

THE REGULAR BAKER CITY COUNCIL MEETING WAS HELD WEDNESDAY, JANUARY 4, 2023 AT 7:00 P.M. IN THE FALLON COUNTY COURTROOM.

MEMBERS PRESENT: Mayor; Steve Zachmann, Councilors; Mike Loutzenhiser, Tracey Goerndt, Brittany Hoversland, Pat Ehret, City Attorney; Rich Batterman, Chief of Police; Justin LaCroix, Fire Chief; Tom Bruha, Director of Public Works; Rod Morris, Planning & Zoning; Mary Grube and Clerk Treasurer; Kevin Dukart.

GUESTS: Jason Griffith and Brenda Wood

PUBLIC COMMENT:

Jason Griffith commented on points in relation to the published city snow removal policy. He believes there is a conflict that residents are not allowed to push snow to streets and avenues but it is allowed in the business district on the state highway. Jason commented that the empty lot owners were singled out in not clearing sidewalks in the business district when two of them have been cleared efficiently.

Jason expressed concern about the icy street conditions adjacent to the post office and in downtown area.

CONSENT AGENDA:

Motion by Tracey Goerndt, second by Brittany Hoversland to approve the Consent Agenda Minutes of December 21, 2022 and claims for December 2022 as listed. Motion Carried. All Aye.

OLD BUSINESS:

Resolution # 740, a resolution of Intent to Exclude Land, the petition of Baker Group LLC and Jennifer Rae Zeiler was presented. The property to be excluded includes the Meadows Subdivision total of 5 parcels west of 6th Street West. Discussion occurred on the need to publish a notice for comment and attempt to hold the Public Hearing and comments on February 1, 2023, if publication deadlines can be met. Motion by Brittany Hoversland, second by Pat Ehret to approve Resolution #740. Hoversland, Ehret, Goerndt, Loutzenhiser voted aye. Motion Carried.

Mayor Zachmann reported that the applicant for the Utility Billing Technician approved last meeting declined the offer of employment. The committee would like to recommend Ashley Rost for the position. Motion by Pat Ehret, second by Mike Loutzenhiser to approve this recommendation. Motion Carried. All Aye.

NEW BUSINESS:

The City Council discussed a current offer to purchase mineral rights for the Findlater 1-13 gas well from Michael Rost for \$100.00. Clerk Dukart stated that only two of the owners have shown an interest to sell and although the current offer exceeds what the city originally stated, natural gas prices have risen in the past year.

Attorney Batterman stated due to the cost associated with payment of royalties and the number of mineral owners he believes this may be a sound decision to accept the offer from Mr. Rost.

Motion by Tracey Goerndt, second by Brittany Hoversland to approve the purchase of the rights from Mr. Rost for \$100.00. Motion Carried. All Aye.

Discussion occurred on the remaining mineral holders and the potential to respond to counter offers. Motion by Tracey Goerndt, second by Pat Ehret that the city offers mineral holders \$100.00 if they have a gross amount previously calculated of \$75.00 or less. Those above \$75.00 would be subject to negotiations if they counter offer. Motion Carried. All Aye.

Clerk Dukart requested a change in the policy manual to increase the probationary period for new employees from 6 months to 1 year. Motion by Mike Loutzenhiser, second by Brittany Hoversland to adopt the as policy. Motion Carried. All Aye.

Kevin requested to delete from the policy the section that requires a 6-month waiting period for coverage for city health insurance. This is covered by agreement with MMIA and currently coverage begins the 1st day of the month following date of hire for these eligible employees. Motion by Brittany Hoversland, second by Mike Loutzenhiser to delete that section in the policy. Motion Carried. All Aye.

Mayor Zachmann requested solicitation for the City of Baker 2022 Citizen of the Year award. Steve stated an ad will be placed in the Fallon County Times to encourage public participation in the project. Those submitting nominations must present a written essay to support their candidate prior to the February 1st meeting.

Steve asked for volunteers to serve on a hiring committee for an applicant in the Dept. of Public Works. Mike and Brittany agreed to serve.

