what he wanted to do to mend fences. King explained that all law enforcement agencies have the same goal and some have more specialized goals than others. He noted as a smaller local agency that they are a jack of all trades, master of none, but want relationships with the FBI, DEA, etc. to provide that specialty. Corey Kenney asked if there would be monthly meetings scheduled for the Sheriff’s Office and the Police Department to discuss any issues like there was in the past. King stated they have been discussing those meetings. Larry Vandersloot (County Commissioner) mentioned that he met with the Mayor and there is a tentative date of April 18th to begin having these meetings. There was discussion on what the name of the new location of the Sheriff’s Office in the Senior Center would be named. Vandersloot mentioned that the County was taking public comment on the name of the building.

Krebs left the meeting at 6:44 p.m.

MAYOR: N/A

Personnel Policy/City Policy:

Mayor Purcell reported the City has the following job openings: Full-time positions – Police Officers, Maintenance Worker I, and Court Clerk I and a Part-Time position for a City Court Judge.

Sewer & Water:

Massine mentioned there has been normal maintenance duties performed.

Law Enforcement:

Streets & Alleys:

Hopes noted the City crew has been busting up ice and 90% of it should be handled. This week the crew is doing alley clean up as noted in the Original Briefs and may go until next week with the amount in the alleys.

Parks & Playgrounds:

Hurff explained that One Health is putting playground equipment in Wilson Park this week and asked for water to pour cement. Hurff also noted that One Health would be willing to donate toward sod once the equipment is installed.

Finance/Landfill:

Resolutions & Ordinances:

Sharpe discussed the decision to have a letter of courtesy sent to business owners for loading and unloading. He also mentioned that meetings would be set up once a month to start going through zoning.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

Knudsen explained the interlocal agreement that was drafted by Lodge Grass and provided to the City. The agreement has several moving pieces. The City of Hardin would be standing in the shoes of Lodge Grass to administer the grant. This agreement has many obligations and states the obligations that Lodge Grass would be required to fulfill. Knudsen explained that the City would not be responsible for other obligations, matching, lawsuits. Mayor Quincy Dabney noted that he looked over the revised edition of the agreement and the Lodge Grass's counsel looked it over, everything seemed good. Lehr explained the proposed budget that was added to the packet. The total amount awarded was \$1.4 million, with 870,000 being for construction engineering, \$437,000 for equipment, \$19,250 for the City of Hardin's audit, \$100,000 for professional services provided by the City and \$11,734 of contingency. Sharpe asked if the audit in this was the amount of the audit that was just approved. Lehr noted the amount listed in the Lodge Grass budget was roughly 25% of the overall audit fee. Greer asked how the administrative fee was calculated. Mayor Purcell explained that it was just a flat fee for the services provided and risk assumed. Sharpe motioned to go forward with the contract. Greer seconded. On a voice vote the motion was unanimously approved.

The template DNRC grant agreement was included in the packet and hasn't been formally drafted, but needs approval to move forward. Mayor Purcell asked for a motion to approve this as attachment B. Hopes motioned to approve the request. Greer seconded. On a voice vote the motion was unanimously approved.

Mayor Quincy Dabney of Lodge Grass noted that he never thought partnering would be so difficult to get into compliance and that it has been a long journey. Dabney said that this is the first time in many years that the Town has been in compliance and he appreciates the help.

NEW BUSINESS:

Mayor Purcell reported one bid was received for the 2023 Weed Mowing Bids. The bid from Big Sky Lawn Care was reviewed. Greer motioned to approve the bid. Massine seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell explained that the Museum is asking for donations for a raffle or for funding to sponsor their upcoming event. The Museum Director will be at the next meeting and council can address the request at that time. No action taken.

Hurff explained that the radiant heat quote was for the City Shop where the majority of the mechanic work is performed. Hurff noted there was an option to replace the motor in the current heater for \$1,000 or the city could replace that heater for \$4,000 - \$5,000. Hurff also mentioned he could do more research on heating, but recommended tabling this item. There was more discussion on what type of heat is best. Hopes motioned to table the quote. Espinoza seconded. On a voice vote the motion was unanimously approved.

Knudsen reviewed the Farm to Market Agreement and proposed amendment to the 1986 agreement between Big Horn County and City of Hardin for asphaltting of certain roads. The 1986 agreement limits what funds can be used by Big Horn County to complete upgrades to these roads. No other changes were presented. Vandersloot stated that the County would like to make a few more adjustments to this agreement and would like to forward a proposal at a later time. Hopes motioned to table the amendment for further review and additional changes. Espinoza seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell explained that with the School Resource Officer position now in place, there was a need to add that position to the pay matrix to accommodate. Sharpe asked if this would continue to be funded by the school. Knudsen noted that the agreement with the school was for two years. Sharpe motioned to approve the pay matrix. Espinoza seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Finance:

Lehr explained the fiscal year 2021 audit is finalized and will be on the next agenda to be formally approved, the City received the first cannabis tax revenue in the amount of \$2,794.84, and the City received the 7th draw of the 2021 SRF Series B loan which leaves \$33,715 left to be drawn.

Police:

Chief Babbin stated that one officer has graduated from the academy and will begin Friday night. He reviewed Crime statistics for 2023. Chief Babbin mentioned that the officers have been busy with burglaries and gathering videos to build cases. Babbin also noted that the Animal Control Officer has started and will be a great asset to the City.

Legal:

Economic Development:

Toyne covered the City Growth Policy and how there was a section dedicated to the growth that One Health envisions. She mentioned that the Mayor, Lehr and herself reached out to determine what the next steps would be for them. There are two grants that are being prepared to assist One Health, one for CDBG Neighborhood Plan and a second CDBG grant for a preliminary engineering report. The Montana Main Street Wayfinding grant is progressing and it was determined what was needed for the startup conditions. Toyne also noted there were 11 participants at the Resource Partners for Business event that was held at the Big Horn County Courthouse.

RESOLUTIONS & ORDINANCES:

Espinoza asked if the chicken ordinance could be brought before the resolution and ordinance committee. Espinoza also mentioned that on April 22nd the Coffee with a Cop event will be held at the Lariat from 9-10 a.m. and 6-7 p.m. at the Sargent Center.

ANNOUNCEMENTS:

Mayor Purcell announced Alley Clean-Up is scheduled for this week from April 3rd – April 7th; the Hardin Community Blood Drive is scheduled for Thursday, April 14th from 1:45 p.m. to 6:00 p.m. at the First Alliance Church, and Letters of Interest to serve on the Police Commission are due by April 20th.

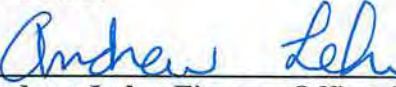
Mayor Purcell announced the following job openings: Full time positions for Police Officers, Court Clerk I, Maintenance Worker I, and a part time position for a City Court Judge.

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



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 4, 2023 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 (by virtual meeting), Rock Massine, and Antonio Espinoza. Jeremy Krebs was absent.

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 April 4, 2023. Motion seconded by Greer. On a voice vote the motion was unanimously approved. Greer made the motion to approve the Committee minutes as written or April 4, 2023. Motion seconded by Greer. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for April 18, 2023.

	CLAIM No.	Monthly Total
March, 2023	29596 - 29613, 29615 - 29618, 29620, 29622 - 29625	\$ 83,804.61
April, 2023	29614, 29619, 29621, 29626 - 29627	\$ 1,508.86
Claims Total (Expenditures)		\$ 85,313.47
March, 2023 Payroll		\$ 292,098.65
TOTAL Submitted		\$ 377,412.12

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

PUBLIC COMMENT: N/A

MAYOR:

Mayor Purcell announced that Police Chief Donald Babbin will be leaving the 28th of this month. There is an Open House scheduled for the 27th of April to wish Babbin well. The time will be noticed to the public. Mayor Purcell extended a “Thank You” to Chief Babbin for all he has done for the City and voiced appreciation for his hard work and dedication to building the Hardin Police Department. Mayor Purcell added that the plan is to keep his legacy going.

Mayor Purcell reported he, Lehr, and Tina Toyne will be attending the Governor’s conference on the Montana Tourism Grant April 24th – 25th, Operation Sparkle is scheduled for May 12th, and there was a meeting with County Law Enforcement this morning.

Mayor Purcell extended condolences to the family of Tony Abril. Tony will be greatly missed.

Personnel Policy/City Policy:

Mayor Purcell reported the City has the following job openings: Full-time positions – Police Officers, Chief of Police, Court Clerk I, General Laborer, Maintenance Worker I, two Seasonal Employee positions and a Part-Time position for a City Court Judge.

The City has received a few applications for the City Judge position and has also received a few Letters of Interest to serve on the Police Commission.

Sewer & Water:

Massine reported Stahly Engineering is working on Phases II and III of the Wastewater Treatment Plant.

Massine asked about the cyber security system that protects the Water Treatment Plant. It was noted it will be presented at the next meeting. Massine noted In Control installed the system and recommended for the City to continue to move forward with them.

Law Enforcement:

Espinoza reported there was a meeting held regarding guidelines of who takes over when a Chief of Police leaves.

Espinoza reported there was a meeting with the Big Horn County Sheriff's Office today discussing rebuilding a relationship with the City and steps moving forward.

Streets & Alleys:

Hopes noted the City crew has been working to black top roads and has completed alley clean up. Hopes noted they have also begun work on the sprinkler system in Wilson Park.

Parks & Playgrounds:

Hopes reported there has been a lot of damage to the sprinkler system in Wilson Park and it will take time to fix. Hopes added One Health added playground equipment in Wilson Park and it looks great. Hurff reported sod is expected to arrive on the 4th of May and the plan is to have the sprinkler system ready by then.

Finance/Landfill:

Resolutions & Ordinances:

Sharpe reported the committee discussed having chickens in the City limits and that Knudsen has been asked to draft an ordinance.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell reported the City received the City-County Planning Board minutes from the meetings of February 13th and March 13th and a letter from the City-County Planning Board regarding parking,

Mayor Purcell announced Ducks Unlimited is scheduled for Saturday, April 22, 2023 at the Big Horn County Fair Grounds and the Montana Municipal Institute is scheduled from April 30th the May 4th.

Mayor Purcell noted a letter to Hardin Public Schools is in the packet and there has not been a response at this time.

UNFINISHED BUSINESS:

Mayor Purcell noted there was not anyone present from the Big Horn County Museum and it will be moved to the next agenda.

NEW BUSINESS:

Cyndy Maxwell, with Joint Powers Trust, reported the increase for health benefits is around 5.9% for fiscal year 2024. Massine motioned to approve the contract. Hopes seconded. On a voice vote the motion was unanimously approved.

Knudsen provided a review of a proposal, from Sabrina Allred, Big Horn County Misdemeanor Probation/Pre-Trial Officer, for the City to purchase Remote Breath Devices for use with Misdemeanor Probation. Knudsen noted the City does not contribute

to the program at this time. He reviewed how the devices worked and noted the devices purchased by the City would be reserved for city use only. Massine motioned to approve the purchase of three Remote Breath Devices. Greer seconded. On a voice vote the motion was unanimously approved. Espinoza asked about purchasing an ankle bracelet. Knudsen noted that was not requested. On a voice vote the motion was unanimously approved.

Lehr reviewed the Final Fiscal Year End 2021 Report provided by Wipfli LLP. Hopes motioned to approve the report. Greer seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported the Montana Department of Labor and Industry came to the City Shop last week, the tables purchased by One Health are scheduled to be installed by Pro Playground in Wilson Park on the 18th of May, the sod will be delivered soon, City employees are working on continuing education credits, and the Garbage Truck is anticipated to be delivered in August.

Hurff addressed Chief Babbin and voiced that he was glad to have known him.

Finance:

Lehr provided a review of the First Interstate Bank Investment Report.

Lehr reviewed renewal amounts for Montana Municipal Interlocal Authority coverages and reported Workers Compensation rates decreased for FY 2024.

Lehr reported he will provide a schedule of dates to hold Budget Meetings and noted he will ask for Council input on the dates they will be available.

Lehr noted he will be attending grant administrative funding meetings in Lodge Grass, MT, for the Lodge Grass Project, on May 2nd and May 18th.

The Land Water Conservation Fund (LWCF) grant process is not open, but the application has been provided to work on for 2023.

Police:

Chief Babbin reviewed Crime statistics for 2023. He reported calls from the school have dwindled since there is an officer on duty.

Chief Babbin voiced he believed the Police Department has a great foundation to build off of. He noted the resources that bring officers to this department is leadership, state of the art equipment, and things being done right. Chief Babbin addressed Council, Mayor Purcell, and City Attorney Knudsen and voiced that he wanted to personally thank each and every one of them, We did it.

Legal:

Economic Development:

RESOLUTIONS & ORDINANCES:

ANNOUNCEMENTS:

Mayor Purcell announced the following employee anniversaries: Richard Jefferson, 2 years; Timothy Smells, 1 year; and Kristi Wedel 17 years; Letters of Interest to serve on the Police Commission are due by April 20th; A Resolutions or Ordinances Committee Meeting is scheduled for May 9th, time to be determined; Operation Sparkle is scheduled for May 12, time to be determined; Coffee with a Cop is scheduled for April 22nd from 9:00 a.m. to 10:00 a.m. at the Lariat Café and April 27th from 6:00 p.m. to 7:00 p.m. at the Sargent Center; and Family Fun Day, sponsored by One Health, is scheduled for Saturday May 13th from 12:00 p.m. to 3:00 p.m. at the Big Hon County Fairgrounds.

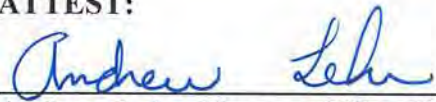
Mayor Purcell announced the following job openings: Full-time positions – Police Officers, Chief of Police, Court Clerk I, General Laborer, Maintenance Worker I, two Seasonal Employee positions and a Part-Time position for a City Court Judge. All positions are open until filled.

Massine motioned to adjourn the meeting at 7:18 p.m. Espinoza seconded. On a voice vote the motion was unanimously approved.



Joe Purcell, Mayor

ATTEST:



Andrew Lehr, Finance Officer/City Clerk



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

COUNCIL MEETING: The Regular Council Meeting for May 2, 2023 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 entered at 6:35 p.m.

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

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

MINUTES OF THE PREVIOUS MEETINGS & CLAIMS: Sharpe made the motion to approve the Council minutes as written for April 18, 2023. Motion seconded by Hopes. On a voice vote the motion was unanimously approved. Espinoza made the motion to approve the Law Enforcement Committee minutes as written for April 18, 2023. Motion seconded by Greer. On a voice vote the motion was unanimously approved. Sharpe made the motion to approve the Resolution or Ordinance Committee minutes as written for April 18, 2023. Motion seconded by Espinoza. On a voice vote motion was unanimously approved.

Greer made a motion to approve the claims for May 2, 2023.

	CLAIM No.		Monthly Total
April, 2023	29628-29639, 29664-29685	\$	36,133.48
May, 2023	29640-29663	\$	2,875.12
TOTAL Submitted		\$	39,008.60

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

PUBLIC COMMENT:

Mark Kuntz asked about the status of Officer Curtin with the Hardin Police Department. Knudsen stated the City is still supporting him and he is actively working within the department. Kat Febrizius voiced her support for the City Police Department, County Sherriff's office and the Animal Control officer at the City. She stated that the two entities should strive to work together for the betterment of the community. Febrizius noted that she can walk and feel safe where she didn't feel that way before the police department started.

MAYOR:

Mayor Purcell noted that the time for filing to run as Alderman opens April 20th and closes June 19th.

Mayor Purcell provided an update on the Police Chief position. With Chief Donald Babbin leaving, the most senior officer has been tasked with helping make sure the day to day operations are functioning properly. Knudsen is providing legal advice and the Mayor is assisting with administrative oversight with the help of Michael Scales, Administrative Assistant, TAC Officer. The City has currently received two applications for the police chief position.

Mayor Purcell reported that he, Tina Toyne, and Andrew Lehr attended the Governor's Tourism conference and was impressed with the conference and the information learned. Purcell voiced that he hopes to use this information to keep travelers in the City longer and attract more growth.

Mayor Purcell reported that the City will be teaming up with the school district for Sparkle Day to clean up the community on May 12th. He also noted that code enforcement would be starting

the process of mowing yards and work with Big Sky Lawn Care that was hired to complete the mowing.

Personnel Policy/City Policy:

Mayor Purcell reported the City has the following job openings: Full-time positions – Police Officers, Chief of Police, Court Clerk I, General Laborer, Maintenance Worker I, two Seasonal Employee positions and a Part-Time position for a City Court Judge.

Sewer & Water:

Massine reported Stahly Engineering will be down to go over Phase 2 of the Waste Water Upgrade Project and that Hurff had a quote for cybersecurity at the water plant in the packet.

Law Enforcement:

Streets & Alleys:

Hopes noted the City crew has been working on pot holes when they have time, but are currently working on the sprinkler system in Wilson Park. He also noted that alley cleanup went over into the following week.

Espinoza requested if the cross walks could be painted at the school district. Hurff noted that the school has painted those crosswalks in the past. Knudsen noted that those are the City's crosswalks to take care of, but could work with the school to get them painted.

Parks & Playgrounds:

Krebs reported the crew is working to have the park bathrooms open by Mother's Day.

Finance/Landfill:

Greer reported that he and Hurff discussed a trash for trees day. He explained how trash for trees would work and how far out the trees have to be ordered.

Resolutions & Ordinances:

Sharpe reported there is a chicken ordinance to be considered in the packet.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell reported the City-County Planning Board requested for the letter from Forrest Mandeville be on the agenda. Greer explained that he would like to revisit this topic and to find a way to alleviate the traffic problems by the school. Greer and Hopes are concerned about the safety of the school children. Greer discussed a possible remedy to the situation based on the way traffic flows around the high school and middle school. Knudsen explained that the parking is sufficient at the academy and swimming pool based on our City code. Knudsen also explained that Connelly's letter about the parking included the most stringent parking rules, which don't apply in this case due to being a differently zoned area. Hopes voiced his concern that with a new building the parking spaces that are present for the pool shouldn't be counted for the purposes of the academy. Knudsen explained that the vagueness of the city code doesn't require any additional parking. Forrest Mandeville questioned whether the pool and academy are part of the school property or not. He voiced it would be reasonable for the Planning Board to deny the variance if it not considered part of school property. Knudsen noted that the alternative school and swimming pool are part of the school property and part of the campus. Mayor Purcell voiced that this topic is one reason that he would like to see a Resolutions or Ordinances committee meeting scheduled to discuss issues with city code and update them. This will help ease the process and not push growth away from the city. Corrina Kirschenmann-Kuntz noted that the school does own the swimming pool, but the City contributed funds when it was originally constructed, along with Coal Board funds.

