

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

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

ABSENT: Councilor; Mike Loutzenhiser

GUESTS: Nathan Bilyeu, Shawn Wiseman, Linda, Erica, Rye and Lucas Rost, Lacey Berg, Melissa Higbee, Haliegh Best, Rylan Limesand and Nancey Strain.

The Pledge of Allegiance was recited.

**PUBLIC COMMENT:**

Linda Rost presented information for the city officials to consider an ordinance to allow chickens within the City of Baker. The information had both pros and cons and indicated that many communities in the state allow chickens. Lucas, Rye and Erica Rost all made statements in favor of allowing chickens in the city.

Nancy Strain also spoke in favor of a plan to allow chickens.

Linda provided Mayor Zachmann with a few sample ordinances from other communities.

Motion by Pat Ehret, second by Tracey Goerndt to approve the Consent Agenda; Minutes of May 17, 2023 and Claims for May 2023 as presented. Motion Carried. All Aye.

OLD BUSINESS: None

**NEW BUSINESS:**

Nathan Bilyeu, Bond Counsel of Jackson, Murdo & Grant of Helena, Montana was present to go over Resolution #745. This is a Resolution accepting loan commitment for the \$3,410,000, Special Improvement District #36, Fixing Form with details and providing for the executing and delivery of SID #36 bond and security therefore and providing for the levying of Special Assessments on the District. Nathan also explained the exhibits attached to the resolution. These will be completed as the project proceeds. Motion by Brittany Hoversland, second by Tracey Goerndt to approve Resolution #745. Motion Carried. All Aye.

Motion by Brittany Hoversland, second by Tracey Goerndt to approve Task Order #26, Brosz Engineering for construction engineering for SID #36 for \$400,000. Motion Carried. All Aye.

Lacey Berg, representing the Wild Roots Food Forrest presented her design plan for the improvement to be located near the softball complex on city property. Motion by Tracey Goerndt, second by Pat Ehret to approve this design plan. Motion Carried. All Aye.

Clerk Dukart presented a draft ad for a Public Hearing on a Budget Amendment for Fiscal Year 2023 scheduled for the June 21<sup>st</sup> meeting. Motion by Tracey Goerndt, second by Pat Ehret to schedule a Public Hearing for the Budget Amendment. Motion Carried. All Aye.

Motion by Tracey Goerndt, second by Brittany Hoversland to approve Task Order #25, Brosz Engineering construction, engineering 6<sup>th</sup> Street Water Main Replacement Project for \$52,000. Motion Carried. All Aye.

Motion by Brittany Hoversland, second by Tracey Goerndt to approve Change Order #1 for J K Excavation & Construction, 6<sup>th</sup> Street Water Main Replacement reduction of \$72,045.50. Motion Carried. All Aye.

Motion by Brittany Hoversland, second by Pat Ehret to approve Pay Application #1 for J K Excavation & Construction \$147,048.54, 6<sup>th</sup> Street Water Main Replacement Project. Motion Carried. All Aye.

Motion by Tracey Goerndt, second by Brittany Hoversland to approve Pay Application #6 for Diamond J Construction, Tank Hill Water Project for \$128,223.07. Motion Carried. All Aye.

Motion by Brittany Hoversland, second by Tracey Goerndt to approve a plan to prepay Fallon County \$32,317.00 for SID #34 Sewer Loan. Motion Carried. All Aye.

Melissa Higbee of the Chamber of Commerce presented an Event and Facilities Use Agreement for street closure for Crazy Days and 3 on 3 Basketball Tournament July 20<sup>th</sup>-23<sup>rd</sup>. The request is to close Baker Avenue on these days and lift the open container ordinance on July 22<sup>nd</sup> in the area from 4:00 p.m. to 10:00 p.m. Motion by Tracey Goerndt, second by Brittany Hoversland to approve this Event and Facilities Use Agreement for this purpose. Motion Carried. All Aye.

Vaughn Zenko representing SMART presented an Event and Facilities Use Agreement for the Baker Art Walk on July 15, 2023 this request is to lift the open container ordinance from Railroad to Montana Ave. and 1<sup>st</sup> St. W. to 2<sup>nd</sup> St E. from 3:00 p.m. to 8:00 p.m. on this date. Motion by Tracey Goerndt, second by Pat Ehret to approve this request. Motion Carried. All Aye.

#### PUBLIC WORKS INPUT:

Rod reported that the 6<sup>th</sup> Street Water Project is underway.

#### PLANNING INPUT:

Mary reported that Forrest Sanderson has resigned from KLJ Engineering and therefore no longer serves as the City County Planner. The Fallon County Commissioners have requested proposals from both Forrest and Staley Engineering for Flood Plain, Planning, Zoning and Subdivision consultant services. The City of Baker should be able to use the same consultant based on the Interlocal Agreement we have with Fallon County for these services.

#### FIRE DEPT. INPUT:

Tom reported that they are currently having the inspections completed on the pumper trucks which is done annually.

#### MAYOR'S INPUT:

Steve reported that the My City Pocket notification app is no longer in service for citizen notification. The Facebook page, radio and newspaper, if time allows, will be used for notifications. Steve stated that the local baseball team is playing on Coldwell Field this evening but the season is almost complete.

Steve expressed his appreciation to the group who attended the meeting to discuss the issue of allowing chickens in the city. He encourages citizens to contact the city officials with matters they believe are important to the community.

