

THE REGULAR BAKER CITY COUNCIL MEETING WAS HELD WEDNESDAY, FEBRUARY 1, 2023 AT 7:00 P.M. IN THE FALLON COUNTY COURTROOM.

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

ABSENT: Councilor; Pat Ehret

GUESTS: CB Heiser, Jason Griffith, Brenda Wood and Rich Menger.

Pledge of Allegiance

PUBLIC COMMENT: None

CONSENT AGENDA:

Motion by Brittany Hoversland, second by Mike Loutzenhiser to approve the Consent Agenda Minutes of January 18, 2023 and approve payment of claims from January 2023 as listed. Motion Carried. All Aye.

OLD BUSINESS: None

NEW BUSINESS:

Motion by Tracey Goerndt, second by Mike Loutzenhiser to approve the recommendation of Melissa Foster to a 3-year term as the Urban Supervisor representing the City of Baker on the Little Beaver Conservation District Board. Motion Carried. All Aye.

County Sanitarian, Rich Menger, presented the draft of the Operation and Maintenance Plan for irrigation at Lakeview County Club.

Dept. of Environmental Quality has indicated that they would like to have the retention pond lined. Rich stated he will work with an engineer from DNRC, as he does not believe it is necessary in this case. Rich asked city officials to study the document and if acceptable, approve. He will then submit to the Fallon County Commissioners for approval prior to submitting to DEQ.

There were three nominations for Citizen of the Year award. Alissa Miller, Jake & Wendy Wagner and John & Janice Moser.

Motion by Tracey Goerndt, second by Brittany Hoversland to award to John & Janice Moser.

Motion by Mike Loutzenhiser, second by Brittany Hoversland to award to Jake & Wendy Wagner.

Vote for John & Janice Moser All Aye.

Vote for Jake & Wendy Wagner, no action.

Awarded to John & Janice Moser for 2022 Citizen of the Year.

Motion by Mike Loutzenhiser, second by Brittany Hoversland to approve Resolution #741, a Resolution of the City of Baker Montana Establishing a Maintenance Fund for Special Improvement District #36. Loutzenhiser, Hoversland, Goerndt voted Aye, Ehret absent. Motion Carried.

Motion by Tracey Goerndt, second by Brittany Hoversland to approve bond counsel engagement for the City of Baker Street Improvement and Maintenance #36 Project with Jackson, Murdo & Grant P.C. of Helena Montana. Motion Carried. All Aye.

Motion by Mike Loutzenhiser, second by Tracey Goerndt to approve a seismic survey permit on lands located in section 24 East of Baker for Cougar Land Services LLC. Motion Carried. All Aye.

Mayor Zachmann requested to reschedule the March meeting from the 1st and 15th to the 8th and 22nd due to a schedule conflict March 1st. There were no objections to this change which will be noticed.

PLANNING INPUT:

Mary reported that the last session was held for the Growth Policy. Input; about 1% of the population participated in all sessions. Mary will have involvement from school students in the upcoming weeks on the Growth Policy.

FIRE DEPT. INPUT:

Tom stated that they had two carbon monoxide warning calls and one fire at the WBI gas plant recently.

PUBLIC WORKS INPUT:

Rod reported they have a full crew. With the forecast of warmer weather, they will work to get some of the ice removed for the streets and avenues.

CLERK TRESURER INPUT:

Kevin stated that he included the Quarterly Investment Report to the council as he did not have for last meeting.

Clerk Dukart stated he observed two Legislative Sessions earlier this week; one on establishing a minimum lot size of 2,500 sq. feet and one involving the regulation of financial reporting by local governments.

MAYOR INPUT:

Steve stated that a local contractor has dumped road base material on the street near where they are demolishing a house. Steve noted that citizens should notify the City Office if they note areas that need sand, etc. so our crew can respond to this.

7:30 p.m. – Public comment on petition by Baker Group LLC and Jennifer Rae Zeiler to exclude lands from the City of Baker and de-annex the subsequent subdivision there.

Jason Griffith stated that although he was not able to attend the Growth Policy sessions, he noted that the area requesting to be excluded is recognized as the best potential for expanding city residences. Jason would like the City Council to consider this in their decision.

No further comments.

Session closed at 7:33 p.m. Regular meeting continued.

Mayor Zachmann opened discussion on the petition to exclude land. In response to Mr. Griffith, Steve stated that as all of the property owners of the land are in favor of exclusion, the City Council is limited on conditions if any that can be attached to the petition to exclude.

City Attorney, Rich Batterman explained the petition meets, in his opinion, the technical requirements. It does not appear to affect the symmetry of the remaining city boundaries in that respect. Rich further noted that 6th Street West boundary must be definitely located prior to exclusion on the matter of future development. The Growth Policy may be used in conjunction with the use of Extraterritorial Zoning if that is the wish of the Council.