She inquired how the City and the Planning Board can come together as the City is growing and the parking issues around the school are witnessed at all events. Mayor Purcell voiced this project meets city codes and that if any citizens have an issue with the project to express concerns with the school. Mark Kuntz asked if the school could put a bus on the south and north side with flashing lights to keep other traffic out of the area. Jodeen Marston (school board chair) noted that she has grand children in Billings and the parking situations there are much worse than they are in Hardin. She also mentioned that parking is something that the school continues to monitor. Sharpe mentioned that there was a Resolutions or Ordinances meeting in April that discussed parking and there was not a lot of input provided. Mandeville extended a professional courtesy of working through these situations with the City in the future to help avoid similar situations.

UNFINISHED BUSINESS:

Knudsen reviewed the updates to the Farm to Market agreement between the City and County. He explained the changes to the road names in the agreement that clarifies which roads are included. Greer asked when the last time a farm to market road was maintained. Krebs mentioned Mitchell has been maintained recently. Mayor Purcell voiced he would like to see 13th and Railway updated. Hopes voiced his concerns about taking over streets that need a lot of work, such as when the City took over Crawford Avenue. Sharpe asked who was responsible under the road. Knudsen explained what each entity is responsible for as part of the agreement. There was also additional discussion on what streets needed the most work before the City could take them over. This item was tabled until Mayor Purcell and Knudsen can meet with the Commissioners to clear up more details.

Mayor Purcell reported that the Big Horn County Museum has asked to be removed from the agenda and they will bring it back to council at a later date.

Lehr reviewed the Cash Pledge Report for the quarter ending March 30, 2023. Greer motioned to approve the report. Krebs seconded. On a voice vote the motion was unanimously approved.

NEW BUSINESS:

Mayor Purcell reported he was impressed with the number and quality of applications for intent to serve on the Police Commission that were received. After review of the applicants Mayor Purcell recommended for Council to re-appoint Harry Kautzman to the position. Massine motioned to approve the appointment of Harry Kautzman to the three-year term on the Police Commission. Sharpe seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported the Fire Department is asking for their annual grant for \$8,000. Massine motioned to approve the request for \$8,000. Greer seconded. Espinoza asked when the last time that amount has gone up. Febrizius stated that the department does a good job with the fireworks and with the flat amount she thinks the department should be allotted more. Massine motioned to amend his original motion to approve the request for \$10,000. Greer seconded. On a voice vote the motion was approved 5-0. Krebs abstained.

Hurff covered the two In Control cybersecurity proposals for yearly maintenance on the computer system at the water treatment plant. He noted that this agreement would cover the three computers that run the plant. Hurff explained a recent situation where two of the three computers were down and what would have happened had the last computer hard drive failed. He noted In Control has a local office in Billings now, and they could make it to Hardin to complete after hours work. Hurff recommended approving option one on the proposal for \$9,973. Massine motioned to approve option one of the In Control proposal for \$9,973. Hopes seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell noted the topic of chickens in the city was covered at the last meeting and there is an ordinance to consider on this agenda, #2023-03. Knudsen noted that he wrote this ordinance to allow chickens, but also added the overall expansion of animal nuisance to include loud, noisy, and disturbing the peace. This change would allow 4 chicken hens and lists the animals that are still not allowed in city limits. Massine voiced it's not good for the residents he talked to and will be voting nay. Hopes mentioned that everyone he discussed chickens with were also against it. Knudsen requested he would like council to approve the changes to the animal nuisance

portion of the ordinance even if they vote to not allow chickens. Espinoza voiced that fifty people are not going to go get chickens if this ordinance passes. Knudsen explained that the exemption for FFA and 4-H would still apply, even after passing this ordinance. Sharpe motioned to approve Ordinance NO. 2023-03 allowing chickens in the city limits. Espinoza seconded. On a voice vote Ordinance NO. 2023-03 was approved 4/2. Hopes and Massine voting nay.

Mayor Purcell reported that the first meeting in July is on the 4th and there is a proposal to move that meeting to Wednesday the 5th. Sharpe motioned to amend the first meeting date in July 2023 to the 5th rather than the 4th. Massine seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported on the sprinklers in Wilson Park. The City workers have taken the task on themselves and are fixing the lines in the park. They did request guidance from Larry Vandersloot on how to run the lines, but Hurff noted he is proud of the public works crew for taking on the task.

Finance:

Lehr reviewed the 3rd Quarter Fiscal Year 2022-2023 financial report.

Lehr requested for Councilmen to review the calendar provided in the claims and let him know the best days to hold Budget meetings.

Lehr explained that a CD (Certificate of Deposit) was moved from Little Horn State Bank to First Interstate Bank to earn a better interest rate.

Lehr reported that Deputy Clerk Zimmer is at the Montana Municipal Institute and will bring back some good information that will be shared with Council.

Lehr explained why the new website has not been started and that the office personnel are working out some issues to get it transferred to the new site.

Lehr noted that a Special Improvement District (SID) loan in the SID 120 district was paid off recently and that the annual reporting required as part of the American Rescue Plan Act funds was turned in the past week.

Lehr debriefed Council on the meeting that was held May 2nd regarding the Lodge Grass Lagoon Project. The Department of Natural Resources and Conservation (DNRC) requested a copy of the interlocal agreement. They will review the contract to see if they would like anything to be updated and report back to Lehr.

Police:

Officer Curtin provided an overview of the crime statistics through April 2023. Greer asked how many of the calls coming in were from our dispatch or from County dispatch. Curtin noted that roughly a third of the calls are being transferred over from Big Horn County Dispatch.

Legal:

Economic Development:

Tina Toyne provided a review of the tourism conference; she noted that she applied for a grant through Northwestern Energy to help with improvements to the fair ground's arena; and she reported that she attended an introduction meeting with HUD along with the Mayor and Lehr. Toyne reported she will be attending meetings that include a housing conference in Helena. She also explained that she and Myrna (Beartooth RC&D) helped Lodge Grass get a grant to correct a culvert that floods every spring and traveled to walk through the area with Mayor Dabney. She also reported that Chairmen Whiteclay reached out about economic development and affordable housing for the two communities.

RESOLUTIONS & ORDINANCES:

Ordinance NO. 2023-03: First Reading – Allow Chickens in the City Limits. Sharpe motioned to approve Ordinance NO. 2023-03 allowing chickens in the city limits. Espinoza seconded. On a voice vote Ordinance NO. 2023-03 was approved 4/2. Hopes and Massine voting nay.

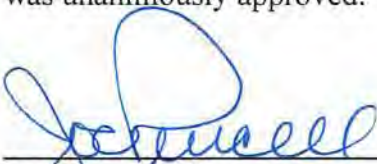
Ordinance NO. 2023-04: First Reading – Clarifying Language Regarding Deputy Officers. Knudsen noted this a continuation of the ordinance to be cleaned up from earlier in the year. This ordinance clarifies the language about officers to mean internal officers, such as an attorney, and not a County Deputy Officer. Massine motioned to approve the first reading of the ordinance. Espinoza seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell announced a Resolutions or Ordinances Committee Meeting is scheduled for May 9th at 6 p.m.; the Special Olympics Torch Run is scheduled for May 11th; Operation Sparkle is scheduled for May 12th, time to be determined; and there are Notices to Destroy Weeds and Sump Pump reminders advertised.

Mayor Purcell announced the following job openings: Full-time positions – Police Officers, Chief of Police, Court Clerk I, General Laborer, Maintenance Worker I, two Seasonal Employee positions and a Part-Time position for a City Court Judge. All positions are open until filled.

Greer motioned to adjourn the meeting at 8:19 p.m. Krebs seconded. On a voice vote the motion was unanimously approved.



Joe Purcell, Mayor

ATTEST:



Andrew Lehr, Finance Officer/City Clerk



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

COUNCIL MEETING: The Regular Council Meeting for May 16, 2023 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 Jeremy Krebs. Antonio Espinoza was absent.

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

Also present physically: Members of the public.
There was not anyone present by virtual meeting.

MINUTES OF THE PREVIOUS MEETINGS & CLAIMS: Hopes made the motion to approve the Council minutes as written for May 2, 2023. Motion seconded by Greer. On a voice vote the motion was unanimously approved. Greer made the motion to approve the Resolutions or Ordinances Committee minutes as written for May 9, 2023. Motion seconded by Hopes. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for May 16, 2023.

	CLAIM No.	Monthly Total
April, 2023	29686-29687, 29869-29701, 29703-29709, 29711, 29720-29729	\$ 75,670.97
May, 2023	29702, 29710, 29712-29719, 29730-29731	\$ <u>10,872.71</u>
Claims Total (Expenditures)		\$ 86,543.68
April, 2023 Payroll		\$ <u>206,584.30</u>
TOTAL Submitted		\$ 293,127.98

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

PUBLIC COMMENT:

Katherine Febrizius provided a handout regarding chickens. She read the information aloud and expressed her concerns about allowing chickens in the City and how it could add to the current existing problem with dogs and cats.

Cory Kenney voiced that chickens are not cats and dogs; cats and dogs are a different problem. He added that the regulations for chickens will be more than enough to maintain them.

MAYOR:

Mayor Purcell noted that candidate filings to run as Alderman open April 20th and close June 19th; he announced that it is National Police Week and extended a “Thank you” to all Officers for their service to the community; and he reported the weather was a factor in the turn-out for the Community Clean-Up and he is looking to hold another Community Clean Up on a Saturday possibly in June.

Mayor Purcell reported the City may look into hiring a contractor to mow City property; at least until the City can get more employees hired.

Mayor Purcell reported Animal Control is doing a great job.

Personnel Policy/City Policy:

Mayor Purcell reported the City Court Judge appointment expires June 30th and there has been one interview for the Police Chief position and another has been scheduled.

The City has the following job openings: Full-time positions – Police Officers, Chief of Police, Court Clerk I, General Laborers, Maintenance Worker I, two Seasonal Employee positions and a Part-Time position for a City Court Judge.

Sewer & Water:

Massine reported Stahly Engineering came to Hardin to review Phases II and III of the Wastewater Treatment Plant Project; Hurff received a quote for rotating assemblies for the 6th Street Lift Station; and Hurff is working on a date for the cybersecurity to be reviewed at the Water Treatment Plant.

**Law Enforcement:
Streets & Alleys:**

Parks & Playgrounds:

Krebs reported there are currently two park restrooms open. Hurff noted the restroom in Custer Park is being repaired.

Finance/Landfill:

Resolutions & Ordinances:

Sharpe reported there was a meeting where the zoning in Agricultural Open Space was reviewed. He added there will be further meetings to review zoning.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell reported the City received the City-County Planning Board minutes from their April 10, 2023 meeting.

UNFINISHED BUSINESS: N/A

NEW BUSINESS:

Ginnie Ladwig, with the Area Chamber of Commerce, reported Little Big Horn Days are scheduled from June 22nd to June 25th. She submitted a letter requesting street closure of the 200 block on Center Avenue for those dates, portable restrooms, to include ADA and Police Officer patrol. Sharpe motioned to approve the requests. Krebs seconded. On a voice vote the motion was unanimously approved.

Hurff requested approval to purchase two rotating assemblies, for the 6th Street Lift Station, from Russell Industries in the amount of \$14,891.80. Massine motioned approve the request. Hopes seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported the new landfill loader is expected around June 20th; the new/used blade is expected around the same time frame; the drawings for the new canister site at the landfill were received from Barry Damschen today and will be reviewed; and Roxanne Not Afraid, Principal of the Primary School, contacted him about their scheduled field days.

Hurff reported the EPA (Environmental Protection Agency) is working to update the City Waste Water discharge permit; there are grants available for the Water and Waste Water Project that will be looked into to see if they can be used; Stahly Engineering came to Hardin to look at the planned projects that include 1st Street, Watson Drive, and the Water and Waste Water Projects.

Finance:

Lehr reported he and Espinoza discussed the grader for the landfill that the City will be purchasing from the County. He noted the City can take possession of it now if the City wants to switch the purchase of the loader to fiscal year 2024 and purchase the grader in the current fiscal year, 2023.

Lehr noted the updated credit card policy is on the agenda for approval, he is working on the scope to start soliciting bids to get the Wayfinding Grant for the Montana Main Street Program moving forward, and reported the Budget meetings have been scheduled for July 11th, 12th, and 13th and continuing as needed.

Hopes asked about how Lodge Grass was doing with their project. Lehr reported their engineers are working on the design and it has been requested for the City of Hardin to submit a breakdown of the request for professional service fees.

Police:

Officer Curtin provided review of the crime statistics through May 2023. Officer Curtin announced this week is National Police Week; the Hardin Police Department participated in the 2023 Montana Law Enforcement Torch Run (MLETR) for Special Olympics on Friday, May 12th and they also partook in the 35th Annual Montana Peace Officer Memorial and Ceremony in Laurel, MT.

Mayor Purcell extended a "Thank you" and appreciation to Officer Curtin for all that he has been doing in leading and keeping the department focused and moving forward.

Mayor Purcell reported that there was a meeting with School Superintendent Chad Johnson regarding a traffic study that was done at the Primary school. The information will be provided to Knudsen and Hurff for review.

Legal:

Economic Development:

RESOLUTIONS & ORDINANCES:

Resolution NO. 2321 – Appointing a Resident to the Hardin Police Commission. Krebs motioned to approve the resolution. Greer seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2322 – Approving and Requesting City Elections to be Conducted by Mail Ballot. Massine motioned to approve the resolution. Hopes seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2323 – Regarding City Credit Card Uses. Lehr requested an amendment to add "Additional credit cards will be distributed as recommended by the Credit Card Administrator and approved by the Mayor". Greer motioned to approve the resolution to include the amendment as requested by Lehr. Sharpe seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2023-03: Second Reading – Allow Chickens in the City Limits. Krebs asked Febrizius, referencing the letter she submitted, if she saw or heard anything negative about having chickens. Febrizius noted the biggest thing she saw was space. Greer motioned to approve the second reading of the ordinance. Sharpe seconded. On a voice vote Ordinance NO. 2023-03 was approved 3/2. Hopes and Massine voting nay.

Ordinance NO. 2023-04: Second Reading – Clarifying Language Regarding Deputy Officers. Hopes motioned to approve the second reading of the ordinance. Massine seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2023-05: First Reading – Change the Definition of Rest Homes. Hopes motioned to approve the first reading of the ordinance. Greer seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2023-06: First Reading – Change Expand Accepted Recreation Uses In Areas Zoned Agricultural Open. Greer 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 following City employee anniversaries: Jeremy Beckman, 28 years and Sherry Kirschenmann, 5 years; City offices are closed Monday, May 29, 2023 in Observance of Memorial Day; and Public Notices for Notices to Destroy Weeds and Sump Pumps are posted.

Mayor Purcell announced the following job openings: Full-time positions – Police Officers, Chief of Police, Court Clerk I, General Laborer, Maintenance Worker I, two Seasonal Employee positions, Water Distribution Operator in Training I, and a Part-Time position for a City Court Judge. All positions are open until filled.

Greer motioned to adjourn the meeting at 7:30 p.m. Krebs seconded. On a voice vote the motion was unanimously approved.



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 6, 2023 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 City Attorney Jordan Knudsen.

Also present physically: Members of the public.
There was not anyone present by virtual meeting.

MINUTES OF THE PREVIOUS MEETINGS & CLAIMS: Hopes made the motion to approve the Council minutes as written for May 16, 2023. Motion seconded by Greer. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for June 6, 2023.

	CLAIM No.	Monthly Total
May, 2023	29732-29756, 29781-29794, 29800-29809, 29811-29814, 29816-29820	\$ 93,780.61
June, 2023	29757-29780, 29795-29798, 29810, 29815	<u>\$ 159,256.57</u>
		\$ 253,037.18
May, 2023 Payroll		<u>\$ 202,644.41</u>
TOTAL Submitted		\$ 455,681.59

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

PUBLIC COMMENT:

Corrina Kirschenmann-Kuntz asked about the weeds at Council Chambers. Mayor Purcell reported they will be taken care of. Kuntz asked why there were no flowers in the planters downtown. Mayor Purcell noted businesses usually put flowers in them and Ginnie Ladwig noted there was a good deal on the flowers that were planted in them last year and it was a one-time deal. Kuntz asked if the signs had come in for the two-hour parking for downtown. It was noted they have not.

Cory Kenney pointed out sections of roads where the potholes are bad. He recommended for the City to have a planer. Krebs asked for him to provide information about the equipment so it can be looked at during budget meetings.

MAYOR:

Mayor Purcell noted that candidate filings to run as Alderman open April 20th and close June 19th.

Mayor Purcell reported the City is looking into hiring a contractor to mow City property, at least until more employees hired; Code Enforcement has been putting signs out for weed violations; Council will continue to review zoning; a Landfill meeting will be scheduled for June 20th; and the Little Big Horn Stampede Committee will be on the next agenda requesting the water truck, water, and a driver for the PRCA Rodeo.

Mayor Purcell read a letter that was received from the Big Horn County Museum. They extended a Thank You for the donation the City made toward the repairs of the shower house at the museum.

Personnel Policy/City Policy:

Mayor Purcell announced that Officer Austin Gerhart has been awarded the Lifesaver Award. Officer Calen Curtin read the requirements to receive the award. Officers from the City Of Hardin Police Department were present in uniform for the presentation of the award.

Mayor Purcell reported applications for City Court Judge are due by June 9th and a recommendation will be brought to Council at the June 20th meeting.

Mayor Purcell announced the current Court Clerk is retiring at the same time as Judge Jim Seykora. He extended a "Thank You" to Sherry Kirschenmann for her service to the City.

Mayor Purcell reported there were two interviews for the Chief of Police position. One applicant did accept the preliminary offer and will go through the evaluation process and before the Police Commission. Upon approval, the individual will be formally introduced to Council via Zoom for a question and answer meeting.

The City has the following job openings: Full-time positions – Police Officers, Chief of Police, Court Clerk I, General Laborers, Maintenance Worker I, two Seasonal Employee positions and a Part-Time position for a City Court Judge.

Sewer & Water:

Massine provided a review of the Water and Wastewater Treatment Plants.

Law Enforcement:

Espinoza reported Community Watch Meetings are put on hold until the department has a new Police Chief.

Streets & Alleys:

Hopes noted that the City Crew has been doing road work on Watson Drive and street sweeping will be done in preparation for Little Big Horn Days.

Parks & Playgrounds:

Krebs reported the park restrooms are open and the sprinkler lines are being worked on in Custer Park. Hurff reported a sprinkler line will be installed around Wilson Park.