Clerk Dukart stated that should a city judge assistant applicant be realized would this committee serve as well? This was agreed to.

PLANNING INPUT:

Mary presented an invite to the Growth Policy update input and listening session January 12, 2023 at 5:00 p.m. at the fairgrounds exhibit hall. The Growth Policy process will schedule a February meeting which will focus on inviting high school and youth groups to the meeting for input.

FIRE DEPT. INPUT:

Tom announced that Bryce Kramlick has been named the new Assistant Chief to replace Dick Chester.

PUBLIC WORKS INPUT:

The new garbage truck has been put into service this week. Rod has been in contract with Tyler and Sheena and it appears that they will both be back to work soon.

POLICE DEPT. INPUT:

Justin stated that they had a busy holiday season unfortunately. Today was lunch with a cop day at school with kindergarten classes.

MAYOR INPUT:

Steve responded to Jason Griffith and snow removal matters. He noted that yes, not all empty lots or store fronts are lax in clearing snow from sidewalks. However, it appears some of the vacant property owners are less apt to timely clear snow as active businesses. That is his concern. He has been in contact with the post office about the snow removal in that area and the city crew has removed snow further down 1st Street to relieve the buildup. The Highway Dept. does haul snow so depending on when businesses clear sidewalks that affects the buildup of remaining snow on the Highway right of way.

Our policy remains; make streets passible, then return when time and labor allow to clear driveways, etc.

This week disabled vehicle owners will be given notice to move. The city workers will attempt to clear snow from the front of those to assist the moving of the vehicle.

A web meeting with DEQ is scheduled for this Friday. The purpose of the meeting is to review points of the city permit to discharge lagoon water to the golf course for irrigation. Rich Menger will test the discharge and will make the results available to the city.

CITY ATTORNEY INPUT:

Rich stated he has an upcoming prosecution that may be a jury trial. Rich will not be able to attend the January 18th meeting.

CITY COUNCIL INPUT:

Ehret – none

Hoversland – Happy New Year. Thank you to law enforcement.

Goerndt – Offered her condolences to the family of the young man who was found deceased recently. Thank you to law enforcement as well.

Loutzenhiser – Thank you to public works, police and fire depts.

The following payroll was approved for payment:

3524 Pattie Ehret \$312.27, 3525 Brittany Hoversland \$346.31, 3526 Linda Kennel \$808.32, Nationwide Retirement emp w/h \$850.00, Dept. of Treasury IRS emp w/h \$9,986.39, MPERA vendor liability \$5,164.56, MT Dept. of Revenue emp w/h \$1,970.84, MMIA health ins. \$13,410.10, ACH deposits: Albert Batterman \$2,855.20, Thomas Bruha \$296.14, Brenda Dietz \$1,716.69, Larry Donnelly \$2,079.76, Kevin Dukart \$1,654.23, Tracey Goerndt \$262.27, Blayne Higgins \$2,310.53, Ryan James \$39.58, Justin LaCroix \$1,772.92, Michael Loutzenhiser \$341.31, Rodney Morris \$1,955.81, Theresa Myers \$1,003.56, Bryan Nevers \$1,902.26, Kyle Rogge \$2,484.77, Cody Strandbakke \$2,141.73, Anna Straub \$1,472.57, Tyler Travis \$1,679.73, Sheena Veazey \$1,899.29, Steven Zachmann \$809.17

Total payroll: \$64,197.31

The following claims were approved for payment as listed:

