

THE REGULAR BAKER CITY COUNCIL MEETING WAS HELD WEDNESDAY, MAY 3, 2023 AT 7:00 P.M. IN THE FALLON COUNTY COURTROOM.

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

ABSENT: Councilor; Mike Loutzenhiser

GUESTS: Sheena Veazey, Kyle Rogge, Justin Moser, Trish Rost, Ashley Rost and Brenda Dietz.

The Pledge of Allegiance was recited.

Motion by Brittany Hoversland, second by Tracey Goerndt to approve the Consent Agenda Minutes of April 19, 2023 and claims for April 2023 with one correction. Motion Carried. All Aye.

#### OLD BUSINESS

Discussed Resolution of Intent #744 to exclude land from the City of Baker from Patricia Rost.

Attorney Batterman recommended to defer the decision as there are concerns about how this will affect the symmetry of the city boundaries and a review of the original plat to determine if the requested exclusion is a separate parcel.

Motion by Pat Ehret, second by Tracey Goerndt to defer consideration of Resolution #744 until investigation of these matters are known by the May 17<sup>th</sup> meeting. Motion Carried. All Aye.

Motion by Brittany Hoversland, second by Tracey Goerndt to update the definition of short-term employee in the City Policy Manual to reflect the definition in the Montana Code Annotated. Motion Carried. All Aye.

#### NEW BUSINESS:

Motion by Tracey Goerndt, second by Brittany Hoversland to approve the amended plat of Lots 3-6, Block 14 of Milwaukee Land Company's 1<sup>st</sup> Addition for Justin Moser and Janice Moser. Motion Carried. All Aye.

Mayor Zachmann reported on the SID #36 Committee meeting held April 24, 2023. The committee reviewed the history of the SID, the bids for the construction and hereby recommends the City Council to consider moving forward with this project.

Motion by Brittany Hoversland, second by Pat Ehret to reject both bids for Schedule II 2023 SID #36 Chip Seal Project of Hard Drives Construction and Century Construction due to costs. Motion Carried. All Aye.

Motion by Pat Ehret, second by Brittany Hoversland to award the Schedule I bid to SID #36, Scrub Seal to Hard Drives Construction in the amount of \$1,756,684.53. Motion Carried. All Aye.

Motion by Pat Ehret, second by Tracey Goerndt to award Schedule III rebid for SID #36, 6<sup>th</sup> Street Reconstruction and Paving Improvements to Diamond J Construction in the amount of \$1,686,192.75. Motion Carried. All Aye.

Motion by Brittany Hoversland, second by Pat Ehret to award the Schedule IV, 6<sup>th</sup> Street Water Main Bid to J K Excavation & Construction in the amount of \$725,087.50 with acceptance of \$150,000.00 from Baker Rural Fire Department to be applied to the project. Motion Carried. All Aye.

Mayor Zachmann initiated a discussion on the Baker Fireworks Ordinance which limits sale time and designates locations for use of fireworks within the City of Baker.

Tom Bruha presented the Montana Code on supervised public display of fireworks authorized which was read by Mayor Zachmann. Tom reported that since the gazebo was constructed at Iron Horse Park, they had to move the fireworks display location to an area south of the lake. This conflicts more with citizens who use that area for their fireworks. It was noted that a more suitable location for citizens to be able to display fireworks should be addressed as the current location is overcrowded.

Motion by Tracey Goerndt, second by Brittany Hoversland to appoint Vaughn Zenko as the project liaison for the Montana Main Street Impact Grant for development of a Pocket Park. Motion Carried. All Aye.

Mayor Zachmann asked for volunteers to serve on a Hiring Committee for hiring a short-term part-time employee in the Department of Public Works? Brittany and Pat agreed to serve. The interview was scheduled for Wednesday, May 10<sup>th</sup> at 5:00 p.m.

Motion by Brittany Hoversland, second by Pat Ehret to approve the annual sewer rate averages and set the city average at \$32.14. Motion Carried. All Aye.