Finance/Landfill:

Greer reported containers for recycling and the landfill drop container site were discussed.

Resolutions & Ordinances:

Sharpe requested a meeting for June 20th to review zoning.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell reported the City received Newsline and Transportation Improvement Program letters from the Montana Department of Transportation and also a Municipal Summits invitation from the Montana Municipal Interlocal Authority.

UNFINISHED BUSINESS: N/A

NEW BUSINESS:

Greer reported the committee held discussion at looking further into accepting e-waste, lithium batteries, chemicals, etc. Greer will look into what the City of Billing does. Greer noted there was discussion on the landfill container site proposal submitted by Barry Damschen, Landfill Engineer. Damschen will be contacted to schedule a meeting.

Landa Uffelman, local business owner, reviewed activities that are scheduled for the 5th 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. Krebs motioned to approve the requests. Uffelman noted the Non-Alcohol Senior Party will be doing the BBQ. Massine seconded. On a voice vote the motion was unanimously approved.

Ginnie Ladwig, with the Area Chamber of Commerce, requested approval for a Beer and Wine Permit to include the permit fees to be waived for Little Big Horn Days that is scheduled from June 22nd to June 25th. She reported the State permit is being processed and she will provide it upon approval. Krebs motioned to approve the requests. Hopes seconded. The Beer and Wine Permit was approved pending State approval. On a voice vote the motion was unanimously approved.

Nick Uffelman, local business owner, reported a lot of traffic goes through the dead end at 6th Street, where his business is located. He has experienced vandalism, trailers and pickups have been stolen, etc. Uffelman is requesting abandonment of their property at 6th Street. They have experienced vandalism, trailers and pickups have been stolen, etc. He asked if a gate could be put up with a lock that the City would have complete access to and an amendment could be included that in the event the road needs to be opened back up, it can be. Krebs asked if permission can be given to put a fence across the 6th Street dead end. Knudsen noted it is a public street and it cannot be permanently closed. He noted that Mr. Uffelman could petition to have the street closed by going through the application process and providing a petition to abandon the street. Uffelman will work with Knudsen on the process.

Lehr reviewed a quote from AmpliFund, a grant management software program that will aid in managing grants the City has received and will receive in the future. He added this program will integrate with City software and would quickly generate reports that are required; saving time in gathering the information. Hopes asked if there was money for the software and it was noted it would go into next years projected budget. Hopes motioned to approve the purchase in the amount of \$16,000 a year for a four-year subscription plus the \$6,500 implementation fee. Espinoza seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported the City is currently short staffed and voiced his appreciation for the City workers.

Finance:

Lehr reported the Unemployment rate for the City decreased this year. Lehr noted that he will make a request to move the loan funds for the Land Water Conservation Fund (LWCF) grant, for the South Park Project, back to the General Fund and request it again when the grant application process opens in the fall.

Police:

Officer Curtin provided a review of the crime statistics through today. He reported that he attended the Montana Drug Information Opportunity Symposium via Zoom and Officer Timothy Smells or Officer Josie Passes will be a guest speaker for the St. Vincent's prevention program this fall.

Hopes asked about the digital speed signs. Mayor Purcell noted that the department would like to have a portable one for events. Kat Febrizius asked about the sign by the elementary school. It was noted the City speed limit is 25 mph except in a school zone, the sign only goes down to 20 mph, and the state will be installing speed limit signs by the elementary. Officer Curtin voiced that it is a reminder for public safety.

Legal:

Knudsen reported there was a meeting with the County Commissioners this morning to discuss the Farm to Market Road Agreement. There will be a new interlocal agreement. Knudsen reviewed the details of the meeting and reported a proposed contract will be brought to Council.

Economic Development:

Tina Toyne provided a review of the conferences and trainings she has attended and grants and projects she is working on. Toyne provided information on grants to help farmers and business owners to update windows, heating, refrigeration, furnaces, etc. She noted she will be visiting the ^{ISRECC} Brook Coalition Site in Virginia and will have information about it at the next meeting.

RESOLUTIONS & ORDINANCES:

Ordinance NO. 2023-05: Second Reading – Change the Definition of Rest Homes.

Sharpe motioned to approve the second reading of the ordinance. Greer seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2023-06: Second Reading – Change Expand Accepted Recreation Uses In Areas Zoned Agricultural Open. Hopes motioned to approve the second reading of the ordinance. Greer seconded. On a voice vote the motion was unanimously approved

ANNOUNCEMENTS:

Mayor Purcell reported the Hardin Community Blood Drive is scheduled for Thursday, June 8th from 12:30 p.m. to 6:15 p.m. at the First Alliance Church located at 934 1st Street West; the City-County Planning Board Public Hearing for Becker Zone Change is scheduled for June 12, 2023 at 7:00 p.m.; the first City Council Meeting in July is scheduled for Wednesday, July 5, 2023 at 7:00 p.m.; Budget Meetings are scheduled for July 11th, 12th, 13th and Continuing as Needed; and Public Notices for Notices to Destroy Weeds and Sump Pumps are posted.

Mayor Purcell announced the following job openings: Full-time positions – Police Officers, Chief of Police, Court Clerk I, General Laborer, Maintenance Worker I, two Seasonal Employee positions, Water Distribution Operator in Training I, and a Part-Time position for a City Court Judge. All positions are open until filled.

Hopes motioned to adjourn the meeting at 7:53 p.m. Greer seconded. On a voice vote the motion was unanimously approved.



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 20, 2023 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 and City Attorney Jordan Knudsen.

Also present physically and by Virtual Meeting: Members of the public.

MINUTES OF THE PREVIOUS MEETINGS & CLAIMS: Sharpe made the motion to approve the Council minutes for June 6, 2023 with the amendment to the spelling of Brecc Coalition under Economic Development. Motion seconded by Hopes. On a voice vote the motion was unanimously approved. Hopes motioned to approve the Landfill committee minutes as written for June 6, 2023. Greer seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for June 20, 2023.

	CLAIM No.	Monthly Total
May, 2023	29821-29837, 29839-29840, 29842-29845, 29852, 29855-29858	\$ 110,802.67
June, 2023	29838-29841, 29846-29847, 29849-29851 29853-29854	\$ 424,132.63 \$ 253,037.18
TOTAL Submitted		\$ 455,681.59

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

PUBLIC COMMENT:

The Honorable Judge James Seykora addressed Council. He extended a “Thank You” for the support he has received from them. Knudsen voiced to Judge Seykora that it was a pleasure practicing in front of him, he learned a lot, and appreciates that. Hopes voiced that it was fun working around the Judge. Mayor Purcell extended a “Thank You” to Judge Seykora for his service. Judge James Seykora received a standing ovation. Mayor Purcell reported Sherry Kirschenmann, City Court Clerk, will also be retiring.

MAYOR:

Mayor Purcell provided an update on the progress of weed mowing and reported the City Police Department and Sheriff’s Office are working together to cover the events scheduled for this weekend.

Personnel Policy/City Policy:

Mayor Purcell reported the position for City Judge closed June 9th and there is a recommendation before Council. The Chief of Police candidate has accepted the position. He will be forwarded to the Police Commission upon completing the pre-employment process.

Sewer & Water:

Massine reported there is a meeting scheduled for June 29th with Stahly Engineering regarding the Preliminary Engineering Report (PER) for the Water Treatment Plant.

Law Enforcement:

Espinoza reported the department is waiting for the New Police Chief to schedule a Community Watch meeting.

Streets & Alleys:

Hopes noted that the City Crew is working on Railway. Hopes reported there was a preliminary meeting with Stahly Engineering regarding the 1st Street project.

Parks & Playgrounds:

Krebs reported the sprinklers have been repaired in the parks. Hurff reported he is looking into turf versus hydroseed for Wilson Park.

Finance/Landfill:

Greer reported he and Chris Schneider, Landfill Lead, met with Barry Damschen regarding the landfill drop container site. A committee meeting will be scheduled for July 5, 2023.

Resolutions & Ordinances:

Sharpe reported R1 Single Family Residential zoning was discussed; there were no changes.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

Knudsen reported Nick Uffelman had presented requests during the last Council Meeting to discontinue 6th Street at his property and Chief Joseph Drive. He was asked to submit petitions for the requests. They are included in the packet. Knudsen noted the next requirement is to hold Public Hearings that will need to be published twice providing notice to the public before Council can take action.

Knudsen noted the draft agreement for the Farm to Market Road Agreement will fully replace the 1986 agreement between the City of Hardin and Big Horn County. Knudsen referenced page 2, number 4, section 3 of the draft and reviewed the details of the County's suggested change making the County responsible for the maintenance of Peritsa Creek Road and the City would be responsible for the maintenance of 13th Street. Hopes motioned to table the agreement. It was noted the current agreement from 1986 is still in effect. Hopes rescinded his motion to table. Greer motioned to approve the agreement as written. Hopes seconded. On a voice vote the motion was approved. (5/1) Espinoza abstained.

Mayor Purcell reported the AmpliFund Grant Management Agreement will take effect in July.

NEW BUSINESS:

Krebs motioned to approve the requests of the Little Big Horn Stampede committee for use of the water truck, a driver, and water for the PRCA Rodeo. Hopes seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported the City received a recommendation from the City-County Planning Board (CCPB) to deny the Zone Change Application that was submitted by Earl and Blanche Becker to allow livestock on their property. Dan Kern read a letter referencing City Codes and his concerns for the zone change request. Corrina Kirschenmann-Kuntz, Chair of the CCPB, noted the applicant already had cattle on the land in the City limits. Mayor Purcell reported the CCPB recommended denial of the application and the CCPB Planning Advisor, Forrest Mandeville, recommended approval of the application. Kirschenmann-Kuntz noted that due to the growth plan was another reason for the denial. Mayor Purcell noted there was a mis-communication issue ~~with a reakter~~ and the Becker's were not purposely violating City Code. Sharpe asked if the zone change is denied, can they apply for a variance. It was noted they could. Espinoza motioned to accept the recommendation of the CCPB to deny the application. Massine seconded. Earl Becker, applicant, asked why. He voiced that he could show them the ad

where the realtor misrepresented it and that there is commercial property on three sides of him. Greer noted that if the home were to burn down, it could not be rebuilt in Industrial 1 Zoning (I1). On a voice vote the motion was unanimously approved.

Mayor Purcell reported the Hardin FFA Alumni requested approval of a Beer/Wine Permit and for the permit fees to be waived for the 5th Annual 4th of July Celebration. Greer motioned to approve the requests. Hopes seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell asked for Council approval for the appointment of Bob Snively as the Chief Judge of Hardin City Court. Hopes motioned to approve the appointment. Massine seconded. On a voice vote the motion was unanimously approved.

Hurff requested approval to purchase a 2010 John Deere Motor Grader from Big Horn County in the amount of \$68,000. Krebs motioned to approve the purchase. Massine seconded. On a voice vote the motion was approved. (5/1) Espinoza abstained.

Knudsen reported the Memorandum of Understanding (MOU) between Big Horn County and the City of Hardin for the Victim/Witness Specialist Program will re-authorize City use of the program. Hopes motioned to approve the Memorandum of Understanding. Greer seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported the loader has arrived at RDO and is expected to be received after the first of July; the City is working on inventory for lead and copper, funding information should be received soon; he has received an updated bid for the tank liner for the concrete tank and the mixer will be added after the lining; Dax Simek, with Stahly Engineering, will prepare a scope and price sheet for storm water on Railway; the bid opening for the 1st Street Project is scheduled for July 12th; the cold mix for filling potholes is out two weeks; and the new garbage truck is expected to be inspected by Kois Brothers around the end of September; the City is preparing for the events scheduled for this weekend; and the carnival has been moved to the old airport runway.

Hurff voice the City employees are working hard.

Finance:

Lehr reported the current Investment Policy is for Fiscal Year 2023 and the proposed policy has an effective date of July 1st forward and will not need to be renewed annually.

Police:

Officer Curtin provided a review of the crime statistics and calls received through today. He reported that officers will be at the rodeo, carnival, and street dance that are scheduled for this weekend.

Legal:

Economic Development:

Tina Toyne reported the Big Horn Passenger Rail Authority is holding a Crow Nation Community Event that is scheduled for Monday, June 26th from 10:00 to 1:00 p.m. at the Little Big Horn Cultural Lodge.

RESOLUTIONS & ORDINANCES:

Resolution NO. 2324: Appointing a Chief Judge of the Hardin City Court. Greer motioned to approve the resolution. Hopes seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2325: Rescinding the Establishment of the Hardin City Court as a Court of Record. Hopes motioned to approve the resolution. Sharpe seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2326: Rescinding Resolution NO. 2295. Cancel Loan General Funds to Parks Capital. Krebs motioned to approve the request. Espinoza seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2327: Amending the Investment Policy. Hopes motioned to approve the resolution. Sharpe seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2023-07: Continually Adopt the Latest Version of the Montana Public Works Standard Specifications. Greer motioned to approve the first reading of the ordinance. Espinoza seconded. On a voice vote the motion was unanimously approved.

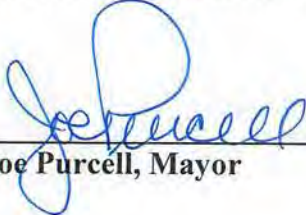
ANNOUNCEMENTS:

Mayor Purcell announced the following employee anniversaries: Dean Baker, 9 years; Sean Beasley, 1 year; Michael Hurff, 13 years; Tamara Mendez, 4 years; Shawndae OldElk, 2 years; and Michael Scales, 1 year.

Budget Meetings are scheduled for July 11th, 12th, 13th and Continuing as Needed.

Mayor Purcell announced the following job openings: Full-time positions – Police Officers, Chief of Police, Court Clerk I, General Laborer, Maintenance Worker I, two Seasonal Employee positions, and Water Distribution Operator in Training I. All positions are open until filled.

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



Joe Purcell, Mayor



ATTEST:


Andrew Lehr, Finance Officer/City Clerk

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

COUNCIL MEETING: The Regular Council Meeting for July 5, 2023 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 and City Attorney Jordan Knudsen.

Also present physically and by Virtual Meeting: Members of the public.
There was not anyone present by Virtual Meeting.

MINUTES OF THE PREVIOUS MEETINGS & CLAIMS: Greer made the motion to approve the Council minutes for June 20, 2023. Motion seconded by Hopes. On a voice vote the motion was unanimously approved. Sharpe motioned to approve the Resolutions or Ordinances committee minutes as written for June 20, 2023. Greer seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for July 5, 2023.

	CLAIM No.	Monthly Total
May, 2023	29864	\$ 64.58
June, 2023	29860-29863, 29865-29880, 29907-29918	\$ 99,857.63
July, 2023	29848, 29859, 29881-29906	<u>\$ 29,386.02</u>
Claims Total (Expenditures)		\$ 129,308.23
June, 2023 Payroll		<u>\$ 218,345.31</u>
Total Submitted		\$ 347,653.54

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

PUBLIC COMMENT:

Kat Febrizius, resident, voiced that her vehicle was parked in front of a business downtown during Little Big Horn Days. She reported her vehicle had been sprayed with overspray from the building that was being painted. She noted that she has made contact with the owner and the contractor and asked if anyone were to come into the City asking about it to please contact her.

MAYOR:

Mayor Purcell reported Code Enforcement has recently placed twenty yard signs for weed and grass violations. Mayor Purcell referenced minutes that had been received from the City-County Planning Board regarding community decay and read the definition of community decay per City Ordinance. He added there have not been any complaints filed and any concerns can be submitted by filing a complaint so it can be investigated. Mayor Purcell reported there has been an increase in building permits.

Mayor Purcell extended a “Thank You” to the City Crew and Public Works for their hard work during the flooding and for their assistance with the local community events.

Personnel Policy/City Policy:

Mayor Purcell reported Animal Control is doing a good job; he extended a “Thank You” to the Sheriff’s Office for assisting the Hardin Police Department by covering night shifts; and the Chief of Police candidate will be going before the Police Commission upon completion of the background check. Mayor Purcell extended appreciation to Knudsen and Officer Calen Curtin for keeping the department focused and on track and thanked the officers for stepping up and keeping the department moving forward.

Mayor Purcell reported Judge Jim Seykora and Sherry Kirschenmann officially retired on June 30th. Judge Robert Snively began term as City Judge on July 1st and Renee R. Crooked Arm is the new City Court Clerk.

Sewer & Water:

Law Enforcement:

Espinoza voiced he is looking forward to having a Police Chief and Community Watch meetings will be scheduled when he gets here.

Streets & Alleys:

Parks & Playgrounds:

Krebs asked if the parks have been sprayed. Hurff noted he is working on it. It was noted that Dick Salyer has retired.

Finance/Landfill:

Greer reported the committee discussed the landfill drop container site. This will be forwarded to the Budget Committee.

Resolutions & Ordinances:

Sharpe noted he is working with Help Every Pet (HEP Club) and Knudsen on a feral program for feral animals.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell reported the City received a newsletter from the Montana Department of Transportation and an invitation to attend the Montana League of Cities and Towns 2023 Annual Conference.

UNFINISHED BUSINESS:

Knudsen reported Council passed the Farm to Market Road Agreement and it has been forwarded to the County. Mayor Purcell noted they will pursue a meeting with the County Commissioners for further discussion.

NEW BUSINESS:

Jessica Mussetter, River Valley Farmers Market Manager, requested for 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. In addition, they request restrooms (handicap accessible), a handwashing station, and use of picnic tables. Krebs motioned to approve the requests. Greer seconded. On a voice vote the motion was unanimously approved.

Hurff reported he received three tire estimates for the street loader. He recommended the estimate for four Hercules L3 tires that was provided by Town and Country in the amount of \$6,400. Hopes motioned to approve the purchase. Massine seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported a quote in the amount of \$70,869.82 was provided by Duval Ford for a new K-9 Vehicle. It was noted that half of the funding is provided by the Coal Grant the City received for the vehicle. Greer motioned to approve the purchase. Espinoza seconded. On a voice vote the motion was unanimously approved.

Hurff reported the culvert at the South end of Center Avenue and Sawyer Loop washed out during the storm. The County worked on the culvert, but it is a temporary solution. Hurff noted that Dax Simek, of Stahly Engineering, made recommendations to increase the size of the culvert for permanent replacement. There was discussion of the type of culvert that was suggested and also discussion of the possibility of using concrete.

STAFF REPORTS:

Public Works:

Hurff provided a report of the events related to the storm on June 23rd into June 24th. He reported there was also a water main break at Custer Avenue and Railway. The water services have been restored. Hurff noted the City is currently renting two pumps and he is currently looking into estimates to purchase a new pump. Rob Bryson, resident, noted that his wife has the idea to have reverse calling, so the public could be warned of events. Mayor Purcell noted that the City does have the Code Red system. It will be looked into as to how it can be better notified to the public.

