

THE REGULAR BAKER CITY COUNCIL MEETING WAS HELD WEDNESDAY JULY 7, 2010 AT 7:00 P.M. IN THE FALLON COUNTY COURTROOM.

MEMBERS PRESENT: Mayor; Clayton Hornung, Councilors; John Beach, Steve Fradenburgh, Rod Morris and JoDee Pratt, City Attorney; Patrick Begley, Chief of Police; Randy Ketterling, Parks Director; Scott Rabbitt, Recreation Director; Angie Rabbitt, Public Works Foreman; Mike Lovec and Clerk Treasurer; Kevin Dukart.

ABSENT: Director of Public Works; Don Hinman.

GUESTS: Jessica Dinardi, Darren Alderman, Linda Moore, Johnna Graham, Wendy Wagner, Bill Nelson, Steve Zachmann, Angel Wyrwas and Jay Quenzer,

After the reading of the Minutes of the meeting of June 16, 2010, there was a Motion by Steve Fradenburgh, Second by Rod Morris to approve as Read. Motion Carried. All Aye.

Motion by Steve Fradenburgh, Second by JoDee Pratt to approve payment of claims for June 2010 as listed. Motion Carried. All Aye.

OLD BUSINESS:

Spoke with Attorney Begley on the 2nd Draft of the Rural Fire District Agreement. Patrick stated that he will need to speak with Rich Batterman on the Agreement before to issuing an opinion. Motion by Rod Morris, Second by JoDee Pratt to defer a decision on the agreement until Mr. Begley and Mr. Batterman confer on the agreement. Motion Carried. All Aye.

Discussed the failure of Kent and Pat Ehret to remove a portion of the deck on their property as required by zoning ordinance. Attorney Begley excused himself from any enforcement on this issue as he has a conflict of interest. Motion by Rod Morris, Second by JoDee Pratt to begin enforcement of the Ordinance on the removal of this deck. Motion Carried. All Aye.

Spoke on the Non-Compliance of the old Lake Theatre. Attorney Begley stated that the order to abate the hazard was delivered to Mr. Chan on July 7, 2010 in Forsyth. This gives 20 days to have the structure removed.

NEW BUSINESS:

Motion by Steve Fradenburgh, Second by Rod Morris to approve the following Zoning Compliance Permits: Gary Irgens-extend driveway pad, Derrick DeHaan –deck, garage addition, sidewalk, Steve Zachmann deck, Dave Rambur –fence, HKT Big Sky Motors –mobile office, J.J. Robinson –fence, Charles Strait –deck. Motion Carried. All Aye.

Motion by JoDee Pratt, Second by Rod Morris to approve 1st Reading on Ordinance #345 An Ordinance to repeal Ordinance #327 and to amend Ordinance #325 Sections regarding control of weed and plant growth. Motion Carried. All Aye.

Motion by Steve Fradenburgh, Second by John Beach to accept the recommendation of the Planning Board to deny the Variance Request for setback of Bill Nelson garage. Motion Carried. All Aye.

Reviewed the Variance request for Jay Quenzer for a tri-plex on one lot. After discussion on the severe housing shortage in Baker Mayor Hornung appointed JoDee Pratt, Steve Fradenburgh, Steve Zachmann, Jessica Dinardi and Jay Quenzer to a committee to study existing Zoning regulations. The purpose of the study is to determine if changes can be reasonably made to provide relief to the housing shortage with a minimum impact on existing property owners.

Mayor Hornung recessed the regular meeting @ 8:00 P.M. for the Public Hearing on the rate increase for water and sewer. No public comment. Hearing closed.

Regular meeting continued at 8:01 p.m. with further discussion on the Jay Quenzer zoning variance. Jay indicated that he would defer any action from the City Council on the request at this time.

CITIZENS INPUT:

Linda Moore and Johnna Graham requested a Proclamation from Mayor Hornung for the Relay for Life which is to be held July 30-31 in Baker. Mayor Hornung read the Proclamation.

