

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

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

GUESTS: Michele Moser, Shannon Negaard and Jason Griffith.

The Pledge of Allegiance was recited.

PUBLIC COMMENT:

Jason Griffith inquired as to whether the city will remove snow from streets now that it is thawing to lessen the freeze damage to improvement to the streets.

Motion by Pat Ehret, second by Brittany Hoversland to approve the Consent Agenda, the Minutes of October 18, 2023 and Claims for October 2023 as listed. Motion Carried. All Aye.

NEW BUSINESS:

Michelle Moser, Public Health tobacco program specialist presented information to the city on the negative health effects of tobacco and nicotine. She has been active in an education program with the schools and noted that Montana has a quit line for those who wish to cease tobacco use. She also spoke on the addictiveness of vaping due to the high nicotine content, especially to youth. Michelle would like the city to consider signage in the city parks to restrict tobacco use, especially near the ball fields and playground equipment where young children are present.

City Attorney Batterman stated that it would be best to either adopt a policy or an ordinance if steps are to be placed to inform the public of any new park rules. Michelle has templates for this purpose available if the city is interested in this policy.

Shannon Negaard representing Farmers Union, discussed the issues they are having with the use of the garbage dumpsters next to the store. They have had tires, metal and other such items dumped in there as she believes they would not need as many containers they are being billed for if the containers were not misused by those not city residents or restrictive items dumped.

City Attorney Batterman stated that the city owns the containers and would, with the assistance of Farmer's Union, work to increase the surveillance of those who are not entitled to or abusing the use of the tubs. It was agreed that the Police Department will assist with this, and Mayor Zachmann stated we may need to look at an alternative to the location of the tubs as well.

Motion by Brittany Hoversland, second by Tracey Goerndt to adopt Resolution #755, a Resolution of the City of Baker Montana adopting fees for Planning and Zoning Department Programs. Hoversland, Goerndt, Ehret, Loutzenhiser voted aye. Motion Carried.

Motion by Mike Loutzenhiser, second by Tracey Goerndt to approve an advertisement to recruit board members for Planning Board, Zoning Commission, Zoning Board of Adjustments and Airport Zoning Commission where vacancies occur, or terms are expiring. Attorney Batterman stated that he has been in conversation with Forrest Sanderson on the option to combine some of these boards. Motion Carried. All Aye.

Motion by Tracey Goerndt, second by Mike Loutzenhiser to approve Pay Application #2 for Hardrives Construction Inc. for SID #36 Schedule I net amount of \$353,433.96.

Rylan explained they have a punch list for Hardrives to complete but the city will hold \$88,000.00 in retainage until this is complete.

Clerk Dukart reported on requirements under HB355 which is a grant program for infrastructure improvements. One requirement is that the city adopt an infrastructure improvement project list prior to December 31, 2023. More information on this matter will be forthcoming.

Mayor Zachmann asked for a volunteer to serve on an interview committee for Public Works employee applicants. Mike volunteered and the tentative interview is scheduled for Tuesday, November 7th at 5:30 p.m. Pat agreed to be an alternate if that time would not work. Mayor Zachmann requested to allow the committee to make an offer of employment to be presented at the next council meeting. Motion by Pat Ehret, second by Mike Loutzenhiser to allow the committee to make an offer of employment contingent on qualifications of the applicant and of satisfaction of background, physical and random drug screen. Motion Carried. All Aye.

ENGINEER REPORT:

Rylan stated that they have begun work on a maintenance plan for the city streets which they expect to complete in the upcoming year.

Punch list for Diamond J Water Main to Well and SID #36 are drafted for Diamond J to complete as well as the punch list for Hardrives Construction.

FIRE DEPT. INPUT:

Tom reported that the department held fire extinguisher training for county and city employees recently.

PUBLIC WORKS INPUT:

Rod reported that today was the last workday for Larry Donnelly and thanked the council for allowing him to move forward to replace this employee.

POLICE DEPT. INPUT:

Justin stated he is working to get quotes for officer cell phones and to abandon the use of desk phones. The department dealt with several criminal actions. Halloween went well with no major incidents.

CLERK TREASURER INPUT:

Kevin reported that due to the increase in the cost of the phone system, he will be soliciting a quote from Verizon to change phone service as well. Kevin also attended the EPEDC meeting earlier today in Terry. Terra Burman has been very busy trying to wrap up the ARPA Grants. EPEDC is short staffed and are recruiting for a grant writer.

MAYOR INPUT:

Steve completed a grant application to replace the Kreager Park restrooms. We will receive \$7,300 from insurance along with in kind from the city crew he has requested \$24,000 from the Montana Community Investment Program. Funds are supplied by Grid United. The work would include relocating the RV disposal to the north and the new restrooms with a storage room would then face south and be closer to the park.

SID #36 is substantially complete, but our street improvements are not. This work will continue with the materials and resources we have on hand.

CITY ATTORNEY INPUT:

Rich stated that he will be working on an amendment to the Zone Ordinance, the process to consolidate zone boards and an ordinance to restrict tobacco use in parks. He is also working on a DUI and family/partner assault and a misdemeanor sexual assault. Rich thanked the police department for their work on these matters.