Finance:

Lehr reported there will be 2 one-time disbursements for BARSAA funding and the Gas Tax; the City received \$6,552 from the Marijuana Tax for Fiscal Year 2023; the Montana Property Assessment Division has scheduled a Property Assessment Town Hall Meeting, for July 27, 2023 from 6:00 p.m. – 9:00 p.m. at the Big Horn County Courthouse, to discuss property tax assessments; the billing from Montana Municipal Interlocal Authority for property coverage for FY 2023-2024 increased due to new equipment and Liability Insurance for FY 2023-2024 has also increased due to the increase in payroll; there was \$36,663 in interest earned in the investment accounts for FY 2022-2023; and Budget Meetings are scheduled for July 11th, 12th, and 13th, and continuing as needed.

Police:

Officer Curtin provided a review of the crime statistics and calls received through today. He reported that officers were out walking the rodeo, carnival, and street dance.

Legal:

Economic Development:

Mayor Purcell reported a letter was submitted by Tina Toyne that provided information about the BRECC Coalition Peer Exchange that she attended in Bristol, Virginia from June 7th-June 9th.

RESOLUTIONS & ORDINANCES:

Resolution NO. 2328: To Forego a Municipal Primary Election for the 2023 Election Year. Massine motioned to approve the resolution. Greer seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2329: Establishing Wages for Certain City Employees for Fiscal Year 2023/2024. Hopes motioned to approve the resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2330: Establishing Wages for Non-Union Employees for Fiscal Year 2023/2024. Sharpe motioned to approve the resolution. Massine seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2331: Establishing Wages for Certain City Employees for Fiscal Year 2023/2024. Massine motioned to approve the resolution. Hopes seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2332: Authorizing Public Works to Purchase Motor Vehicles Pursuant to the Capital Improvement Plan. Massine asked if there would be a cap on the purchase amount. Mayor Purcell noted there would not be a limit to how many vehicles can be purchased; a specific dollar amount would be budgeted. Greer motioned to approve the resolution. Massine seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2023-07: Second Reading - Continually Adopt the Latest Version of the Montana Public Works Standard Specifications. Sharpe motioned to approve the second reading of the ordinance. Espinoza seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell reported Public Hearings for a Petition to Vacate 6th Street at 6:15 p.m. and a Petition to Vacate Chief Joseph Drive at 6:20 p.m. are scheduled for July 18, 2023; the City-

County Planning Board has Public Hearings scheduled for July 10th and Budget Meetings are scheduled for July 11th, 12th, 13th and Continuing as Needed.

Mayor Purcell announced the following job openings: Full-time positions – Police Officers, Chief of Police (pending), Maintenance Worker I, and two Seasonal Employee positions (one pending). All positions are open until filled.

Massine motioned to adjourn the meeting at 7:42 p.m. Espinoza seconded. On a voice vote the motion was unanimously approved.



Joe Purcell, Mayor

ATTEST:



Andrew Lehr, Finance Officer/City Clerk



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

PUBLIC HEARING: The Public Hearing for the Petition to Vacate a Portion of 6th Street East was opened at 6:15 p.m. by Mayor Purcell.

Present at the hearing were:

Council Members: Clayton Greer, Chris Sharpe, and Rock Massine. Steve Hopes entered at 6:19 p.m. and Jeremy Krebs entered at 6:22 p.m.

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

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

Mayor Purcell opened Public Comment for the Petition to Vacate a Portion of 6th Street East. Nadine Burke, resident, asked what it meant to vacate. Mayor Purcell noted that 6th Street goes into the property of Nick Uffelman, he owns property on both sides, a fence would keep people from going onto his property, and the City would still maintain easements.

Cory Kenney (entered the meeting at 6:17 p.m.) asked where the street would be cut off and voiced it is not a problem as long as the City is not giving up the right of way. (Hopes entered). There was discussion referencing a map of the property between Greer, Hopes, and Kenney. (Krebs entered). Greer voiced the City will maintain an easement through there. Kenney suggested a cul-de-sac questioning if there would be enough room for a person to turn around.

PUBLIC HEARING: The Public Hearing for the Petition to Vacate Chief Joseph Drive was opened by 6:26 p.m. by Mayor Purcell.

Present at the hearing were:

Council Members: Clayton Greer, Chris Sharpe, and Rock Massine, Steve Hopes, and Jeremy Krebs.

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

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

Mayor Purcell opened Public Comment for the Petition to Vacate Chief Joseph Drive. Kenney voiced he doesn't see an issue. He added that he is just trying to figure out what will be done with 6th Street. Uffelman voiced it will not be blocked.

There being no further discussion, the Public Hearings were adjourned at 6:28 p.m.

COUNCIL MEETING: The Regular Council Meeting for July 18, 2023 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 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 and City Attorney Jordan Knudsen was present by virtual meeting.

Also present physically and by Virtual Meeting: Members of the public.

MINUTES OF THE PREVIOUS MEETINGS & CLAIMS: Greer made the motion to approve the Council minutes for July 5, 2023. Motion seconded by Hopes. On a voice vote the motion was

unanimously approved. Hopes motioned to approve the Landfill committee minutes as written for July 5, 2023. Greer seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for July 18, 2023.

	CLAIM No.	Monthly Total
June, 2023	29919-29924, 29926-29927, 29929-29934 29939-29942, 29945, 29947-29948, 29950- 29954, 29957-29960, 29966	\$ 107,018.81
July, 2023	29925, 29928, 29935-29938, 29943-29944, 29946, 29949, 29955-29956, 29961-29965	<u>\$ 400,763.55</u>
TOTAL Submitted		\$ 516,782.36

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

PUBLIC COMMENT:

Richard Sleeper, One Health Youth Prevention Specialist, voiced that he is looking for support for the CTC Program (Communities That Care). He noted the community is in the wake of a crisis; fentanyl is here and children as young as middle schoolers are actively using it. There is a need to put preventative measures in place in the Primary School and mentoring them through. Sleeper added that this is a county wide initiative and they are needing support from the community. The Coalition meets every last Tuesday of the month at the One Health Clinic, Yellowtail Room, from 12 p.m. to 1:00 p.m. He extended an invitation for the next meeting that is scheduled for Tuesday, July 25th.

Nadine Burke voiced that she, Genie Thorberg, and Jocelyn Hernandez have concerns about the power of the fireworks that are allowed in the City during the 4th of July. She noted that they were excessive this year and there was litter in all of their yards that they are left to pick up. Burke noted that they contacted code enforcement and the Police Department, but there was nothing that could be done. It was suggested for them to come before Council with their concerns. Kat Febrizius, resident, voiced that there is not a police force so there was no one to call the next night when they shot off fireworks. Mayor Purcell reported the Police Department has never been closed, the calls are diverted to the County Sheriff's Office.

Febrizius voiced her concern of an officer being employed and provided an update about her vehicle.

Cory Kenney, resident, voiced that he likes hearing the fireworks, but expressed specific types/sizes could be limited. Kenney referenced the petition to vacate East 6th Street and noted that he highly suggests a cul de sac for City vehicles to be able to turn around if the area is fenced in.

MAYOR:

Mayor Purcell reported Code Enforcement continues to put yard signs out for weed and grass violations and he has issued a record number of building permits this year; the City passed a tree ordinance last fall and there will be discussion to go out to bid for tree removal; the City Police Department and the Sheriff's Office have been working together to provide twenty-four hour coverage; Stahly Engineering has prepared a report about the bid opening for the 1st Street Project; and there was a meeting with Stahly regarding Phase II and III of the Waste Water Treatment Plant Project and when the bid process would begin.

Personnel Policy/City Policy:

Mayor Purcell reported the pre-employment process for the Chief of Police candidate is complete and he will be going before the Police Commission tomorrow evening. Mayor Purcell announced the candidate is Paul George Jr.; he will be a great

leader for the department.

Sewer & Water:

Law Enforcement:

Mayor Purcell reported Community Watch meetings will be scheduled after the new Police Chief arrives.

Streets & Alleys:

Parks & Playgrounds:

Krebs extended a "Thank You" to Officer Calen Curtin for everything he has done for the City and for stepping into the position he currently has.

Finance/Landfill:

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell reported the City received City-County Planning Board Public Hearing and Regular Meeting Minutes for May 8, 2023 and June 12, 2023.

UNFINISHED BUSINESS: N/A

NEW BUSINESS:

Dax Simek, PE with Stahly Engineering, reported the bid opening for the 1st Street Project was held on Wednesday, July 12th. There was one bid received from Weave Construction in the amount of \$769,408 with an Alternative Additive Bid of \$123,183. Simek added the street construction portion of project was within the budget, but the water main replacement portion was over estimated for the construction costs. Simek voiced the recommendation of Stahly Engineering is to reject the bid and rebid the project in September. Simek reported they are currently working on a project to extend the water and sewer main on Watson Drive. The two projects will be packaged together and put out to bid in September in the hopes to attract more interest and more favorable bids. Hopes motioned to reject the bid from Weave Construction and go forward with the recommendation from Stahly Engineering to bid the 1st Street Project with the Watson Drive Project. Massine seconded. On a voice vote the motion was unanimously approved.

Petition to Vacate 6th Street East: Krebs asked where the fence would be and asked if there would be enough room for trucks to turn around. Nick Uffelman voiced the fence will not be close to the building and he would meet with Hurff for discussion before putting up the fence. Greer motioned to approve the Petition to Vacate East 6th Street. Hopes seconded. On a voice vote the motion was unanimously approved.

Petition to Vacate Chief Joseph Drive: Krebs motioned to approve the Petition to Vacate Chief Joseph Drive. Sharpe 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 Variance Application submitted by Daniel Redden to build a garage and lean-to. Hopes motioned to approve the application. Massine seconded. On a voice the motion was unanimously approved.

Mayor Purcell reported the City received a letter of recommendation from the CCPB to approve the Application for Annexation request submitted by Marie Walters Hochhalter to annex property at 634 Lessard Avenue. Massine motioned to approve the application. Hopes seconded. On a voice vote the motion passed. (4/1) Greer abstained.

Hurff requested approval of an estimate from Interstate Engineering in the amount of \$14,240.04 to replace the transmission in the Freightliner garbage truck. Greer motioned to approve the request. Hopes seconded. On a voice vote the motion was unanimously approved.

Hurff requested approval to purchase a used Self Priming Centrifugal Pump, on a trailer, from Russell Industries in the amount of \$35,000. He noted that he received a quote of \$68,000 for

a new one. Massine motioned to approve the purchase. Krebs seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell opened discussion of hiring a private contractor for tree abatement. The process would be managed similar to weed mowing and snow removal. Greer voiced to be sure they are insured and bonded. It was noted that would be a requirement. Massine noted there would need to be clarity if the trees in the City easement would be done by the City. It was the consensus of Council for the Mayor to move forward in hiring a private contractor.

STAFF REPORTS:

Public Works:

Hurff reported he is currently researching costs for mobile restrooms, that are on trailers, for the Plaza.

Finance:

Lehr reported Phases II and III of the Waste Water Treatment Plant Project will be combined. The City turned back the original application for two State Revolving Fund (SRF) loans, one for Phase II and the other for Phase III and submitted another application with the phases combined. The City was granted \$750,000 in loan forgiveness through SRF; the maximum amount they could give to any community.

Police:

Officer Curtin provided a review of the crime statistics and calls received through today. He reported Officer Josie Passes attended the Summer Showcase at the Big Horn County Museum and handed out goody bags to the kids.

Legal:

Knudsen reported there was a meeting with the County Commissioners yesterday regarding the Farm to Market Road Agreement. Knudsen voiced the negotiations are moving forward.

Economic Development:

RESOLUTIONS & ORDINANCES:

Resolution NO. 2333: Discontinuing and Vacating Chief Joseph Drive. Sharpe motioned to approve the resolution. Hopes seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2334: Discontinuing and Vacating a Portion of 6th Street East. Greer motioned to approve the resolution. Hopes seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2335: Committing a Certain Percentage of Capital Improvement Funds to Street Projects. Massine motioned to approve the resolution. Hopes seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell announced the following employee anniversaries – Austin Gearhart, Virginia McDonald, and Michael O'Riehl each one year.

Mayor Purcell reported a Public Hearing for Amending the Budget for Fiscal Year 2022-2023 is scheduled for August 1, 2023 at 6:10 p.m. and a Public Hearing for Street Maintenance, Levies and Assessments for Fiscal Year 2023-2024 is scheduled for August 1, 2023 at 6:20 p.m.

Mayor Purcell announced the following job openings: Full-time positions – Police Officers, Maintenance Worker I, and a Seasonal Employee. All positions are open until filled.

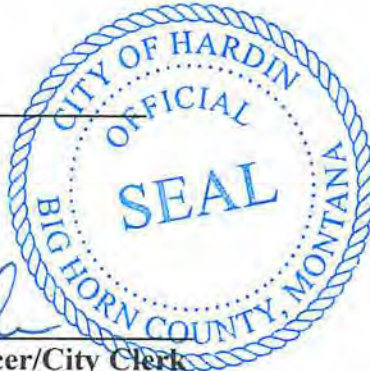
Jon Maston, with KOA Campground, noted that he is outside the City limits, but is interested in having his garbage picked up by the City. Mayor Purcell noted that his request will be looked into.

Corrina Kirschenmann-Kuntz, Chair of the City-County Planning Board, voiced that she is concerned with having a quorum. There will be a meeting with the County Commissioners about filling the vacancies on the board.

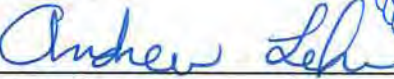
Greer motioned to adjourn the meeting at 7:32 p.m. Massine seconded. On a voice vote the motion was unanimously approved.



Joe Purcell, Mayor



ATTEST:



Andrew Lehr, Finance Officer/City Clerk

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

PUBLIC HEARING: The Public Hearing for Amending the Budget for Fiscal Year 2022-2023 was opened at 6:10 p.m. by Mayor Purcell.

Present at the hearing were:

Council Members: Steven Hopes, Clayton Greer, Rock Massine, and Antonio Espinoza.

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

Also present were: Members of the public.

There was not anyone present by virtual meeting.

Mayor Purcell opened Public Comment for the Public Hearing for Amending the Budget for FY 2022-2023. There was none.

Lehr reviewed the amendments for the budget and noted an additional amendment is needed for the actual contribution amount of \$263,391 from One Health for the Skate Park and equipment that was installed in Wilson Park.

There being no further discussion, the Public Hearing was adjourned at 6:13 p.m.

PUBLIC HEARING: The Public Hearing for the Street Maintenance District and Levies and Assessments for Fiscal Year 2023-2024 was opened at 6:20 p.m. by Mayor Purcell.

Present at the hearing were:

Council Members: Steven Hopes, Clayton Greer, 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 City Attorney Jordan Knudsen.

Also present were: Members of the public.

There was not anyone present by virtual meeting.

Mayor Purcell opened Public Comment for the Street Maintenance District and Levies and Assessments for FY 2023-2024.

Cory Kenney asked if the mills went up and down with the Certified Taxable Valuation. Krebs voiced that the water and sewer rates do not go off of mills. Greer noted mills affect taxes.

There being no further discussion, the Public Hearing was adjourned at 6:23 p.m.

COUNCIL MEETING: The Regular Council Meeting for August 1, 2023 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 entered the meeting at 6:55 p.m.

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

Also present were: Members of the public.

There was not anyone present by virtual meeting.

MINUTES OF THE PREVIOUS MEETINGS & CLAIMS: Greer made the motion to approve the Council minutes for July 18, 2023. Motion seconded by Hopes. On a voice vote the motion was unanimously approved. Greer motioned to approve the Public Hearings as written for July 18, 2023. Espinoza seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for August 1, 2023.

	CLAIM No.	Monthly Total
June, 2023	29968, 29970, 29977	\$ 2,681.21
July, 2023	29967, 29969, 29974-29976, 29978-29997	\$ 89,008.02
August, 2023	29998-30021	\$ <u>2,580.12</u>
TOTAL Submitted		\$ 94,269.35

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

PUBLIC COMMENT:

Mayor Purcell reported Richard Sleeper, One Health Youth Prevention Specialist, is on the agenda, but has rescheduled for the August 15th meeting.

Jose Funke, resident, voiced that on behalf of the family of his nephew that passed away in a house fire, they are thankful for the quick response of the Hardin Volunteer Fire Department, Hardin Police Department and Sheriff’s Department.

Funke asked Council to pass a law on “slum lords”. He expressed that he wants to see fines if properties aren’t fixed and for violations. He added that the bare minimum is being done to fix up properties. Funke voiced that he is asking Council to take this into strong consideration to enforce a code. Mayor Purcell noted that he and Joe Connelly, Code Enforcement, have been looking into State codes. The information will be forwarded to Knudsen to see if it is feasible.

Funke voiced that the new Police Chief is a good guy and also that Officer Curtin is a good officer and he will be missed.

Kenney noted it would be good to have a committee meeting and address the dilapidation around town.

Kenney referenced the Farm to Market Agreement regarding Railway Street. He asked who is going to maintain it; snow plowing, patching, etc.? He noted the agreement commits both parties, but does not address who will be responsible.

Jean Drew voiced that she agrees with Funke, other properties bring their property values down. Drew asked where the City was on the trees. Mayor Purcell noted that he and Connelly are working on writing a description to go out to bid for contracting. He added it will not be an hourly rate; there are a lot of variations with pricing.

MAYOR:

Mayor Purcell reported the process to enforce the tree ordinance is being reviewed and the Building Inspector continues to issue a large number of building permits.

Mayor Purcell extended a “Thank You” to the Hardin Volunteer Fire Department for their professionalism and hard work; this fire was difficult. Mayor Purcell asked for others to reach out and thank them for what they do.

Personnel Policy/City Policy:

Mayor Purcell reported that Chief Paul George started last week. He noted that Officer Curtin has been mentoring him. Mayor Purcell announced a Swearing in Ceremony and Meet and Greet for the public is scheduled for Friday, August 25th at 6:00 p.m. He voiced that Chief George was initially sworn in by Lehr on his first day with the department.

Sewer & Water:

Massine reported the centrifugal pump is scheduled to be delivered this Thursday or Friday.

Law Enforcement:

Espinoza reported a Community Watch is scheduled for Monday, August 14th at 7:00 p.m. It was noted the City-County Planning Board has Public Hearings scheduled for that evening. The meeting will be rescheduled.

Streets & Alleys:

Hopes reported the City Crew has been filling potholes and doing Alley Clean Up. Hopes noted the State has installed new speed limit signs at the Primary School.