14787 MT Dept. of Administration AFR filing fee \$1,300.00, 14788 Alpine Energy LLC royalty \$246.55, 14789 Melanie Brown royalty \$35.13, 14790 Connie Collins royalty \$8.16, 14791 Holly Lund Daniels royalty \$18.11, 14792 Jerome Dickman royalty \$8.16, 14793 Susan Dow royalty \$534.90, 14794 Laurie Findlater \$534.90, 14795 Valerie Frericks royalty \$8.16, 14796 Douglas Hanson royalty \$61.65, 14797 Lori Hansen royalty \$140.94, 14798 Peggy Hayek royalty \$54.29, 14799 Katherine Rae Lacy royalty \$12.19, Terry Lamberson royalty \$18.11, 14801 Monty Lang royalty \$35.13, 14802 Lang Properties \$202.40, 14803 Calvin & Anna Lund \$54.29, 14804 Roderick Jon Lund royalty \$18.11, Patricia Madler royalty \$15.54, 14806 Thomas R & Ceclia O'Connor royalty \$40.72, 14807 William & Barbara O'Connor royalty \$40.72, 14808 Michael Rost royalty \$5.18, 14809 Carol Schoenbeck royalty \$15.54, 14810 Frederick Schoenbeck royalty \$15.52, 14811 George Schoenbeck royalty \$15.52, 14812 John Schoenbeck royalty \$15.54, 14813 Richard Schoenbeck royalty \$15.54, 14814 Scout Energy royalty \$74.04, Peggy Smith royalty \$8.16, 14816 Paula Rost Smith royalty \$5.17, Jennifer Soehren royalty \$5.17, 14818 Baker Ace supplies \$322.93, 14819 Baker Chamber of Commerce 2023 membership \$350.00, 14820 Baker Drug supplies \$30.93, 14821 Batterman Law Office stipend \$2,000.00, 14822 Black Mountain Software services \$100.00, 14823 BOSS Office Products supplies \$399.09, 14824 Brosz Engineering SID, 6th St paving, main to well projects \$13,672.50, 14825 City of Baker petty cash/postage, dep refunds \$1,028.51, 14826 Dakota Pump annual support fee \$1,819.00, 14827 denning, Downey & Associates services; GASB, cash flow & AFR \$6,400.00, 14828 Kevin Dukart vehicle subsistence \$30.00, 14829 Energy Lab water samples \$62.00, 14830 Fallon County Treasurer building maint., loan pymt, SID pymts \$146,148.41, 14831 Fallon County water & Sewer District collections \$4,476.06, 14832 Fallon Medical Complex CDL physical \$220.00, 14833 Brenda Flint services \$75.00, 14834 Hawkins Inc. supplies \$3,465.55, 14835 Blayne Higgins subsistence/animal control \$183.33, 14836 travel per diem \$30.50, 14837 KLJ Engineering services \$354.62, 14838 Justin LaCroix subsistence/animal control \$183.33, 14839 Justin LaCroix subsistence/animal control \$124.31, 14840 MDU utilities \$8,892.63, 14841 Mid-Rivers phone services \$1,051.60, 14842 MT Law Enforcement lodging & meals Police Academy \$1,500.00, 14843 MT Volunteer Firefighter annual dues \$55.00, 14844 Bryan Nevers subsistence/animal control \$133.33, 14845 Bryan Nevers travel per diem \$743.15, 14846 North Baker Water & Sewer District collections \$10,861.12, 14847 Northwest Pipe Fittings parts \$111.40, 14848 PowerPlan supplies \$483.99, 14849 Precision parts & Supply parts \$288.69, 14850 Reynolds supplies \$27.45, 14851 Rolling Rubber tires \$1,523.36, 14852 Scout Energy operating costs \$72.28, 14853 Sew What fire prevention supplies \$1,943.87, 14854 Spiffy's repairs/service \$645.06, 14855 Cody Strandbakke subsistence/animal control \$183.33, 14856 Cody Strandbakke travel per diem

\$61.89, 14857 SWS Equipment new garbage truck/supplies \$408,781.52, 14858 The Badlands Patriot LLC publishing \$210.75, 14859 The Chemnet Consortium services/dues \$185.00, 14860 US Bank Voyager Fleet Systems fuel \$5,863.84, USA Blue Book parts \$31.95, 14886 US Postal Services annual permit fee \$275.00, 14863 Verizon Wireless cell services \$209.36, 14864 VISA shop xmaps annual fee/postage \$48.98, 14865 VISA police travel exp \$933.46

Total claims \$630,157.62

There having been no further business to come before the Baker City Council at this time, Motion by Mike Loutzenhiser, second by Tracey Goerndt to adjourn at 7:46 p.m. Motion Carried. All Aye.

_____ Mayor _____ Clerk Treasurer