#### CITY ATTORNEY INPUT:

Rich reported that he has been involved in several criminal prosecutions and appreciates the thorough work of the Police Department. He recently attended a seminar in Miles City sponsored by the State Bar Association. The Department of Justice had a representative there to discuss the issue of vehicular homicide prosecutions resulting from those who drive impaired. Rich stated that upon having a Planner in place discussions should begin on the matter of combining zoning and planning boards if allowed by statutes.

#### COUNCIL INPUT:

Ehret – Pat voiced appreciation to Rod and public works for their efforts on the city streets and to the Police Department as well as she has not noticed any minors operating scooters on the streets.

Hoversland – None

Goerndt - None

The following payroll was approved for payment:

3555 Pattie Ehret \$310.46, 3556 Brittany Hoversland \$346.31, PERD vendor liability \$2,473.94, MPERA vendor liability \$5,245.75, Nationwide Retirement emp w/h \$600.00, Dept. of Treasury IRS emp w/h \$9,427.78, MT Dept. of Revenue emp w/h \$1,797.04, MMIA health ins. \$13,417.25, ACH deposits: Albert Batterman \$2,881.39, Thomas Bruha \$294.29, Brenda Dietz \$1,708.43, Larry Donnelly \$1,380.53, Kevin Dukart \$1,722.15, Tracey Goerndt \$260.46, Blayne Higgins \$1,617.84, Jill Hildebrand \$736.05, Justin LaCroix \$2,081.38, Michael Loutzenhiser \$339.56, Jaramie McLean \$1,437.45, Rodney Morris \$1,919.69, Theresa Myers \$1,062.09, Bryan Nevers \$1,940.99, Kyle Rogge \$1,566.51, Ashley Rost \$813.13, Cody Strandbakke \$1,892.82, Anna Straub \$1,486.23, Tyler Travis \$1,560.89, Sheena Veazey \$1,801.77, Steven Zachmann \$818.95.

Total payroll: \$62,941.13

The following claims were approved for payment as listed:

15082 Ag Partners supplies \$640.00, 15083 Baker Ace Hardware supplies \$1,648.07, 15084 Batterman Law Office stipend \$2,000.00, 15085 BlueFrog Technologies parts \$2,120.00, 15086 Boss Office Products supplies \$644.80, 15087 Brosz Engineering SID #36, 6<sup>th</sup> St & tank main projects \$49,112.50, 15088 City of Baker petty cash-deposit refunds, postage \$837.21, 15089 Classy Cactus Floral basket \$30.00, 15090 Dept. of Revenue 1% Contractor w/h \$1,183.77, 15091 Diamond J Construction water tank mains pay app #5 \$117,192.88, 15092 Kevin Dukart vehicle subsistence/travel reimbursement \$50.58, 15093 Fallon County Sheriff Office PD new software install, training & annual fee \$18,686.00, 15094 Fallon County Treasurer building maint., planning, tipping \$6,508.89, 15095 Fallon County Veterinary cat vaccinations \$49.00, 15096 Fallon County Water Dist. Collections \$3,555.58, 15097 Fallon Medical Complex health fair services \$70.00, 15098 Fireside Office Products contract \$452.00, 15099 Brenda Flint services \$75.00, 15100 Hawkins Inc. supplies \$830.63, 15101 Blayne Higgins subsistence/animal control \$183.33, 15102 Justin LaCroix subsistence/animal control \$183.33, 15103 Lexipol LLC software set up & annual fee \$709.00, 15104 MDU utilities \$6,589.80, 15105 Midland Implement parts \$174.16, 15106 Mid-Rivers phone/internet \$1,047.22, 15107 MT DEQ operator licenses \$140.00, 15108 Naxin Safety supplies \$251.15, 15109 Bryan Nevers subsistence/animal control \$183.33, 15110 Newell Media LLC advertising \$200.00, 15111 Normont Equipment Emulsion \$5,341.20, 15112 North Baker Water Dist. Collections \$14,445.62, 15113 Northwest Pipe Fittings parts \$14,046.00, 15114 Cathleen Nowak refund fee \$300.00, 15115 Lisa Passmore park maintenance contract \$8,600.00, 15116 PowerPlan parts \$2,457.95, 15117 Prairie Fuels mineral oil \$1,384.90, 15118 Precision Parts & Supply parts \$1,950.02, 15119 Reynolds supplies \$701.48, 15120 Kyle Rogge safety boots reimbursement \$155.00, 15121 Rolling Rubber repairs \$56.53, 15122 Runnings supplies \$521.19, 15123 Safety-Kleen supplies \$224.09, 15124 Scout Energy operating expense \$77.75, 15125 Sew What fire department awards \$478.45, 15126 SpeedTech Lights PD vehicle lights \$703.37, 15127 Spiffy's wash credits PD \$150.00, 15128 Cody Strandbakke subsistence/animal control \$183.33, 15129 Strobes N More PD vehicle lights \$1,098.39, 15130 the Badlands Patriot publishing \$422.50, 15131 US Bank Voyager fuel \$3,566.26, US Postal Service box rents \$228.00, 15133 Utilities Underground Locations locate tickets \$101.92, 15134 Verizon Wireless cell services \$209.04, 15135 VISA shop-postage, parts \$647.50, 15136 PD-postage, cameras \$784.79.

Total claims: \$274,183.51

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 8:05 p.m. Motion Carried. All Aye.

\_\_\_\_\_ Mayor \_\_\_\_\_

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