Parks & Playgrounds:

Massine asked about the caution tape that is around a piece of playground equipment in Wilson Park. Hurff reported the tires come off of the track and that One Health has reached out to the company to see what can be done.

Krebs asked about the new timeline for the application to be submitted for the South Park Project. Lehr reported around October and that a committee meeting would be beneficial to be sure they want to keep the same design. Krebs requested a committee meeting to be scheduled. Sharpe entered the meeting.

Krebs asked if the City could have a code requiring homes that are rentals to have second story fire escapes. There was some discussion on State Codes and limitations.

Finance/Landfill:

Resolutions & Ordinances:

Mayor Purcell reported the option of limiting the sale of single liquor bottles at convenient stores will be discussed with the Chief and brought to Council.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

Knudsen reviewed the latest version of the Farm to Market Agreement with the County. The County replaced and will maintain the culvert at Sawyer's Loop. They have requested a potential trade of SID's for replacing the culvert. He added the request is not in the Farm to Market Agreement. It was noted that Kenney pointed out that it was not clear on who would be responsible for the maintenance on Railway Street. Knudsen voiced this agreement would fully replace the former agreement. Hopes motioned to go forward with the agreement with the changes to add, under the County responsibility for maintenance and cost, #4. Railway Street and to change "*at the end of the first ten years*" clause to meet and negotiate Railway Street to meet within ten years. Massine seconded. On a voice vote the motion passed. (5/1) Espinoza abstained.

NEW BUSINESS:

Mayor Purcell reported a statement was received from OnSolve LLC for the renewal of CodeRed in the amount of \$2,715.00. Krebs asked if the City has used it. Michael Scales, Administrative Assistant for the Hardin Police Department noted it has been used half a dozen times in the last year and there has been several events that it could have been used. Scales voiced it will take some coordination with department heads and administration of what needs to get out and how quick. He noted it has been used for missing children and road closures. Sharpe suggested to advertise it more and get it out there again. Chief George reported he can set up a QR code that can be scanned that will forward to the link to make it easier to find. Krebs asked about advertising on the billboard that Council approved last year. Massine motioned to approve the renewal. Greer seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported Big Horn County is requesting forgiveness of SID's for property they have on 13th and 14th Street in exchange for the work they did on the culvert at Sawyers' Loop. Hopes motioned to approve the exchange dollar for dollar. Sharpe seconded. On a voice vote the motion passed. (5/1) Espinoza abstained.

Hopes voiced the chicken permit application fee should be a lot higher than the \$25 fee example from Billings, MT. Greer noted that \$25 is fair. Jean Drew asked who enforces the applications. It was noted that Animal Control will. Hopes voiced that it should be \$50 and not \$25 for one to four chickens because it is \$25 to register one dog. Krebs and Espinoza agreed. Sharpe motioned to approve setting the fee at \$50. Hopes seconded. On a voice the motion passed. (5/1) Massine voted Nay.

Lehr reviewed the Cash Pledge Report. Greer motioned to approve the report. Massine seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported the City has received more applications for curb stop repair; new employees are training; bids for portable restrooms are expected soon; the engineer is working on bids for cleaning the sewer lines; and the City is looking to get caught up on tree trimming. Hurff reported a local resident, that has a spraying license, has reached out about spraying the parks. He will meet with Knudsen.

Finance:

Lehr reported he is looking to receive the Certified Taxable Values soon; he hasn't received any new information about the Rural Development Grant for the SCBA's for the Fire Department; and there is \$63,390 of new equipment from One Health that will be recorded in the current fiscal year. Lehr requested for another budget meeting to be scheduled.

Lehr reported the start up conditions have been met for the Coal Endowment Program (MCEP) for the Waste Water Treatment Plant Preliminary Engineering Report. Phase I of the Sewer Main Project Replacement and Infiltration and Inflow Investigation (I&I Study) exhausted the State Revolving Fund (SRF) Loan so the MCEP money is being requested.

Lehr reported the auditors have submitted the information they are requesting for the audit; there are a few more phases of the grant management software that have to be completed before installation can be done and the software can be used; and the Quarterly Financial report will be presented at the next meeting.

Police:

Police Chief Paul George voiced "I am blessed to be in your presence". He reviewed calls for service and the types of calls that were received.

Chief George extended condolences to the family for the loss of their loved one. He noted the Sheriff's Office is the lead and that the Hardin Police Department will support them. Chief George reported there were officers at the 4-H fair on Friday and Saturday night.

Chief George reported the department is experiencing issues with the older police vehicles and they are looking into possibly leasing vehicles from Enterprise. Kenney asked if the vehicles would be up to the department standards. It was noted they will.

Legal:

Economic Development:

RESOLUTIONS & ORDINANCES:

Resolution NO. 2336: Approving a Petition to Annex Certain Lands into the City of Hardin, MT. Hopes motioned to approve the resolution. Massine seconded. On a voice vote the motion passed. (5/1) Greer abstained.

Resolution NO. 2337: Amendments to the Budget for FY 2022-2023. Massine motioned to approve the resolution to include the amendment to the contribution amount by One Health in the amount of \$263,391. Espinoza seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2338: Assessing the Cost of Street Maintenance in District #1 for Fiscal Year 2023-2024. Massine motioned to approve the resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2339: Intent to Increase Rates and Charges for the Users of the Water and Sewer Systems. Greer motioned to approve the resolution. Massine seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2340: Setting Permit Fees for Keeping Chickens in the City Limits. Espinoza motioned to approve setting the fees to \$50. Sharpe seconded. On a voice vote the motion passed. (4/2) Massine and Hopes voted Nay.

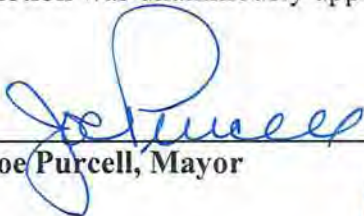
Ordinance NO. 2023-08: To Prohibit Feeding and Attracting Animals – Greer motioned to approve the ordinance. Sharpe seconded. Krebs asked about feeding birds in your own backyard. Sharpe noted it is stemming from other people feeding stray cats and the cats go into the neighbors' yards. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell reported the City-County Planning Board has scheduled Public Hearings for 7:00 p.m. Monday, August 14, 2023 in Council Chambers for the Becker Variance and Kirschenmann Variance.

Mayor Purcell announced the following job openings: Full-time positions – Police Officers, Maintenance Worker I, and a Seasonal Employee. All positions are open until filled.

Massine motioned to adjourn the meeting at 8:14 p.m. Espinoza seconded. On a voice vote the motion was unanimously approved.


Joe Purcell, Mayor

ATTEST:


Andrew Lehr, Finance Officer/City Clerk



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

COUNCIL MEETING: The Regular Council Meeting for August 15, 2023 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. Clayton Greer (joined at 6:33 p.m.) Chris Sharpe was absent.

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

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 August 1, 2023. Motion seconded by Espinoza. On a voice vote the motion was unanimously approved. Espinoza motioned to approve the Public Hearings as written for August 1, 2023. Massine seconded. On a voice vote the motion was unanimously approved. Hopes motioned to approve the Finance/Budget Committee meeting minutes as written for July 11, 2023. Massine seconded. On a voice vote the motion was unanimously approved.

Espinoza made a motion to approve the claims for August 15, 2023.

	CLAIM No.	Monthly Total
June, 2023	30045, 30060	\$ 11,181.00
July, 2023	30039-30042, 30044, 30046, 30048-30059, 30061, 30063-30072, 30074-30076	\$ 93,039.16
August, 2023	30021, 30043, 30062, 30073, 30077	\$ 49,037.91
Claims Total (Expenditures)		\$ 153,258.07
July, 2023 Payroll		\$ 223,810.36
TOTAL Submitted		\$ 377,068.43

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

PUBLIC COMMENT:

Mayor Purcell reported Richard Sleeper, One Health Youth Prevention Specialist, was not present.

MAYOR:

Mayor Purcell reported Chief Paul George is establishing goals for the Police Department and has been evaluating training needs, equipment needs, etc. He extended a “Thank You” to Chief George for his positive attitude and patience as he gets settled.

Mayor Purcell reported the building department has issued about one hundred building permits this year. He noted that Joe Connelly, code enforcement, recommends for the standard fence height of forty-two inches to be raised to forty-eight inches.

Mayor Purcell reported it is difficult to put a price on tree trimming. Bids will be done tree by tree instead of a blanket project. He and Connelly continue to work on a process to enforce the ordinance.

Personnel Policy/City Policy:

Mayor Purcell reported the Terminal Agency Coordinator (TAC) Officer position is vacant and will be advertised. He extended a “Thank You” to Michael Scales and noted that Officer Austin Gearhart will temporarily serve in the position. The Court Clerk resigned and the position has been advertised.

Sewer & Water:

Massine reported Hurff is requesting quotes for cleaning the 18" sewer pipe.

Law Enforcement:

Espinoza reported he has visited with Chief George and voiced he is doing a good job.

Streets & Alleys:

Hopes noted that the City Crew has finished alley clean up, they are fixing pot holes, and they have reset the manholes on railroad.

Hopes asked if there was a progress report on the storage sheds that are to be built. Hurff noted he met with Dax Simek, of Stahly Engineering, and they will be drawing up a plan for a catch basin. Massine asked about curb and gutter. Hurff noted they will be installing curb and gutter and he will be following up with the owner.

Parks & Playgrounds:

Krebs reported the plans for the South Park Project were reviewed during the committee meeting to finalize the plan before submitting the Land Water Conservation Fund (LWCF) application. There is the possibility of adding a splash park where one of the volleyball courts would be removed and the number of horseshoe pits would be reduced to install semi-permanent corn hole boards. He will work with Hurff to provide an update for the next meeting.

Finance/Landfill:

The 2023 Certified Taxable Valuation, Mill Levies and Permissive Medical Levy for FY 2023-2024, and the Fiscal Year 2024 HB124 & SB372 Entitlement Distribution were reviewed. A Budget meeting will be scheduled for Tuesday, August 22, 2023 at 6:30 p.m.

Resolutions & Ordinances:

Mayor Purcell noted he will visit with Sharpe about having a committee meeting to review the code for increasing the standard fence height from forty-two inches to forty-eight inches.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell reported the City received information from Northwestern Energy Pipeline Safety Resources.

UNFINISHED BUSINESS:

Knudsen reported there has been several drafts for the Farm to Market Road Agreement. It was pointed out that there was not any language in the agreement of who would be responsible for the maintenance of Railway. Knudsen noted the Big Horn County Commissioners would like to reduce the ten-year agreement down to three years. Big Horn County Commissioners Larry Vandersloot and George Real Bird III were present. Vandersloot voiced the County did their part, now the City needs to address drainage on Railway or the road will never hold. There was more discussion about the condition of the road. Mayor Purcell suggested for the maintenance to be shared between the City and County. He added the drainage is the obligation of the City. Hurff voiced he is working with the engineers regarding that. Krebs noted that he doesn't have a problem taking 13th Street if the County mills it. The consensus of Council was to negotiate for the County to mill 13th Street and maintain Railway. Commissioner Real Bird III noted that they will provide public notice for discussion.

Mayor Purcell reported Big Horn County has asked for an exchange of SID's, they inherited through tax sale, for installing the temporary culvert at Sawyers Loop and to hire them to install a permanent culvert. Council previously approved an exchange dollar for dollar. The SID's are \$84,425.66. Mayor Purcell reviewed the quote that was

submitted in the total amount of \$84,425.66 to install a permanent culvert. Knudsen voiced that Montana Code Annotated (MCA) 7-5-4302 requires for any project \$80,000 and greater would have to go out to bid. It was noted the invoice for the Temporary Culvert Replacement at Sawyers Loop will be paid to the County. Mayor Purcell recommended for the invoice to be sent back for re-evaluation and noted the City cannot currently move forward MCA. Massine motioned to approve the invoice to pay the County \$8,918.63 for the temporary culvert replacement. Greer seconded. On a voice vote the motion passed. (4/1) Espinoza abstained. Krebs motioned to see what the County forwards for an estimate to replace the culvert and go out to bid for the project if it comes in at \$80,000 or over. Hopes seconded. On a voice vote the motion passed. (4/1) Espinoza abstained.

NEW BUSINESS:

Massine motioned to approve the Memorandum of Agreement for Payment of Engineering Services for Town of Lodge Grass Phase 2 WWTF Improvements Equipment Procurement. Greer seconded. On a voice vote the motion was unanimously approved.

Hurff reported S BAR S submitted an estimate in the amount of \$77,545 for a new sand shed. There was discussion of the specifications of the building. Krebs motioned to approve the quote. Espinoza seconded. On a voice vote the motion was unanimously approved.

Hurff reviewed a quote from RDO Equipment Co. in the amount of \$9,500 for a 2023 Dozer Blade for the landfill motor grader. Greer motioned to approve the purchase. Massine seconded. Espinoza asked if the City had looked into Sourcewell pricing; they provide a reduction in pricing for government entities. Hurff will look into it. Greer amended his motion to move forward by looking into Sourcewell pricing and approve the maximum amount of \$9,500 to purchase of a dozer blade. Hopes seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported the City purchased a 2017 GMC truck, through auction, for the Water Treatment Plant.

Hurff reported he received a quote in the amount of \$40,702 for a three-stall portable restroom and a quote in the amount of \$54,962 for them to be lowered for handicap accessibility. He reported Braaton Construction had provided a quote for a permanent restroom in 2021 in the amount of \$28,308. He has reached out to them and they will submit a new estimate.

Hurff reported Barry Damschen, landfill engineer, visited the landfill. He will be providing more detailed drawings of the proposed canister site. Damschen recommended for the project to go out to bid this winter and plan for spring construction.

Finance:

Lehr reviewed the Fourth Quarter Financial Report for Fiscal Year 2023. Massine motioned to approve the report. Greer seconded. On a voice vote the motion was unanimously approved.

Lehr reported the implementation process with the grant management software is moving along quickly.

Police:

Police Chief George provided a review of calls for service and the crime statistics. He reported Officers Austin Gearhart and Dave Weer will be attending classes for court and testimony training and he and Officer Rennie Imasa will be attending a law enforcement equivalency training. Greer noted that school will be starting shortly and suggested for a flyer to go out to the community that the state installed two 15 mile per hour signs around the Primary School. Chief George voiced he will post this to the Department Facebook page.

Chief George noted that he is looking into grants for speed detectors and that he found a speed trailer at an auction that he is looking into.

Legal:

Economic Development:

Tina Toyne provided a review of projects she is currently working on with Beartooth RC&D, the Tribal Housing Authority, and local businesses. Toyne reported there is a photo display at the airport than can be seen when exiting the airport down the escalator. The display provides information of what South East Montana has to offer. Toyne provided an update on the Big Sky Passenger Rail Authority Meeting that was held with Crow Tribal members. The next BRECC Coalition site visit is scheduled for the end of October in Wyoming.

Ordinance NO. 2023-08: Second Reading - To Prohibit Feeding and Attracting Animals – Knudsen noted a typo: *subsection B (5) should read (5')*. Greer motioned to approve the second reading with the amendment noted by Knudsen. Hopes seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell reported the following employee anniversaries: Steffen Peters, 5 years and Chris Schneider, 18 years; a Budget Meeting is scheduled for August 22, 2023 at 6:30 p.m.; a Meet & Greet with Police Chief Paul George is scheduled for Friday, August 25, 2023 at 6:00 p.m. in Council Chambers; City Offices will be closed Monday, September 4th for Labor Day; and Public Hearings scheduled for September 5, 2023 – Water and Sewer Rate Increase at 6:00 p.m. and Adopting the Final Budget for Fiscal Year 2023-2024 and setting mill levies and assessments and user fees at 6:20 p.m.

Mayor Purcell announced the following job openings: Full-time positions – Police Officers, Terminal Agency Coordinator (TAC) Officer/Admin. Assistant I–IV, Court Clerk I–IV, and Maintenance Worker I. All positions are open until filled.

Krebs motioned to adjourn the meeting at 8:30 p.m. Massine seconded. On a voice vote the motion was unanimously approved.



Joe Purcell, Mayor

ATTEST:



Andrew Lehr, Finance Officer/City Clerk



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

PUBLIC HEARING: The Public Hearing to Increase Rates and Charges for the Users of the Water and Sewer Systems was opened at 6:00 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 City Attorney Jordan Knudsen.

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

Mayor Purcell opened Public Comment for the Public Hearing to Increase Rates and Charges for the Users of the Water and Sewer Systems.

Corrina Kirschenmann-Kuntz, resident, asked if this was a one-time increase or a three-year or five-year plan. Mayor Purcell reported the rates are evaluated each year for adjustments to cover costs. He noted the sewer rates will be going up with the Waste Water Treatment Plant Project; the amount is not known at this time.

The Public Hearing closed at 6:03 p.m.

PUBLIC HEARING: The Public Hearing for Adopting the Final Budget for Fiscal Year 2023-2024 and setting mill levies, assessments and user fees was opened at 6:21 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 Police Chief Paul George.

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

Mayor Purcell opened Public Comment for the Public Hearing for Adopting the Final Budget for Fiscal Year 2023-2024 and setting mill levies, assessments and user fees.

There was not any Public Comment.

The Public Hearing closed at 6:23 p.m.

COUNCIL MEETING: The Regular Council Meeting for September 5, 2023 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 Police Chief Paul George.

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 August 15, 2023. Motion seconded by Greer. On a voice vote the motion was unanimously approved. Massine motioned to approve the Parks and Playgrounds Committee meeting minutes as written for August 15, 2023. Espinoza seconded. On a voice vote

the motion was unanimously approved. Hopes motioned to approve the Finance/Budget Committee meeting minutes as written for August 15, 2023. Greer seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for September 5, 2023.

	CLAIM No.	Monthly Total
August, 2023	30078-30089, 30111-30115, 30118-30146	\$ 83,648.82
September, 2023	30090-30110, 30116-30117, 30147-30148	\$ <u>415,459.46</u>
TOTAL Submitted		\$ 499,108.28

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

PUBLIC COMMENT:

Jose Funke voiced his major concerns are that the city police need to be in full force at night, garbage issues, and the status of the new garbage truck. Hurff reported the expected delivery date on the new garbage truck is in October.

MAYOR:

Personnel Policy/City Policy:

Sewer & Water:

Law Enforcement:

Streets & Alleys:

Parks & Playgrounds:

Krebs reported Hurff and Lehr are working on the Land Water Conservation Fund (LWCF) application to submit for the South Park Project.