Street damages were discussed. 1st Street SW between Martin and Gregory, Center Avenue, and 3rd Street SW by the Medical Complex. These were all caused by overweight vehicles and or with a combination of traffic being re-routed onto city streets. Mike Lovec reported that a quote from Century Paving on the Martin/Gregory area would be approximately \$30,000.00. It was agreed to follow up on the incidences to attempt to recover for damage if possible.

Motion by JoDee Pratt, Second by Rod Morris to turn the list of uncollectable accounts from accounts receivable and send to collection professionals. Attorney Begley asked to check into collecting on these accounts before they are turned over for collection. JoDee rescinded the above motion.

Discussed the quote for removal, prep work, and wall covering for the Mayor and City Office. The quote was up to \$6,368.00 from Sandi Caron. After discussion there was a Motion by John Beach, Second by Rod Morris to approve the quote. John Beach, Rod Morris, Steve Fradenburgh voted Aye. JoDee Pratt voted Nay. Motion Carried.

Motion by Rod Morris, Second by JoDee Pratt to approve renewal of the annual contract for Animal Control Services with Curtis Arnold. Curtis proposed in the number of call hours in the new contract be reduced to 40 per month. Motion Carried. All Aye.

Chief Ketterling asked to be excused at 9:21 P.M.

The City Court Report was available for review.

MAYOR INPUT:

Mayor Hornung read a letter of request from the Eastern Montana Humane Society seeking donations. No action taken.

Clayton reported that the cost for the Center avenue storm drain has over run by \$4,400.00. The City will be responsible for 1/3 of this cost.

Mayor Hornung stated that he has met with the County Commissioners. They have not yet received an Attorney General Opinion on the Justice of Peace. The County Commissioners asked about the baseball program. This program was moved from Parks Dept. to the Recreation Department several years ago.

CLERK TREASURER INPUT:

Clerk Dukart reported on the [June 23 housing meeting](#).

CITY ATTORNEY INPUT:

[Patrick reported that he has found a house in Baker. Patrick presented a draft of a request form that he would like](#) completed for legal assistance from employees or officials.

CITY COUNCIL INPUT:

[John Beach: John asked about replacement of waterways and alley aprons? Clayton](#) agreed to meet with Don to prepare a list to be submitted to contractors. [John also spoke about a letter he wrote to the Times regarding community improvements issues.](#)

[Steve Fradenburgh: Steve reported on the housing meeting earlier today. Steve also mentioned that the new container site does not accept loose tree leaves; this may be an issue this autumn.](#)

[Rod Morris: None.](#)

[JoDee Pratt: JoDee stated she had a complaint from Judy Hufford regarding weed spray near her residence as it affects her dog. Clerk Dukart stated that he would notify the operators to avoid the area near her residence in the future](#) if it is kept free of weeds in the curb lines.

[The following claims presented and approved for payment:](#)

[5079 MJC & MCCA dues \\$35.00, 5080 Sue Pullishy mobile home payment \\$5,000.00, 5081 American Judges Association dues \\$150.00, 5082 Curtis Arnold subsistence, contract \\$1,062.50, 5083 B & B Septic Services rental \\$388.00, 5084 Baker Body Shop towing \\$100.00, 5085 Baker Metal materials \\$58.94, 5086 Barth Electric services \\$607.51, 5087 Black Mountain Software certification \\$100.00, 5088 Carquest Auto Parts parts \\$1,158.84, 5089 City of Miles City discharge samples \\$45.00, 5090 CNADA](#)