**PLANNING DEPT. INPUT:**

Mary stated that she met with Forrest and Joel of KLJ on the Growth Policy update.

Mary also reported on the difficulty of getting new board members to serve for Planning and Zoning. The Legislature has passed a bill in which we may allow municipalities to combine the Zoning Commission and Zoning Board of Adjustments.

The Department of Transportation has applied for a variance for the bridge replacement north of Baker on Highway 7 and Sandstone Creek. This is scheduled to be replaced in 2024.

The Planning Board is still working on the Vision Statement for the Growth Policy. She is continuing interviews. Major issues expressed are lack of childcare and mental health services and crime and safety issues. The next meetings will be June 6<sup>th</sup> and July 7<sup>th</sup> with an anticipation of completion of the Growth Policy in October.

**PUBLIC WORKS INPUT:**

Rod reported they had one waterline repair at Lincoln School and will be replacing a fire hydrant this week as well.

**POLICE INPUT:**

Justin reported his department has been very busy these past few weeks with vehicle accidents and a case involving juveniles.

**CLERK TREASURER INPUT:**

Kevin reported that he, along with Sheena, attended mosquito control training in Miles City. The machine is calibrated and ready for the season.

**MAYOR INPUT:**

Steve reported that he has met with the County Commission on possible SID #36 assistance but has not gotten a decision from them yet.

**CITY ATTORNEY INPUT:**

Rich reported from Bozeman where he is attending Conference for Municipal Attorneys. Regulatory hurdles and liability issues were the main topics of discussion. Rich will return on Friday and to his office Monday.

**COUNCIL INPUT:**

Ehret – Thank you to the City Crew and Shannon for all they do.

Hoversland – None

Goerndt – Offered an apology to Lacey Berg for how she was treated at the last meeting during the negotiating for the Food Forrest Agreement.

The following payroll was approved for payment:

3552 Pattie Ehret \$310.46, 3553 Brittany Hoversland \$346.31, 3554 MMIA health ins. \$13,417.25, PERD vendor liability \$2,128.70, Nationwide Retirement emp w/h \$600.00, Dept. of Treasury emp w/h \$8,546.59, MT Dept. of Revenue emp w/h \$1,613.92, MPERA vendor liability \$4,952.77, ACH Deposits: Albert Batterman \$2,881.39, Thomas Bruha \$294.29, Brenda Dietz \$1,440.47, Larry Donnelly \$1,258.99, Kevin Dukart \$1,532.22, Tracey Goerndt \$260.46, Blayne Higgins \$1,724.38, Jill Hildebrand \$771.55, Justin LaCroix \$2,081.38, Michael Loutzenhiser \$339.56, Jaramie McLean \$1,316.91, Rodney Morris \$1,919.69, Theresa Myer \$1,065.98, Bryan Nevers \$1,247.04, Kyle Rogge \$1,391.82, Ashley Rost \$813.13, Cody Strandbakke \$1,558.77, Anna Straub \$1,486.23, Tyler Travis \$1,422.28, Sheena Veazey \$1,506.32, Steven Zachmann \$818.95.

Total payroll: \$59,048.81

The following claims were approved for payment as listed:

15005 Tina Afrank jury duty \$12.00, 15006 Baker Ace supplies \$82.90, 15007 Baker Metal supplies \$38.40, 15008 Batterman Law Office stipend \$2,000.00, 15009 BKP LLC ammunition \$2,676.98, 15010 Boss Office Products supplies \$228.65, 15011 Brosz Engineering SID #36, water well to tank projects \$15,090.00, 15012 Donald Buerkle jury duty \$12.00, 15013 Carquest Auto Parts Broz \$93.26, 15014 Christa Chaska jury duty \$18.55, 15015 City of Baker petty cash postage, dep refunds \$532.61, 15016 CNADA 1<sup>st</sup> quarter pymt \$392.00, 15017 Daktronics score board \$6,533.00, 15018 Amanda DeGrand jury duty \$38.20, 15019 Brenda Dietz jury duty \$12.00, 15020 Direct Electric services \$85.00, Kevin Dukart travel & supply reimbursement, travel subsistence \$325.23, 15022 Kim Eichhorn jury duty \$12.00, 15023 Energy Lab water samples \$1,026.00, 15024 Fallon County Treasurer planning, building maintenance, tipping fees \$3,986.34, 15025 Fallon County Water District collections \$3,862.06, 15026 Fireworks Fund donation \$1,000.00, 15027 Brenda Flint services \$75.00, 15028 Lola Fried jury duty \$19.86, 15029 Galls LLC clothing PD \$105.99, 15030 Griffith Excavating scoria & gavel \$3,520.00, 15031 Hawkins Inc. supplies \$4,000.00, 15032 Blayne Higgins subsistence/animal control \$183.33, 15033 IIMC annual dues \$310.00, 15034 Lacey Janz jury duty \$12.00, 15035 Joe Johnson Equipment parts \$1,015.40, 15036 KLJ Engineering services \$177.31, 15037 Brenda Kramlick jury duty \$51.30, 15038 Justin LaCroix subsistence, animal control \$183.33, 15039 Monica LaCross jury duty \$12.00, 15040 Laurence Law jury duty \$12.00, 15041 LN Curtis & Sons fire hoses \$5,742.42, 15042 MDU utilities \$7,037.70, 15043 Mid-Rivers phone services \$1,045.97, 15044 Montana Tax Foundation subscription \$60.00, 15045 Benjamin Moore jury duty \$12.00, 15046 Bryan Nevers subsistence/animal control \$183.33, 15047 Sean Nevins jury duty \$12.65, 15048 Cheryl Niemerg jury duty \$12.00, 15049 North Baker Water District collections \$9,101.36, 15050 Northwest Pipe Fittings parts \$1,117.79, 15051 Todd Olmstead training services – Fire Dept. \$2,090.00, 15052 Ryan Pool jury duty \$12.00, 15053 Prairie Fuels supplies \$334.20, 15054 Precision Parts & Supply parts \$1,446.36, 15055 Reynolds supplies \$91.87, 15056 Roadrunner Performance services \$611.84, 15057 Rolling Rubber repair \$33.00, 15058 Patricia Rost jury duty \$12.00, 15059 Runnings Supply supplies \$61.15, 15060 Keri Schell jury duty \$12.00, 15061 Scout Energy Group march operating expense \$71.70, 15062 Sew What safety jacket \$98.49, 15063 Sheryl Singer jury duty \$12.00, 15064 Spiffy's services \$140.39, 15065 Tonette Stark jury duty \$42.13, 15066 Susan Stevens jury duty \$12.00, Cody Strandbakke subsistence/animal control \$183.33, 15068 Lane Straub jury duty \$12.00, 15069 The Badlands Patriot publishing \$1,498.14, 15070 US Bank Voyager Fleet fuel \$3,578.32, 15071 USA Blue Book parts \$360.63, 15072 Utilities Underground Locations locate requests \$7.28, 15073 Gye Varner jury duty \$12.00, 15074 Verizon Wireless cell services \$209.04, 15075 Clayton Verke jury duty \$12.00, 15076 VISA travel exp, parts – shop \$688.78, 15077 VISA dash cam – PD \$659.94, 15078 Jozell Witcher jury duty \$12.00, 15079 Dana Wright jury duty \$12.00, 15080 Karol Zachmann jury duty \$12.00, 15081 Vaughn Zenko jury duty \$12.00.

Total claims: \$84,410.52

There having been no further business to come before the Baker City Council at this time, Motion by Tracey Goerndt, second by Pat Ehret to adjourn at 7:44 p.m. Motion Carried. All Aye.

\_\_\_\_\_ Mayor \_\_\_\_\_ Clerk Treasurer