Finance/Landfill:

Resolutions & Ordinances:

Sharpe noted a committee meeting will be scheduled regarding zoning.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell reported registration is open for the Montana League of Cities and Towns 92nd Annual Conference that is scheduled for October in Helena, MT.

UNFINISHED BUSINESS: N/A

NEW BUSINESS:

Mayor Purcell reported the City received a letter of recommendation from the City-County Planning Board (CCPB) to approve the variance application submitted by Earl and Blanche Becker, with conditions, to have livestock on property in the R1 Zoning District. Greer provided a review of the public hearing that was held by the CCPB. Forrest J. Mandeville, AICP – Planning Consultant, voiced Becker was previously denied a zone change. Greer noted the Becker property is surrounded by Industrial zoning, letters of support were submitted, and no one protested it. Cory Kenney voiced that on large property areas you have to be able to let the grass be grazed to not have a huge fire hazard. Espinoza motioned to approve the application to include the conditions recommended by the CCPB. Sharpe seconded. On a voice vote the motion was approved. (5/1) Krebs voted Nay.

Mayor Purcell reported the City received a letter of recommendation from the CCPB to approve a variance application submitted by Ruth Kirschenmann to erect a 5-

foot chain link fence around the front yard of her property at 615 North Custer. Massine motioned to approve the application. Greer seconded. On a voice vote the motion was unanimously approved.

Hurff requested approval to purchase ice slicer in the amount of \$6,085.12. Massine motioned to approve the request. Greer seconded. Krebs asked about coordinating with the county to reduce the cost. The purchase was approved for up to the amount of \$6,085.12 and Espinoza will contact Hurff with details. On a voice vote the motion passed. (5/1) Espinoza abstained.

STAFF REPORTS:

Public Works:

Finance:

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

Lehr reported Fire Chief Joe Connelly received a grant from First Interstate Bank to purchase smoke alarms. They will be provided to children at school to take home.

Lehr reported the first reimbursement of the minimum allocation grant through the American Rescue Plan Act (ARPA) Grant and Department of Natural Resources and Conservation (DNRC) has been received in the amount of \$34,441.51 and the second reimbursement from the Montana Coal Endowment (MCEP) for Phase II of the Waste Water Treatment Plant Project has been received in the amount of \$33,293.

Police:

Police Chief George provided a review of calls for service and the crime statistics. He reported Officer Dave Weer started at the Police Academy, Officer Sean Beasley will be attending DUI training in Lewistown, and he and Officer Rennie Imasa attended Legal Equivalency (LEQ) classes this past week. Police Chief George noted that Officer Austin Gearhart attended Advanced Roadside Impaired Driving Enforcement (ARIDE) training and is now certified. Police Chief George announced that he will be hitting social media hard for recruitment of Police Officers, a Terminal Agency Coordinator (TAC) Officer, and a School Resource Officer. He asked for the public to share the information.

Legal:

Economic Development:

Tina Toyne reported Flo Ramirez will receive reimbursement through a grant for the bags he purchased for his business; she and Jacy Head of Beartooth RC&D, will meet with Gus Byrom, with The Montana Department of Commerce, and his team to discuss what would be best in going out for a Request for Proposals to apply for a CDBG grant to address housing needs; Tash Wisemiller, State Community Development Specialist with Rural Development and USDA Rural Development Staff will be holding a meeting in Hardin on Tuesday, September 12th in the dining hall of the previous Heritage Acres; she attended a State Tourism Resilience meeting in Miles City; she continues to work with the Montana Healthcare Foundation and One Health for plans to develop the lots behind the clinic and a proposal will be brought to the city and county; and she sent an email to Council and City officials asking if anyone would consider being a representative for the County at the Big Sky Passenger Rail meeting.

RESOLUTIONS & ORDINANCES:

Resolution NO. 2341: Assessing Lighting District NO.1, FY 2023/2024. Greer motioned to approve the resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2342: Assessing Lighting District NO. 54, FY 2023/2024. Greer motioned to approve the resolution. Massine seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2343: Assessing the Cost of Garbage Disposal to City Property Owners for FY 2023/2024. Greer motioned to approve the resolution. Hopes seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2344: Approve Assessments Being Placed on the Real Property Tax Rolls as a Special Assessment. Lehr reported the second page of Exhibit A should be Exhibit B and the heading of Exhibit B should read "Water Assessments". Greer motioned to approve the resolution with the changes noted by Lehr. Espinoza seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2345: Adopt Budget Fiscal Year 2023/2024. Sharpe motioned to approve the resolution. Greer seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2346: Taxes/Levies Fiscal Year 2023/2024. Hopes motioned to approve the resolution. Greer seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2347: Increase Rates and Charges for Water and Sewer Systems. Greer motioned to approve the resolution. Krebs seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2348: Amending the Landfill Fee Schedule. Hopes motioned to approve the resolution. Massine seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2023-09: First Reading – To Increase the Maximum Fence Height for Yards of Residential Areas – Krebs motioned to approve the first reading of the ordinance. Espinoza seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell reported Thursday, September 7th is the last day for the River Valley Farmers Market.

Mayor Purcell announced the following job openings: Full-time positions – Police Officers, Terminal Agency Coordinator (TAC) Officer/Admin. Assistant I–IV, Court Clerk I–IV, Maintenance Worker I, and Part – time Building Inspector/Code Enforcement Apprentice. All positions are open until filled.

Greer motioned to adjourn the meeting at 7:32 p.m. Massine seconded. On a voice vote the motion was unanimously approved.



Joe Purcell, Mayor

ATTEST:



Andrew Lehr, Finance Officer/City Clerk



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

COUNCIL MEETING: The Regular Council Meeting for September 19, 2023 was called to order at 6:32 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

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

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

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 for September 5, 2023. Motion seconded by Massine. On a voice vote the motion was unanimously approved. Sharpe motioned to approve the Public Hearings as written for September 5, 2023. Greer seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for September 19, 2023.

	CLAIM No.	Monthly Total
August, 2023	30149-30157, 30161-30165, 30167-30168	\$ 45,458.73
September, 2023	30158-30160, 30169-30176	<u>\$ 54,263.83</u>
Claims Total (Expenditures)		\$ 99,722.56
August, 2023 Payroll		<u>\$ 216,517.43</u>
Total Submitted		\$ 316,239.99

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

PUBLIC COMMENT:

MAYOR:

Mayor Purcell reported a part-time Code Enforcement Apprentice has been hired, building permits continue to be issued, letters have been sent regarding dead trees, the City has been seeking bids for tree trimming in the parks and on boulevards, weed and grass signs are being placed for weed and grass violations, and weeds in the alley will be addressed after alley clean up.

Mayor Purcell reported that if a citizen chooses to take in a stray animal in the City they may have to wait a while for someone to pick it up. He added that vicious animals will be handled differently.

Mayor Purcell reported he has prepared a banner and flag estimate for Council's approval. The banners were designed to promote the City, agriculture, and the predominant culture of the County. A flag will be placed above each banner to support our veterans, military and government. The banners will also act as a wayfinding tool.

Mayor Purcell noted that Rural Development visited Hardin to discuss grant opportunities for businesses and the City.

Personnel Policy/City Policy:

Mayor Purcell reported the City has job openings for Police Officers, Maintenance Worker I, and a Terminal Agency Coordinator (TAC) Officer I-IV.

Sewer & Water:

Law Enforcement:

Streets & Alleys:

Mayor Purcell reported the previous school superintendent did some traffic studies around the Kindergarten Readiness Center and Primary School; the current superintendent was not aware of them. The state has installed 15 mph signs by the primary school. Greer reported he and Hopes have a meeting scheduled on September 26th with the School District to discuss a proposal to have a one-way street on Cody Avenue for a drop off zone at the Primary School. They will then meet with Police Chief George and bring it to Council to review.

Parks & Playgrounds:

It was noted the closure of park restrooms depends on the weather. Lehr reported the pre-application for the Land Water Conservation Fund grant for the South Park Project will be submitted for review and upon approval the final application will be submitted. Hurff reported the parks have been sprayed for broadleaf weeds.

Corrina Kirschenmann-Kuntz voiced there are a lot of street people at the skatepark and asked what we were going to do about that. Sharpe noted they can't be on the equipment. Kuntz noted they don't have skate boards. Krebs voiced that multiple people have told him that they saw people in the park drinking from bottles and noted he has called it in himself when he has seen it. Knudsen and Chief George encouraged for people to take videos, call it in, and then they can take action; his would provide the hard physical evidence.

Finance/Landfill:

Greer reported the landfill passed an inspection today that was done by the EPA.

Resolutions & Ordinances:

Sharpe reported there was discussion on R2 General Residential District Zoning but there was not any information to bring to Council; there was not a quorum present.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell reported the City received the City-County Planning Board minutes from their meetings of July 10th and August 14th.

UNFINISHED BUSINESS:

NEW BUSINESS:

Hurff reported he has received three estimates to replace the culvert at the South end of Center Avenue and Sawyer Loop. He recommended the estimate submitted by Pink Hill, LLC. Massine motioned to approve the quote in the amount of \$59,324.96 for the 90-foot culvert. Greer seconded. Massine asked if the 100-foot culvert would be needed. Hurff noted the current culvert is 100-foot long and the 90-foot culvert will be used if possible. Massine amended the motion by approving the total amount for the 100- foot culvert in the amount of \$62,324.96 if needed. Greer seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed the Tax Increment Finance District (TIFD) Annual report and Continuing Disclosure. Greer motioned to approve the reports. Sharpe seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reviewed a quote from Street Decor, Inc. in the amount of \$14,465.00 for banners and US flags. There will be twenty banners for each of the three designs and the US flags will be hung above the banners to compliment them. Massine motioned to approve the purchase. Krebs seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Finance:

Lehr reported he attended a virtual meeting today for the Town of Lodge Grass American Rescue Plan Act (ARPA) Funding; The Montana Department of Natural Resources and Conservation (DNRC) should have all the start-up condition paperwork for Morrison-Maierle to begin purchasing equipment for Lodge Grass.

Lehr reported the official Budget will be submitted to the State this week, the LWCF application will be submitted next week, and Denning, Downey and Associates have begun the Fiscal Year 2023 audit.

Police:

Police Chief Paul George provided a review of the crime statistics and calls received through today. He noted that he, some City Officers, and others attended a Civil Servant Appreciation that was hosted by Hardin New Life Church. Police Chief George reported the Criminal Justice Information Network (CJIN) performed an audit and the department passed; in compliance.

Legal:

Knudsen reported he looked into and found that the City cannot regulate small alcohol container bottles from being sold in the City. He added that other municipalities had reached out and HB97 was proposed and did not pass.

Economic Development:

RESOLUTIONS & ORDINANCES:

Ordinance NO. 2023-09: Second Reading – To Increase the Maximum Fence Height for Yards of Residential Areas – Massine motioned to approve the second reading of the ordinance. Greer seconded. On a voice vote the motion was unanimously approved.

Kirschenmann-Kuntz reported the City-County Planning Board made a list of properties they identify as community decay and pointed out there is a house that is burnt across from the park. Mayor Purcell voiced that the concerns need to go to code enforcement, that is the first step.

ANNOUNCEMENTS:

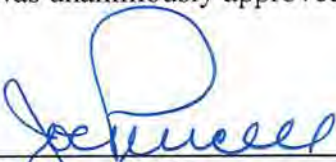
Mayor Purcell announced Randy Melville has been with the City seventeen years and Alley Clean-Up is scheduled for the week of October 2nd.

Mayor Purcell announced the following job openings: Full-time positions – Police Officers, Maintenance Worker I, and Terminal Agency Coordinator (TAC) Officer/Admin. All positions are open until filled.

Greer reported he attended the Yes Coalition, through One Health, and it was very informative. The coalition is designed for the youth in the community/county.

Shannon Pitsch announced there is a Town Hall Meeting scheduled for October 23rd at 6:00 p.m. at the Hardin Middle School Auditorium. A Resident Agent in Charge of Montana for the Drug Enforcement Administration (DEA) will be speaking.

Greer motioned to adjourn the meeting at 7:15 p.m. Massine seconded. On a voice vote the motion was unanimously approved.


Joe Purcell, Mayor



ATTEST:


Andrew Lehr, Finance Officer/City Clerk

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

COUNCIL MEETING: The Regular Council Meeting for October 3, 2023 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 (by virtual meeting), and Police Chief Paul George.

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 for September 19, 2023. Motion seconded by Hopes. On a voice vote the motion was unanimously approved. Sharpe motioned to approve the Resolutions or Ordinances Committee minutes as written for September 19, 2023. Greer seconded. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for October 3, 2023.

	CLAIM No.	Monthly Total
September, 2023	30177-30192, 30217-30243	\$ 85,448.97
October, 2023	30193-30216	\$ <u>12,563.75</u>
Total Submitted		\$ 98,012.72

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

PUBLIC COMMENT:

Richard Sleeper, One Health Youth Prevention Specialist (by virtual meeting), voiced Communities That Care (CTC) is in the process of being organized. He extended an invitation for City representatives to attend the next meeting that is scheduled for October 27th from 12:00 p.m.to 12:50 p.m. Sleeper voiced that it can't be done without the support. The program will be implemented from the Primary school level to the High school level in the County. He also extended an invitation to attend a key leader orientation that is scheduled for November 3rd from 9:00 a.m.to 1:00 p.m. This will be a four-hour workshop on the fundamentals and roles as key leaders. He will forward details of the meetings.

Jose Funke, resident, read a letter that was written by his daughter to the Police Chief and Police officers. He also extended a "Thank You".

MAYOR:

Mayor Purcell reported he attended the MACo Conference in Butte last week; property taxes and the lack of mental health services in the state were among the topics discussed. He reported he will be attending the Montana League of Cities and Towns (MLCT) Annual Conference in Helena from October 11th to October 13th and announced that he will be moving into the President of MLCT role; representing Montana and Hardin and he will be representing the state when attending a MLCT conference in Georgia later this fall.

Mayor Purcell reported that he, Lehr, Tina Toyne, and Beartooth RC&D have been working on potential business growth and Economic Development in Industrial Park and working with HUD on housing grants and programs.

Mayor Purcell noted code enforcement continues to be busy with building permits.

Personnel Policy/City Policy:

Mayor Purcell reported the City has job openings for Police Officers, Maintenance Worker I, and a Terminal Agency Coordinator (TAC) Officer I-IV.

Sewer & Water:

Law Enforcement:

Espinoza voiced the Chief is doing a good job.

Streets & Alleys:

Hopes noted the City is doing alley clean up this week.

Parks & Playgrounds:

Krebs reported the parks have been closing at 5:00 p.m. due to vandalism, they will be closing for the season within the next few weeks, and Hurff has been reaching out for bids to build restrooms in the Plaza and Wilson Park. Lehr noted the pre-application for the South Park Project was approved for the final application to be submitted.

Finance/Landfill:

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell reported the City received a newsletter from the Montana Department of Transportation, the City-County Planning Board provided information for a training that will be provided by the Montana Department of Commerce on October 18, 2023 at 7:00 p.m. in Council Chambers and an invitation for the public to attend a Public Meeting provided by the Montana Department of Commerce on October 19, 2023 at 7:00 p.m. located in the Big Horn County Courthouse.

UNFINISHED BUSINESS:

NEW BUSINESS:

Hurff reported he reached out for quotes to trim trees in the boulevards. He requested approval of the quote from Valley Tree Service in the amount of \$5,700 to trim trees on the 300 to 900 blocks of Crawford Ave. Sharpe motioned to approve the request. Espinoza seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported the Police Department is requesting a loan from the Water fund to the General Fund to purchase a F250 from the Alvarado Police Department. Krebs asked if the department needs a truck. Chief George noted they do need heavy equipment to pull vehicles, etc.; it has low mileage, they are selling it under value, and it will come fully equipped with equipment that will save the department money. Mayor Purcell noted the department is also looking at a replacement plan for the vehicles that were damaged by hail. Espinoza motioned to approve the purchase. Massine seconded. On a voice vote the motion was unanimously approved.

Dax Simek reviewed the updated EJCDC contract amendment with Stahly Engineering to combine Phases II and III of the Waste Water Treatment Plant Project. Simek reported the projection is for the project to go out to bid around December, construction to begin around March of 2024, weather permitting, and the project to wrap up roughly around December of 2025. Greer motioned to approve the contract. Sharpe seconded. On a voice vote the motion was unanimously approved.

Melvin Schuman requested an increase from a 40-foot driveway approach to 70-foot for the Storage Units located on 13th Street. He noted that it would give folks more room to pull out facing forward; it would be safer for them to exit. The driveway will be placed in front of the culvert that has been installed. Krebs asked if they were still putting in curb and gutter. Schuman noted they are working on it, it is a struggle to get someone

to come down for the project. Greer motioned to approve request for the 70-foot driveway approach and for Schuman to coordinate with Hurff on landscaping. Hurff reviewed the landscaping proposal. Espinoza seconded. On a voice vote the motion passed. (5/1) Massine voting Nay.

Mayor Purcell reported the homeowner of a house that burned is unable to have it demolished; they want to donate the property to the City Hardin Volunteer Fire Department (HVFD). The department will use it for training then demolish and clean up property when they can no longer use it. Resolution NO. 2354 will be voted on under Resolutions or Ordinances.

The purchase of the F250 from the Alvarado Police Department was discussed with the request for a Loan from the Water Fund to the General Fund in new business.

STAFF REPORTS:

Public Works:

Hurff reported the City picked up thirteen more 300-gallon garbage cans from Billings; crosswalks have been painted on 2nd Street and Cody Avenue and Crawford Avenue; and the new garbage truck is expected around October 20th. Hurff reported Stahly engineering is performing flow tests through the town and he will be looking into a new design for the plastic playground set in Heimat Park that need to be replaced.

Finance:

Lehr reported the Town of Lodge Grass will be receiving the contract with Department of Natural Resources and Conservation (DNRC) soon for their project and the City audit for Fiscal Year 2023 is in progress.

Police:

Police Chief Paul George reviewed crime statistics and noted calls received have gone up. He voiced the department is being pro-active getting out; blue lights stop crime. Chief George reported the officers are wearing pink fabric badges in October for Breast Cancer Awareness month. He noted interviews will be held for the Terminal Agency Coordinator (TAC) Officer/Admin position.

Legal:

Knudsen reported the County did not approve the Farm to Market agreement proposal; concerning railway and 13th Street. A meeting will be scheduled for more discussion and hopefully the City and County can come to an understanding on the agreement.