Mayor Zachmann stated that final action on the matter will be at the February 15th meeting.

CITY ATTORNEY INPUT:

Rich reported that the Police Department has been active in the past few weeks. There is a jury trial scheduled for late February which he is preparing for.

Rich also noted that there are several bills brought forward in the Legislature that if passed will create additional burdens attorneys in the State of Montana which is down to 3,200 in number. There are 171 practicing in the 28 Eastern Montana counties so there is a lack of professionals in this part of the state, median age is 60 as well.

COUNCIL INPUT:

Hoversland – None

Goerndt – Is thankful for the break in the weather.

Loutzenhiser – Appreciates the mild weather as well.

REDIRECT:

Rod Morris recognized the Fallon County Road Crew for their assistance in moving snow these past few weeks, it is appreciated.

REDIRECT:

Mayor Zachmann reported the Americanism Program will be next Tuesday, February 7th at the high school gym.

The following payroll was approved:

3543 Pattie Ehret \$310.46, 3544 Brittany Hoversland \$346.31, 3545 MMIA health ins. \$13,410.10, PERD vendor liability \$2,484.27, Nationwide Retirement emp w/h \$600.00, Dept. of Treasury IRS emp w/h \$8,354.77, MPERA vendor liability \$4,606.91, MT Dept. of Revenue emp w/h \$1,565.09, ACH deposits: Albert Batterman \$2,881.39, Thomas Bruha \$294.29, Brenda Dietz \$1,819.12, Larry Donnelly \$1,538.74, Kevin Dukart \$1,736, Tracey Goerndt \$260.46, Blayne Higgins \$1,864.40, Ryan James \$39.58, Justin LaCroix \$2,298.89, Michael Loutzenhiser \$339.56, Rodney Morris \$2,001.51, Theresa Myers \$1,064.67, Bryan Nevers \$1,268.02, Kyle Rogge \$1,676.82, Ashley Rost \$350.01, Cody Strandbakke \$1,912.07, Anna Straub \$1,486.23, Tyler Travis \$1,560.89, Sheena Veazey \$1,490.65, Steven Zachmann \$818.95.

Total Payroll: \$58,407.77

The following claims were approved for payment as listed:

14866 Montana Rural Water training registration \$500.00, 14867 Terry Lamberson purchase of mineral interest \$100.00, 14868 Alpine Energy LLC Nov./Dec. working interest \$124.40, 14869 Baker Body Shop repairs \$85.00, 14870 Baker Drug supplies \$25.44, 14871 Batterman Law Office PC stipend \$2,000.00, 14872 Boss Office Products supplies \$164.90, 14873 Brosz Engineering SID #36 \$18,037.50, 14874 City of Baker postage, deposit refund \$572.71, 14875 CNADA 4th quarter pymt \$343.00, 14876 D & M Solutions clear ice at park \$1,152.50, 14877 DNOW supplies \$85.18, 14878 Kevin Dukart travel subsistence \$30.00, 14879 Energy Lab samples \$60.00, 14880 EPEDC grant admin services \$5,000.00, 14881 Fallon County Treasurer building maint./tipping \$5,436.68, 14882 Fallon County Water Dist. collection \$4,130.72, 14883 Brenda Flint services \$75.00, 14884 Blayne Higgins subsistence/animal control \$183.33, 14885 KLJ Engineering home occupation permit \$177.31, Justin LaCroix subsistence/animal control \$183.33, 14887 Lang Properties Nov/Dec working interest \$186.61, 14888 MDU utilities \$9,166.79, 14889 Mid-Rivers phone services \$1,044.68, 14890 Montana Board of Investments sweeper/excavator pymts. \$17,165.78, 14891 Montana Rural Water Systems 2023 membership dues \$400.00, 14892 MSU Fire Services Training 2023 resource center dues \$185.00, 14893 Bryan Nevers subsistence/animal control \$183.33, 14894 North Baker Water Dist. collections \$20,031.41, 14895 Northside Truck & Auto repairs \$68.25, 14896 Precision Parts & Supply supplies \$398.96, 14897 Reynolds supplies \$57.76, 14898 Rolling Rubber garbage truck tires \$4,251.28, 14899 Kathleen Rosencranz miles per diem \$110.00, 14900 Runnings supplies \$90.41, 14901 Scout Energy Dec. operating expense \$65.51, 14902 Cody Strandbakke subsistence/animal control

\$183.33, 14903 The Badlands Patriot publishing \$511.02, 14904 US Bank Voyager fuel \$4,513.59, 14905 Utilities Underground locate requests \$1.82, 14906 Verizon Wireless cell phones \$208.92.

Total Claims: \$97,297.45

There having been no further business to come before the Baker City Council, Motion by Mike Loutzenhiser, second by Tracey Goerndt to adjourn at 7:45 p.m. Motion Carried. All Aye.

_____ Mayor _____ Clerk Treasurer