COUNCIL INPUT:

Ehret – Pat reminded all that the time changes this weekend.

Goerndt – Stated that the Halloween Haunted Maze went well although one night was cancelled due to the weather.

Hoversland – None

Loutzenhiser – Mike commented that the Trunk or Treat Event in October was well attended.

The following payroll was approved for payment:

3570 Pattie Ehret \$310.46, 3571 Brittany Hoversland \$346.31, 3572 MMIA health ins. \$14,598.25, PERD vendor liability \$2,458.01, MPERA vendor liability \$5,345.29, Nationwide Retirement emp w/h \$800.00, Dept. of Treasury emp w/h \$9,442.35, MT Dept. of Revenue emp w/h \$1,795.50, Unemployment Ins. vendor liability \$137.91, ACH Deposits: Albert Batterman \$2,962.84, Thomas Bruha \$294.29, Brenda Dietz \$1,601.88, Larry Donnelly \$1,467.12, Kevin Dukart \$1,599.07, Tracey Goerndt \$260.46, Blayne Higgins \$1,344.20, Jill Hildebrand \$725.82, Justin LaCroix \$2,121.15, Michael Loutzenhiser \$339.56, Jaramie McLean \$1,477.46, Rodney Morris \$1,966.97, Theresa Myers \$993.57, Bryan Nevers \$1,912.68, Kyle Rogge \$1,568.86, Ashley Rost \$795.11, Cody Strandbakke \$2,111.45, Anna Straub \$1,521.09, Tyler Travis \$1,604.28, Sheena Veazey \$1,561.71, Steven Zachmann \$818.95.

Total Payroll: \$64,282.60

The following claims were approved for payment as listed:

1254e Department of Revenue SID #36 1% contractor w/h \$3,570.04, 1255e Department of Revenue SID #36 1% contractor w/h \$6,596.43, 15347 Bowman Sales & Services 2006 Chevy 3500 purchase \$4,900.00, 15348 Baker Drug supplies \$40.92, 15349 Baker Metal & Recycling supplies \$146.50, 15350 Batterman Law Office stipend \$2,000.00, 15351 Boss Office Products supplies \$232.93, 15352 Brosz Engineering services SID #36, 6th St. water main \$58,835.00, 15353 City of Baker petty cash postage, deposit refunds \$681.67, 15354 Denning, Downey & Associates 2022 & 2023 audit \$7,925.00, 15355 VOID, 15356 Diamond J Construction pay app #2 SID #36, \$653,046.08, 15357 Diamond J Redi-Mix concrete \$712.00, 15358 Brenda Dietz supply reimbursement \$40.19, 15359 Direct Electric services \$85.00, 15360 Kevin Dukart vehicle subsistence \$30.00, 15361 Energy Lab water samples \$66.00, 15362 Fallon County Treasurer tipping fees, building \$5,221.26, 15363 Fallon County Water District collections \$5,021.53, 15364 Brenda Flint services \$75.00, 15365 Hardrives Construction pay app #2 SID #36 \$353,433.96, 15366 Hawkins supplies \$2,364.86, 15367 Blayne Higgins subsistence/animal control \$183.33, 15368 Jackson Group Peterbilt 2015 garbage truck repairs \$14,654.68, 15369 KLJ Engineering zoning edits \$359.58, 15370 Justin LaCroix subsistence/animal control \$183.33, 15371 Law Enforcement Equipment training registration PD \$425.00, 15372 Legal & Liability Risk Management training registration – PD \$1,100.00, 15373 MDU utilities \$6,761.68, 15374 Mid-Rivers phone services \$1,074.74, 15375 MT DEQ connection fees \$1,716.00, 15376 Municipal Emergency Services supplies – Fire Dept. \$981.33, 15377 Naxin Safety supplies \$301.94, 15378 Bryan Nevers subsistence/animal control \$183.33, 15379 North Baker Water District collections \$12,624.54, 15380 Northwest Pipe Fittings parts \$2,163.82, 15381 Lisa Passmore park maintenance \$2,600.16, 15382 Prairie Fuels fuel \$352.93, 15383 Precision Parts & Supply parts \$209.87, 15384 Reynolds supplies \$24.44, 15385 Runnings supplies \$596.60, 15386 Scout Energy Management Sept. operating expense \$77.32, 15387 Sew What supplies Fire Dept. \$584.98, 15388 SMART MT Main ST Grant draw \$8,000.00, 15389 Cody Strandbakke subsistence/animal control \$183.33, 15390 The Badlands Patriot publishing \$22.00, 15391 Tyler Travis safety boots reimbursement \$116.55, 15392 US Bank Voyager fuel \$3,202.56, 15393 Utilities Underground Locations locate requests \$25.48, 15394 Verizon Wireless cell services \$209.56, 15395 VISA shop postage \$9.85, 15396 VISA police supplies, airfare \$1,183.45.

Total Claims: \$1,165,136.75

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 8:07 p.m. Motion Carried. All Aye.

Mayor

Clerk Treasurer