Economic Development:

Tina Toyne reported meetings continue with One Health and The Montana Healthcare Foundation regarding housing and HUD will be coming to Hardin the last week of November for a site visit; she has been meeting with the Montana Department of Commerce to work on the CDBG grant application that is due November 1st; she has been working with Beartooth RC&D and Joe Connelly regarding companies that are looking to come to Montana and Hardin; and the USDA RD came to the county and met with community members to explain programs they offer. Toyne reported she has been attending meetings of the Big Sky Passenger Rail Authority Board and the Hardin Area Chamber of Commerce; the 150th anniversary for the Little Bighorn Battle will take place in 2026 and it will take the whole community to prepare for the number of tourists that will be visiting the county; and she sent an annual report to Council for the Passenger Rail Service.

RESOLUTIONS & ORDINANCES:

Resolution NO. 2349: Authorizing Loan from Water Fund to General Fund. The loan is to fund the purchase of a police vehicle. Massine motioned to approve the resolution. Hopes seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2350: Authorizing application for Land & Water Conservation Fund Assistance. Greer motioned to approve the resolution. Krebs seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2351: Authorizing the Submission of Montana Department of Commerce Coal Board Application in Support of the City of Hardin Public Works. Mayor Purcell voiced

the application will be submitted for funding of the next garbage truck. Greer motioned to approve the resolution. Sharpe seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2352: Requesting the Big Horn County Election Administrator to Cancel the Mail Ballot Election for the 2023 Election of Aldermen in Wards 1, 2, and 3. Massine motioned to approve the resolution. Greer seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2353: Cancelling the Election for the 2023 Election Year for the Aldermen of Wards 1, 2, and 3 and Declaring the Elections by Acclamation. Greer motioned to approve the resolution. Massine seconded. Lehr noted a correction will need to be made on Chris Sharpe's name. On a voice vote the motion was unanimously approved.

Resolution NO. 2354: Accepting the Donation of Real Property. Krebs motioned to approve the resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

Corrina Kirschenmann-Kuntz reported the Montana Department of Commerce will be at City Council Chambers on Wednesday, October 18th at 7:00 p.m. to provide information to the CCPB about planning board protocols and the Department of Commerce will hold a public meeting at the County Courthouse on Thursday, October 19th at 7:00 p.m. to present information and answer questions regarding Montana planning board protocols.

ANNOUNCEMENTS:

Mayor Purcell reported City Offices are closed Monday, October 9th for Columbus Day.

Mayor Purcell announced the following job openings: Full-time positions – Police Officers, Maintenance Worker I, and Terminal Agency Coordinator (TAC) Officer/Admin. All positions are open until filled.

Greer motioned to adjourn the meeting at 7:32 p.m. Espinoza seconded. On a voice vote the motion was unanimously approved.



Joe Purcell, Mayor

ATTEST:



Andrew Lehr, Finance Officer/City Clerk



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

COUNCIL MEETING: The Regular Council Meeting for October 17, 2023 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 joined the meeting at 6:50 p.m. by virtual meeting.

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

Also present physically: Members of the public.
Also present by Virtual Meeting: Jeremy Krebs

MINUTES OF THE PREVIOUS MEETINGS & CLAIMS: Hopes made the motion to approve the Council minutes for October 3, 2023. Motion seconded by Greer. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for October 17, 2023.

	CLAIM No.	Monthly Total
August, 2023	30246	\$ 300.00
September, 2023	30244, 30247-30257, 30259, 30261-30271, 30273	\$ 89,886.51
October, 2023	30258, 30260, 30272, 30274	\$ 45,211.89
Claims Total (Expenditures)		\$ 135,398.40
September Payroll		\$ 291,333.95
Total Submitted		\$ 426,732.35

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

PUBLIC COMMENT:

Tobin Novasio, Superintendent of 17H&1 School District, provided an update regarding the traffic issues for pick-up and drop off at the Primary School and Kindergarten Readiness Center. The proposal includes an adjustment of the West side of Cody Avenue for a drop off and pick-up lane, requires angled parking on the east side of Cody Avenue, and painting double lines for one-way traffic. There is a meeting scheduled with the City of Hardin Police Chief next week to discuss the proposal and receive feedback. Novasio reported crosswalks are also a part of the discussion. The school district is doing a full assessment of walking paths around Hardin Schools and in Crow Agency; he added automated traffic lights are an option. He voiced he is looking forward to working with City Council and the Police Department.

MAYOR:

Mayor Purcell referenced the new banners, displayed in Council Chambers, and reported there is twenty of each design that will be installed beginning from Pizza Hut, going South on Crawford, and to the Courthouse; he attended the Montana League of Cities and Towns (MLCT) Annual Conference in Helena last week, he will serve a one-year term as the President of MLCT role, and he will be representing the state when attending a MLCT conference in Georgia next month. He provided a review of some topics that were discussed at the conference.

Mayor Purcell provided information on the number of issued building permits and reported the Hardin Volunteer Fire Department education program distributed smoke detectors to the Kindergarten Readiness Center and the Primary School and they will distribute them at the Intermediate School next week.

Mayor Purcell reported Animal Control has been dealing with a large number of cats with litters. Help Every Pet is working to set up a spay and neuter clinic in the City.

Personnel Policy/City Policy:

Mayor Purcell reported the City has job openings for Police Officers, Maintenance Worker I, and a Terminal Agency Coordinator (TAC) Officer I-IV.

Sewer & Water:

Law Enforcement:

Espinoza voiced the Chief is working to get to twenty-four hour patrols.

Streets & Alleys:

Hopes reported the City Crew has finished Alley Clean-up and is now blading alleys.

Parks & Playgrounds:

Hurff reported the park sprinklers and restrooms have been winterized, the picnic tables were picked up today, and he is looking to have a truck delivered for the parks department.

Finance/Landfill:

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell reported the City received the City-County Planning Board minutes from the meeting of September 11, 2023.

UNFINISHED BUSINESS:

NEW BUSINESS:

Kristen Mark, with the Hardin Otters Swim Team, extended a "Thank You" to City Representatives for their service to the community. She voiced sponsorship provides team scholarships and contributes to purchasing equipment. Mark reported the team is raising money for an event heat display; with the cost range up to about \$2,000 for a hard-wired system. It was noted that Council has \$2,000 in their budget. Greer motioned to approve the donation of \$2,000. Espinoza seconded. Lehr pointed out the HEP Club may be coming to Council at a later date. Hopes voiced \$1,000 to the swim team would save funds for HEP. On a voice vote the motion was unanimously approved.

Mayor Purcell reported Landa Uffelman has requested street closure of the 200 Block from 3:00 p.m. to 9:00 p.m. on Saturday, November 25th for the Hardin Christmas Stroll. Massine motioned to approve the requests. Espinoza seconded. On a voice the motion was unanimously approved.

Mayor Purcell reported the Department of Commerce has requested street closure of the 200 Block from 3:00 p.m. to 7:00 p.m. on Tuesday, October 31st for the Annual Trunk or Treat downtown. Hopes motioned to approve the request. Massine seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell requested for the Police Department vehicle lease agreement to be tabled; there is not enough information provided for a decision. Hopes motioned to table the agreement. Greer seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported the City staff is working hard and the date for the new garbage truck to arrive in Billings has been pushed to the 26th of October with an expected delivery date

of the following week. Hurff reported Nelson Glick contacted him and the culvert that he was going to purchase, for replacement at Sawyer's Loop and Center Avenue, doubled in price. Hurff reported he is working with Dax Simek, Stahly Engineering, to look into a more affordable solution. Hurff extended a "Thank You" to the County for the delivery of the ice salt.

Finance:

Police:

Officer Timothy Smells reviewed crime statistics and calls received for the past month. Massine extended a "Thank You" to the department for cleaning up the old Sinclair parking lot.

Legal:

Knudsen reported there is a meeting scheduled this Thursday with Big Horn County; he will have a report for the next meeting.

Economic Development:

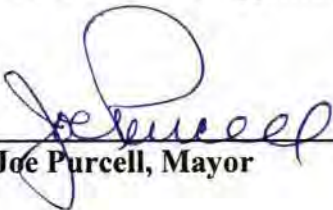
RESOLUTIONS & ORDINANCES:

ANNOUNCEMENTS:

Mayor Purcell announced the following employee anniversaries: Judge Richard Bowler, 6 years; Moses Gonzales, 45 years; Markus Takes The Horse and Angela Zimmer, each 8 years; the Montana Drug Enforcement Administration has scheduled a Town Hall Meeting for Thursday, October 26th at 6:00 p.m. in the Hardin Middle School Auditorium; and a notice for Letters of Interest to serve on the City-County Planning Board will be advertised next month.

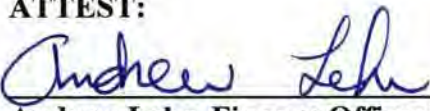
Mayor Purcell announced the following job openings: Full-time positions – Police Officers, Maintenance Worker I, and Terminal Agency Coordinator (TAC) Officer/Admin. All positions are open until filled.

Greer motioned to adjourn the meeting at 6:59 p.m. Massine seconded. On a voice vote the motion was unanimously approved.



Joe Purcell, Mayor

ATTEST:



Andrew Lehr, Finance Officer/City Clerk



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

COUNCIL MEETING: The Regular Council Meeting for November 7, 2023 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 Police Chief Paul George, 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 for October 17, 2023. Motion seconded by Greer. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for November 7, 2023.

	CLAIM No.	Monthly Total
September, 2023	30324	\$ 19,263.07
October, 2023	30275-30300, 30325-30369	\$ 227,101.81
November, 2023	30301-30323	\$ <u>2,430.12</u>
Claims Total (Expenditures)		\$ 248,795.00
October Payroll		\$ <u>195,581.55</u>
Total Submitted		\$ 444,376.55

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

PUBLIC COMMENT:

Corrina Kirschenmann-Kuntz, local resident, voiced concerns about the need to crack down on a lot of codes and regulations, referencing vehicles parking on lawns and yards that “look like junk”. Kirschenmann-Kuntz noted the Police Chief is doing an excellent job at posting information for the public.

MAYOR:

Mayor Purcell extended condolences to the family of Judge Richard Bowler. He voiced Bowler was an asset to the City and will be greatly missed.

Mayor Purcell provided a report on the progress of code enforcement regarding weeds, grass, and basketball hoop violations; he noted he will be representing Montana at the National League of Cities and Towns Conference in Georgia next week; and he extended a “Thank You” to the City Crew for working to the banners and flags.

Personnel Policy/City Policy:

Mayor Purcell reported the City has job openings for Police Officers, Maintenance Worker I, and a School Resource Officer (SRO).

Sewer & Water:

Law Enforcement:

Espinoza extended a “Thank You” to the Police Chief for their participation at Trunk or Treat on Halloween.

Streets & Alleys:

Parks & Playgrounds:

Krebs reported the park restrooms are closed, the sprinklers have been winterized and the picnic tables have been removed. He added the garbage cans in the parks will be emptied as needed.

Finance/Landfill:

Greer voiced he would like to see a cost estimate for the transfer site at the landfill.

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell reported the City received the Cancellation Notice for the 2023 General Municipal Election. He congratulated Sharpe, Krebs, and Espinoza.

UNFINISHED BUSINESS:

NEW BUSINESS:

Mayor Purcell noted the City received a Lease Proposal from Enterprise for new police vehicles. Chief George reported there are four vehicles the City can receive through the program, but some modifications will be required. Mayor Purcell voiced they will replace the three vehicles that were totaled due to the hail and the four-year lease agreement provides the option to buy the vehicles at any time or the program can be continued. Enterprise Account Executive William Kwell, present via phone, reviewed the terms of the lease agreement. Lehr reviewed a comparison of the cost to purchase vehicles outright vs purchasing through leasing. He noted this is the best option financially for the department to recruit and get officers hired in helping the department to move forward. Sharpe motioned to approve the agreement. Greer seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported Police Chief George met with Superintendent of 17H&1 School District Tobin Novasio and Primary School Principal Roxanne Not Afraid regarding a proposal to load and unload students on the Primary School side of Cody Avenue, painting a double line down the center of the road, and for angled parking on the residential side of Cody Avenue by the Primary School. Police Chief George reviewed the process that will be followed for the students to be picked up. Espinoza motioned to approve the diagonal parking. Krebs seconded. On a voice the motion passed. (5/1) Massine voted Nay.

The Hardin Volunteer Fire Department submitted a request to have a small firework show on the southside of Center Avenue at the Christmas Stroll that is scheduled for Saturday, November 25th. Greer motioned to approve the request. Massine seconded. On a voice vote the motion was unanimously approved.

Hurff reviewed a quote from Wagner's Heating and Air Conditioning LLC, in the amount of \$13,500, to furnish material and install two radiant heaters in the City shop. Hurff reported the electrical work would be completed by an electrician and would be an additional cost. Hurff noted that radiant heat will be more efficient. Sharpe motioned to approve the quote plus the additional cost for the electrical work. Massine seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported Stillwater Mine has approached the City about bringing Gypsum to the landfill, as they have done in the past. Knudsen reviewed the proposed changes to the contract. (Espinoza left the meeting at 7:39 p.m.) Sharpe motioned to approve the changes. Krebs seconded. On a voice vote the motion was unanimously approved.

Lehr reviewed the Cash Pledge Report. Greer motioned to approve the changes. Hopes seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported Chris Schneider, Landfill Lead, is looking into a rebuild program for the compactor; he has been researching prices for a new culvert to install at Center Avenue and Sawyer's Loop; the owner of the new storage units on 12th Street is having trouble getting a contractor here for their curb project; and Love's Travel Stop is anticipating having their RV Park complete around early to mid-December.

Hurff reported the contracted tree service, Valley Tree Service, cut limbs down Crawford Avenue; employees at the Water and Waste Water Treatment Plants have been working on their CEC's credits online; and a truck was purchased for the parks department.

Hopes asked about the delivery date of the new garbage truck. Hurff reported the truck is in Billings, it is being programmed, and the expected delivery date is the 15th of November.

Finance:

Greer motioned to approve the Quarterly Report for the first quarter of Fiscal Year 2024. Massine seconded. On a voice vote the motion was unanimously approved.

Lehr reported there was a meeting today for the American Rescue Plan funding (ARPA) for the Lodge Grass project; he reviewed the amount received from insurance for the three police vehicles that were totaled by the hail event; he requested an extension for the Coal Board Grant that the City received for the K-9 Vehicle; and he provided a review of the investment account.

Police:

Police Chief George reviewed crime statistics and calls received since the last meeting. He reported Officer Timothy Smells received Child Forensic Training for interviewing juveniles; the Terminal Agency Coordinator (TAC) Officer position has been filled; and he reviewed the purpose of the Trespass/Public Nuisance form.

Police Chief George reported the department handed out candy and cookies at the Trunk or Treat Event with the Sheriff's Office and the City Police Department will be going back to twenty-four-hour schedules within the next several days.

Legal:

Economic Development:

Tina Toyne reported she has been working on the application for the CDBG grant that was due November 1st; she applied for a housing needs assessment for the County and the County committed to a 1:1 match of \$50,000; she attended training the Department of Commerce provided to the City-County Planning Board; she will be attending the board meeting for the Big Sky Passenger Rail Authority; the company the County and City have been working with for HUD are coming to Hardin for a site visit the week after Thanksgiving; and she reviewed projects that Beartooth RC&D are working on.

RESOLUTIONS & ORDINANCES:

ANNOUNCEMENTS:

Mayor Purcell announced City Offices will be closed Friday, November 10, 2023 in Honor of Veterans Day November 11, 2023 and a notice for Letters of Interest to serve on the City-County Planning Board will be advertised soon.

Mayor Purcell announced the following job openings: Full-time positions – Police Officers, School Resource Officer (SRO) and Maintenance Worker I. All positions are open until filled.

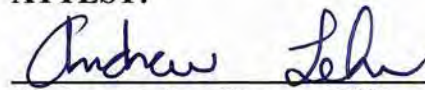
Greer motioned to adjourn the meeting at 8:23 p.m. Hopes seconded. On a voice vote the motion was unanimously approved.



Joe Purcell, Mayor



ATTEST:



Andrew Lehr, Finance Officer/City Clerk

THE COMMON COUNCIL
CITY of HARDIN, MONTANA

COUNCIL MEETING: The Regular Council Meeting for November 21, 2023 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, Antonio Espinoza, and Jeremy Krebs (entered the meeting at 6:42 p.m.). Clayton Greer was excused.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, City Attorney Jordan Knudsen and Police Chief Paul George, 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 for November 7, 2023. Motion seconded by Massine. On a voice vote the motion was unanimously approved.

Sharpe made a motion to approve the claims for November 21, 2023.

	CLAIM No.	Monthly Total
October, 2023	30370, 30377-30382, 30385-30386, 30388, 30390, 30392	\$ 64,745.31
November, 2023	30371-30376, 30383-30384, 30387, 30389, 30416-30422	\$ 7,017.70
December, 2023	30393-30415	\$ 12,318.75
Total Submitted		\$ 84,081.76

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

PUBLIC COMMENT:

MAYOR:

Mayor Purcell extended condolences to the family of Sherriff Darrell King and voiced his leadership will be missed. He extended a “Thank You” to the Hardin Police Department for offering support to the County during this difficult time.

Mayor Purcell noted different brackets have been ordered for the flag poles that are placed above the banners and reported that he attended the National League of Cities and Towns Conference in Georgia noting there was a lot of discussion on housing, youth involvement, and economic development resources.

Personnel Policy/City Policy:

Mayor Purcell reported the City has job openings for Police Officers, Maintenance Worker I, and a School Resource Officer (SRO).

Sewer & Water:

Law Enforcement:

Streets & Alleys:

Hopes reported the city crew has been blading the alleys and adding gravel where needed. He added Alley Clean Up is scheduled for the last week of December and Christmas Tree pick up is scheduled for the first week of January.

Parks & Playgrounds:

Finance/Landfill:

Resolutions & Ordinances:

Sharpe reported R2 General Residential District Zoning was discussed. There was a question regarding a recommendation that was previously made by Greer about garages. There will be follow up.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell reported the City received City-County Planning Board meeting minutes of October 9, 2023.

UNFINISHED BUSINESS:

Knudsen reviewed the draft Farm to Market Agreement. Hopes and Sharpe noted that part of Railway, that was milled by the County, is falling apart. Mayor Purcell pointed out that the current agreement expires in three years; it is still in effect. (Krebs entered the meeting). There was discussion on the responsibilities of the City and County between the current agreement and the draft agreement. Hopes voiced he would like to see it a little more balanced. Cory Kenney recommended a clear copy of the draft, without the notes on the side. Hopes motioned to table the agreement and have a clean copy presented at the next meeting. Massine seconded. On a voice vote the motion passed. (3/2) Sharpe voted Nay and Espinoza abstained.