quarter collections \$588.00, 5091 D & J Insurance renewal \$3,498.00, 5092 Dakota Fence Company picnic tables \$3,815.00, 5093 Kevin Dukart subsistence \$30.00, 5094 DXP Enterprises gas regulator \$3,168.39, 5095 Energy Laboratories water analysis \$125.00, 5096 Equity Co-op Association supplies \$560.40, 5097 Fallon County Times publication \$435.00, 5098 Fallon County Treasurer contract, tipping fee, ½ utilities \$8,265.98, 5099 Fallon County Water District June collections \$1,325.28, 5100 Farmers Union Oil fuel \$1,033.95, 5101 Brenda Flint services \$75.00, 5102 G & G Garbage container site services \$1,901.00, 5103 Galeton supplies \$33.85, 5104 Hardware Hank supplies \$1,075.91, 5105 Tom Hargar park flowers \$506.70, 5106 Hawkins Water Treatment supplies \$3,789.75, 5107 Randy Hoenke travel expense \$139.00, 5108 Innovative Environmental lead base inspection \$1,150.00, 5109 I-State Truck Center parts+ups \$204.02, 5110 J & M Lumber supplies \$116.48, 5111 K F L N Radio advertising \$400.00, 5112 Randy Ketterling subsistence \$83.33, 5113 Larry's Service Center supplies \$85.00, 5114 Lawler's ups charges \$25.62, 5115 Bo Lingle travel expense \$460.00, 5116 MDF water fountain \$2,170.00, 5117 M.D.U. utilities \$4,508.33, 5118 Midland Implement valve \$319.05, 5119 Mid-Rivers Telephone services \$476.08, 5120 Mitchell's Oilfield gravel \$36.25, 5121 Montana Magistrate Assoc dues \$200.00, 5122 Montana State University training \$300.00, 5123 MT Dept Transportation purchased supplies \$8,340.54, 5124 National Judges Assoc dues \$120.00, 5125 National Oilwell supplies \$213.85, 5126 Normont Equip manual \$68.99, 5127 North Fallon Water District June collections \$987.65, 5128 Northside Truck parts \$116.95, 5129 Northwest Pipe Fittings supplies \$3,083.64, 5130 Petty Cash deposit, postage \$799.04, 5131 Prairie Fuels fuel \$1,346.72, 5132 Precision Parts parts \$174.79, 5133 R & R Products tree gator \$644.85, 5134 RDJ Specialties supplies \$229.33, 5135 Red Hot Fire parts \$61.00, 5136 Red Rock Sporting Goods supplies \$1,403.70, 5137 Reynolds supplies \$269.19, 5138 Rock Jock Entertainment DJ services \$250.00, 5139 Rocky Mountain FBINAA registration \$170.00, 5140 Ronan Dodge 2010 charger \$25,056.00, 5141 Runnings Supply \$460.67, 5142 SBM Inc supplies \$150.62, 5143 Caleb Sandoval subsistence \$83.33, 5144 Sew What embroidery supplies \$286.00, 5145 Craig Shipman travel expense \$1,127.00, 5146 Single Tree Consulting administrative fee \$3,817.80, 5147 Steadman's Ace Hardware supplies \$229.99, 5148 Thee Body Shop parts & labor \$97.80, 5149 U.S. Post Office postage \$358.40, 5150 Utilities Underground notification fee \$61.43, 5151 Voyager Fleet Systems fuel \$199.16, 5152 VSP Marketing supplies \$517.00, 5153 Wells Fargo services \$649.17.

Total Claims: \$100,980.78

The following payroll approved for payment:

444 Miranda Caron salary \$573.95, 445 Alyssa Dietz salary \$726.60, 446 Pattie Ehret salary \$62.48, 447 Jamie Fischer salary \$517.22, 448 Tanner Fischer salary \$629.61, 449 Timothy Grube salary \$506.72, 450 Trent Harbaugh salary \$356.08, 451 Jade Hoffman salary \$677.76, 452 Bruce Inion salary \$137.86, 453 Nicole Kono salary \$30.79, 454 Logan LaCross salary \$625.76, 455 Bo Lingle salary \$850.69, 456 Michael loutzenhiser salary \$1,078.77, 457 Tricia Mudd salary \$506.12, 458 Craig Shipman salary \$868.77, 459 Clint Townsend salary \$791.30, 460 Bailey Woolington salary \$688.11, ACH -P.E.R.D.em w/h + city share \$1,434.02, ACH IRS -fed & s/s w/h + city share \$9488.49, MPERA em w/h + city share \$3,195.35, 461 MMIA health premium \$6,459.25, 462 MT Dept Revenue em w/h \$1,549.27, 463 Nationwide Retirement em w/h + city share \$552.95.

Total Payroll: \$57,579.70

There being no further business to come before the Baker City Council at this time Motion by JoDee Pratt, Second by Rod Morris to adjourn at 10:10 P.M. Motion Carried. All Aye.

Mayor

City Clerk Treasurer