Knudsen reported Section 8 of the Ash Disposal Agreement calls for renegotiation of the rates every two years; that hasn't been done. He noted there has been a fifty-six percent (56%) increase since the last negotiation. The draft agreement amends the rate to be \$31,200 per month and \$4.02 per ton. Massine motioned to approve the draft amendment to the ash agreement. Hopes seconded. On a voice vote the motion was unanimously approved.

NEW BUSINESS:

Joel Bertolino, Executive Director/Food & Ag Director of Beartooth RC&D, reviewed the Annual Impact Statement. Nan Knight, Finance Director, and Jacy Head, Economic Development Director, reviewed 2023 Projects and grant information for the City of Hardin and Big Horn County.

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

Mayor Purcell reported a proposal was submitted by Safetech, Inc. that included four options for asbestos abatement of the property that was donated to the Hardin Volunteer Fire Department (HVFD). He noted Option #4 is the option the HVFD would like to move forward with in the amount of \$18,700. Massine asked if it was cost effective for training. Lehr noted the department will be able to use it multiple times for training. Jacy Head voiced this project may qualify for Brownfields funds to clean up the building adding it could take three to six months for the whole assessment. Hopes motioned to table the proposal from Safetech, Inc, to pursue further into the Brownfields program. Sharpe seconded. On a voice vote the motion was unanimously approved.

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

STAFF REPORTS:

Public Works:

Hurff reported the new garbage truck arrived last week; the Christmas tree is scheduled to arrive at the Plaza tomorrow to be put in place and decorated; and the 200 Block of Center Avenue will be closed Saturday November 25th from 9:00 a.m. to 2:00 p.m. for the Christmas Stroll.

Finance:

Lehr reported he and Hurff will work on finalizing the application for the Land Water Conservation Fund (LWCF) Grant for the South Park Project.

Police:

Police Chief George extended condolences to family, friends, and staff at the Sheriff's Office for the loss of Sherriff Darrell King.

Chief George reported Trespass/Public Nuisance forms are available at the Police Department, City Hall, and on the website; the department is operating twenty-four hours a day; and the new Terminal Agency Coordinator started yesterday. He noted Corinna Kirschenmann-Kuntz had concerns of people parking on properties; a citation was issued, but parking on the grass is not in the ordinances.

Legal:

Economic Development:

RESOLUTIONS & ORDINANCES:

ANNOUNCEMENTS:

Mayor Purcell announced announce the following anniversaries: Joe Connelly, 11 years; Jim Kuntz, 10 years; and Julie Stieber, 3 years.

Mayor Purcell reported City Offices will be closed Friday, November 23, 2023 for Thanksgiving and will be open from 8:00 a.m. to 12:00 p.m. on Friday, November 24, 2023.

Mayor Purcell announced the following job openings: Full-time positions – Police Officers, School Resource Officer (SRO) and Maintenance Worker I. All positions are open until filled.

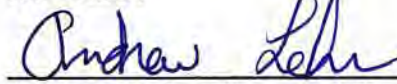
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Massine

~~Greer~~ motioned to adjourn the meeting at 6:33 p.m. Hopes seconded. On a voice vote the motion was unanimously approved.


Joe Purcell, Mayor

ATTEST:


Andrew Lehr, Finance Officer/City Clerk



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

COUNCIL MEETING: The Regular Council Meeting for December 5, 2023 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 Jeremy Krebs. Antonio Espinoza 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 Police Chief Paul George, 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 for November 21, 2023 with a correction to who closed the meeting. Motion seconded by Hopes. On a voice vote the motion was unanimously approved. Sharpe made the motion to approve the Resolutions or Ordinances meeting of November 21, 2023. Motion seconded by Hopes. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for December 5, 2023.

	CLAIM No.	Monthly Total
September, 2023	30437	\$ 2,532.81
November, 2023	30423-30436, 30438-30460, 30464-30478	\$ 84,166.47
December, 2023	30461-30463	\$ <u>77,212.50</u>
Claims Total (Expenditures)		\$ 163,911.78
November Payroll		\$ <u>201,685.55</u>
Total Submitted		\$ 365,597.33

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

PUBLIC COMMENT:

Laurie Tschetter voiced her concern of receiving a certified letter regarding a complaint she made about a neighboring property that is outside of City limits. She added she is not happy with the community decay; there is a problem there. Tschetter noted she would like to see it addressed and she doesn't know what we can do. Massine asked Knudsen if it is something that can be addressed. Knudsen referenced Title 45 of MCA adding he will look into this. Additionally, Tschetter asked for something to be done about the Stockton Oil mess. Mayor Purcell noted code enforcement is working on this.

Funke asked why it is the City's responsibility to get a School Resource Officer for the School District. Mayor Purcell reported the School pays a hundred percent for the position. Funke voiced his concerns of multiple vehicles in his neighborhood, of potholes, garbage collection, ice removal, alley clean-up and street lights on Center Avenue. He added the number one concern in this town is safety.

MAYOR:

Mayor Purcell congratulated the Hardin Volunteer Fire Department; they were nominated by employees at Stanley and Black and Decker to receive a donation of Dewalt tools in honor of First Responders Day.

Mayor Purcell reported the National Conference of Montana League of Cities and Towns was educational; he learned of federal funding opportunities that may be available to the City.

Mayor Purcell noted that he, Hurff, and Lehr met with Stahly Engineering to discuss HB 355 that was passed by the Legislature. The bill awards cities and towns money based on population. Hardin will receive around \$285,000. Dax Simek will provide a project list to Council at the next meeting to propose project options for Council discussion.

Mayor Purcell extended a "Thank You" to the City Crew for installing the flags and banners and for putting up the Christmas Tree and decorations. He also extended a "Thank You" the Hardin Police Department for participating in the services for Sheriff Darrell King.

Mayor Purcell voiced he wanted to reach out and thank the Landfill, Waste Water and Water Treatment Plant employees for all of their hard work.

Personnel Policy/City Policy:

Mayor Purcell reported the City has job openings for Police Officers, Maintenance Worker I, and a School Resource Officer (SRO).

Sewer & Water:

Law Enforcement:

Streets & Alleys:

Parks & Playgrounds:

Finance/Landfill:

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

UNFINISHED BUSINESS:

Knudsen reviewed the "clean" draft Farm to Market Agreement. He noted a correction to be made on page three, paragraph three where the culvert will be the responsibility of the City and not the County. Massine noted Railway is getting really bad; twice as bad as a month ago. Hopes voiced the part of the road that has drainage is falling apart first. Krebs asked if the City would be responsible for Railway. Knudsen noted that is the County's proposal. Sharpe motioned to move subsection 5 of Section 4 *Railway Street between Highway 313 (Mitchell Avenue) and Center Avenue* from the City obligation to the County obligation. Greer seconded. On a voice vote the motion was unanimously approved.

NEW BUSINESS:

Mayor Purcell recommended approval to appoint Joe Connelly to the City-County Planning Board. He added Connelly will benefit the board being the City Code Enforcement Officer; he has knowledge to help with zoning, etc. Greer motioned to approve the appointment. Sharpe seconded. On a voice vote the motion was unanimously approved.

Krebs motioned to approve the appointment of Corrina-Kirschenmann-Kuntz to serve on the City-County Planning Board as the City Council appointment. Hopes seconded. On a voice vote the motion was unanimously approved.

Krebs motioned to approve the Landfill agreement with Northern Cheyenne. Massine seconded. On a voice vote the motion was unanimously approved.

STAFF REPORTS:

Public Works:

Hurff reported plans are being drafted for a concrete slab at the sand shed, he is looking to receive a quote for a pole barn estimated around \$59,000; and the culvert for Center and Railroad has been ordered. Pink Hill is looking to install the culvert in the Spring.

Hurff reported Damschen visited the Landfill and he will provide a more detailed drawing of the dirt moving process and TCT is working on a fiber project in town.

Rob Bryson, local resident, suggested to visit with the superintendent in Colstrip to look at their sand shed and how it was constructed. Mayor Purcell noted he and Hurff will look into it.

Finance:

Lehr reported he hasn't received the contract for the Lodge Grass ARPA (American Rescue Plan Act) funding; he is looking to receive it soon and bring it before Council for approval.

Police:

Police Chief George reviewed calls for service. He announced Officer Dave Weer graduated from the MLA Academy.

Chief George noted the department was assigned kids from the Department of Child Protective Services and there is a need for clothing and unwrapped gifts for males and females ages from infant to eighteen years old. He added donations can be brought to the Police Department and the deadline is the 13th of December.

Legal:

Mayor Purcell approved a request by Knudsen to hold a brief closed session following the Council Meeting.

Economic Development:

Tina Toyne reported she is waiting to hear about the CDBG Planning Grant from the Department of Commerce for housing needs throughout the County. She noted there is a need for new studies, assessments, to be eligible for funding in the future. Toyne reported two individuals from LISC, a company working with them for the HUD TA assistance, have interviewed fifteen people about their concerns, ideas, and suggestions for the City of Hardin and Big Horn County and they will provide a summary report. She noted she has been participating in multiple business attraction meetings.

RESOLUTIONS & ORDINANCES:

ANNOUNCEMENTS:

Mayor Purcell announced the following:

The City Christmas Party is scheduled for Wednesday, December 13, 2023 at 6:30 pm. No business will be conducted, but there is a possibility for a quorum to be present.

City Offices will be Closing at 12:00 p.m. on Friday, December 22, 2023 & will be Closed on Monday, December 25, 2023 for Christmas Day & Monday, January 1, 2024 for New Year's Day.

Alley Clean-Up is scheduled for December 26th to December 29th – please have items out early December 26th.

Christmas Tree Pick-Up is scheduled for January 2, 2024 to January 5, 2024.

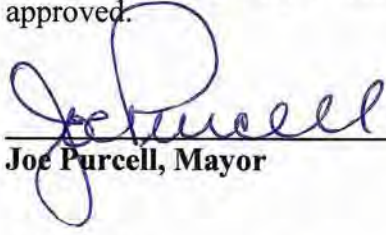
2024 Liquor License Applications are due by 12:00 p.m. December 29, 2023.

Swearing-In of Elected Officials is scheduled to be held after the Council Meeting of December 19, 2023

Mayor Purcell announced the following job openings: Full-time positions – Police Officers, School Resource Officer (SRO) and Maintenance Worker I. All positions are open until filled.

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

CLOSED MEETING requested by Knudsen. The meeting opened at 7:39 p.m. Greer motioned to adjourn the meeting at 7:48 p.m. Hopes seconded. On a voice vote the motion was unanimously approved.


Joe Purcell, Mayor



ATTEST:


Andrew Lehr, Finance Officer/City Clerk

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

COUNCIL MEETING: The Regular Council Meeting for December 19, 2023 was called to order at 6:30 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Clayton Greer, Chris Sharpe, Rock Massine, 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 Police Chief Paul George, 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 5, 2023. Motion seconded by Massine. On a voice vote the motion was unanimously approved. Greer made the motion to approve the Closed meeting minutes as written for December 5, 2023. Motion seconded by Sharpe. On a voice vote the motion passed. (4/1) Espinoza abstained.

Greer made a motion to approve the claims for December 19, 2023.

	CLAIM No.	Monthly Total
November, 2023	30479-30481, 30483-30494, 30511-30514	\$ 147,244.32
December, 2023	30482, 30495-30510	\$ <u>291,222.59</u>
Total Submitted		\$ 438,466.91

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

PUBLIC COMMENT:

Jose Funke voiced his concerns of the gas station and that bringing another one to town is causing a safety issue. He also expressed concerns of the state-owned street lights and vehicles parked on the streets. Funke requested for the neighborhood watch meetings to be brought back and let Hurff know that the owner of Alpine Meadows will be putting gravel in the park and in the alley.

Sheriff Jeramie Middlestead addressed Council and voiced that the County is a hundred percent committed in working with the Hardin Police Department and forging that relationship.

Corrina Kirschenmann-Kuntz, via Zoom, extended a “Thank You” to everyone for voting her onto the City-County Planning Board for another two years.

MAYOR:

Mayor Purcell extended a “Thank You” to Kristi Wedel and Angela Zimmer for planning the City Christmas Party; he reported there was a meeting with Stahly Engineering this afternoon to finalize details for the 1st Street Project, it will go to bid soon; Hurff is creating a list of City items that will be put out to bid; the final draw was made from the Rural Development (RD) Grant for the Police Department equipment; the K-9 Unit is done and the next step is to acquire a K-9; and there was a meeting with HUD, by Zoom, regarding community housing needs, they will provide a report in the future.

Personnel Policy/City Policy:

Mayor Purcell reported the City has job openings for Police Officers, Maintenance Worker I, Building Inspector/Code Enforcement Apprentice, and a School Resource Officer (SRO).

Sewer & Water:

Law Enforcement:

Espinoza voiced he would like to see Community Watch started again.

Streets & Alleys:

Parks & Playgrounds:

Finance/Landfill:

Resolutions & Ordinances:

Greer noted the street widths need to be addressed in the ordinances.

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

Mayor Purcell reported the City received the City-County Planning Board Minutes of November 13, 2023.

UNFINISHED BUSINESS:

NEW BUSINESS:

Mayor Purcell reported the City received a letter of recommendation and Staff Reports from the City-County Planning Board (CCPB) to approve the applications for Zone Change from Agricultural Open Space (AO) to Highway Commercial (C2), to approve a Variance Request on the access width, 80-foot driveway width, and parking requirements to allow a total of sixty-seven (67) spaces, and to approve the Annexation Application. The applications were submitted by Maverik, Inc. for property currently owned by Richard and Lynda Dorn just north of Interstate-90 on the west side of Highway 47.

Zone Change Application - AO to C2: Massine asked Knudsen how bad the traffic is around that location when he comes into town and he noted that some days are bad and some not. There was some discussion of traffic studies and contact with the state. Forrest Mandeville, AICP - Planning Consultant for the CCPB, Josh DeMann, Engineer with AWA Engineering were present via Zoom and Richard Piggott, Sr. Planning Project Manager of Maverik, was present. Piggott provided information and fielded questions regarding the applications. Greer motioned to approve the Zone Change request as written to include the recommendations listed in the Staff Report and letter of recommendation submitted by the CCPB. Krebs seconded. On a voice vote the motion passed. (3/2) Espinoza and Massine voted Nay.

Conditional Use/Variance Application – driveway access width and parking requirements: Massine asked Piggott how Maverik will monitor the parking lot. Piggott noted there are not showers, etc and that it isn't in their business model for a truck stop, the parking spaces have a thirty minute maximum and the employees are trained to regulate it. He reported there was a recommendation to change the name of Dorn Road, that land will be dedicated to the City. Piggott reviewed the need for the requested road access width. Mandeville reviewed the Conditional Use/Variance Application referencing pages eight and nine of the Staff Report noting the applicant shows the property in question is denied a right under the Zoning Ordinance that is being enjoyed by other properties in the same area and zone. Greer motioned to approve the variance for the width of the driveway and requested parking spaces. After further discussion, Krebs seconded. The motion passed. (3/2) Espinoza and Massine voted Nay.

Application for Annexation: Greer motioned to approve the application. Sharpe seconded. On a voice vote the motion passed. (3/2) Espinoza and Massine voted Nay.

Dax Simek, Stahly Engineering, provided a review of proposed projects for funding from HB355; the City of Hardin allocation is \$282,000. He noted the preference

is for it to be used towards water and wastewater facilities. There is a requirement for a twenty-five percent match from the City. Proposed uses of this funding were identified as: purchasing mixers and lining for the water hill tanks, an auger monster at the Wastewater Treatment Plant, or to help develop housing at the property west of Heimat Park. A summary will be put together to identify the projects and it will be brought before Council at a Public Hearing. The final submission is due March 2024.

STAFF REPORTS:

Public Works:

Finance:

Lehr reported the last reimbursement request for the Police Department Rural Development Grant has been received; the agreement with Lodge Grass has been signed and approved; the garbage truck invoice has been received; and he received an email from Montana Coal Endowment and the Department of Commerce and the next round of applications are due in January for planning grants. Lehr reported he filed the Fire Department Relief Association Pension report; transfers have been completed from the General Fund to the Capital Fund; and the City has gone out to bid for new SCBA's for the Fire Department with the deadline of 3:00 p.m. January 9, 2024.

Lehr reported state statute requires a local government review every ten years. The cost for the process will need to be budgeted in the next fiscal year. He reviewed the process and noted that it will go out to vote and if the constituents choose to have a review, then the City will go through the process and it will be placed on the next general ballot.

Police:

Police Chief George reviewed calls for service and voiced the officers are being proactive in what they need to do to keep the City safe. He provided an overview of an incident that happened recently and how important it is to get registered for the Code Red notification system.

Police Chief George noted the department forwarded the gifts to Child Protective Services to provide to foster children during this holiday season and reported he would like to do something next year for kids that reside in the City limits.

Police Chief George reported the vehicles from Enterprise are on their way and the K-9 unit is expected to be here next week.

Kirschenmann-Kuntz asked about an ordinance regarding people parking on their lawns. Sharpe requested a committee meeting.

Legal:

Knudsen reported a meeting is scheduled for Thursday, December 28th with the County for discussion about the Farm to Market agreement.

Economic Development:

RESOLUTIONS & ORDINANCES:

Resolution No. 2355: Approving applications for License to Serve Beer, Beer and Wine or Liquor. Krebs motioned to approve the resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell announced the following:

City Offices will be Closing at 12:00 p.m. on Friday, December 22, 2023 & will be Closed on Monday, December 25, 2023 for Christmas Day & Monday, January 1, 2024 for New Year's Day.

Alley Clean-Up is scheduled for December 26th to December 29th – please have items out early December 26th. Christmas Tree pick-up is scheduled from January 2nd to January 5th.

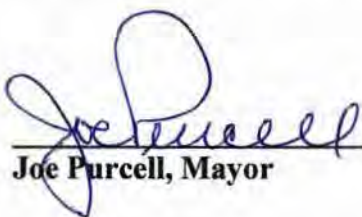
2024 Business and Pet Licenses are due by February 1, 2024.

Call for Bids for the City and the Hardin Volunteer Fire Department for SCBA's are due by 3:00 p.m. on January 9, 2024.

Mayor Purcell announced the following job openings: Full-time positions – Police Officers, School Resource Officer (SRO), Building Inspector/Code Enforcement Apprentice, and Maintenance Worker I. All positions are open until filled.

Mayor Purcell performed Oaths of Office for Alderman Jeremy Krebs, Alderman Antonio Espinoza, and Alderman Chris Sharpe.

Greer motioned to adjourn the meeting at 7:46 p.m. Massine seconded. On a voice vote the motion was unanimously approved.


Joe Purcell, Mayor



ATTEST:


Andrew Lehr, Finance Officer/City Clerk