

THE REGULAR BAKER CITY COUNCIL MEETING WAS HELD WEDNESDAY MAY 5, 2010 AT 7:00 P.M. IN THE FALLON COUNTY COURTROOM.

MEMBERS PRESENT: Mayor; Clayton Hornung, Councilors; John Beach, Steve Fradenburgh and JoDee Pratt, City Attorney; Russell Culver, Chief of Police; Randy Ketterling, City Judge; Nicole Brown, Parks Director; Scott Rabbitt, Public Works Foreman; Mike Lovec, and Clerk Treasurer; Kevin Dukart.

ABSENT: Councilor; Rod Morris and Director of Public Works; Don Hinman.

GUESTS: Patrick, Beth and Rory Begley, Steve Zachmann and Duane Quenzer.

After the reading of the minutes of the meeting of April 21, 2010 with one correction there was a Motion by JoDee Pratt Second by Steve Fradenburgh to approve as corrected. Motion Carried. All Aye.

Mayor Hornung requested to deviate from the Agenda and turned the floor over the City Attorney Culver.

Russell stated that after searching for the past few years for a replacement City Attorney he has located an acceptable candidate. Russell introduced Mr. Patrick Begley and recommended that he be appointed as City Attorney as Russell intends to resign as of tonight. After discussion with Mr. Begley on salary and benefits there was a Motion by Steve Fradenburgh, Second by JoDee Pratt to accept the resignation of Russell Culver as City Attorney and to appoint Patrick Begley. Motion Carried. All Aye.

Mr. Begley was administered the Oath of Office for City Attorney.

The Begley's were excused from the meeting.

Motion by Steve Fradenburgh, Second by John Beach to approve payment of claims for April 2010 as listed. Motion Carried. All Aye.

Russell Culver was excused from meeting.

NEW BUSINESS:

The set back variance for Duane Quenzer was discussed. The Planning and Zoning Board have recommended not allowing the variance. After input from Steve Zachmann, Planning Board Chairman, and Duane Quenzer there was a Motion by John Beach to accept the recommendation of the Planning and Zoning Board. Motion died for lack of a Second.

Duane Quenzer asked if he could amend his permit to allow construction of the foundation within 23 feet of the curb as allowed but to extend a 2 foot eave. Motion by Steve Fradenburgh, Second by JoDee Pratt to allow the amended permit and variance. Steve Fradenburgh, JoDee Pratt voted Aye. John Beach voted Nay. Motion Passed.

Motion by Steve Fradenburgh, Second by JoDee Pratt to approve the following Zoning Compliance Permits: Lester Straub – replacing concrete and landscaping, patio, Roy Wheeler - carport, Lyle Neary – addition to garage, Ed Wickstrom – driveway, Dave Rambur – porches, addition and deck, Kendrick Ehret – covered porch, and Clarence Schell – storage shed. Motion Carried. All Aye.

The Council reviewed the draft of a letter of request to begin accepting applications for the CDBG Housing Program outside of the identified project area approved by the original grant. Julie Jones drafted the letter which will be reviewed by Gus Byrom of the CDBG program. The request was agreed to.

Clerk Dukart presented the sewer average updates for the past winter months. After discussion there was a Motion by Steve Fradenburgh, Second by JoDee Pratt to approve update of individual sewer averages but to leave the City average the same as the previous period of \$19.88. Motion Carried. All Aye.

Clayton presented a request from Sam Chan to allow until September 30 to complete the demolition of the Lake Theatre. The Council agreed that this is not a reasonable amount of time and asked Mayor Hornung to reply to Mr. Chan with a July 1 deadline instead.

PARKS DEPARTMENT INPUT:

Scott reported on a Relay For Life Cancer Support Marathon July 30 – 31 at the Baker Lake Gazebo. As this will be an all night venue with D J Music a noise issue for the residents near there was discussed. It was agreed to assure area residents are properly notified prior to the event.

Scott recommended hiring Alyssa Dietz, Bailey Woolington, Jade Hoffman, Jamie Fisher, Miranda Caron and Clint Townsend for the summer park employees. Motion by Steve Fradenburgh, Second by John Beach to approve this recommendation. Motion Carried. All Aye.

CITY JUDGE INPUT:

City Judge Nicole Brown spoke on her efforts to get a Drug Task Force in place in Fallon County. Nicole also stated that she has been able to get a vehicle crash demonstration in Baker on May 13 for drivers or upcoming drivers to see. She hopes to hold this in the south Courthouse parking lot. This is accident prevention training and she intends to ask the School if they will allow student participation for this display.

Nicole asked about wage for Tricia? Clerk Dukart stated that she is not on the scale and has in the past received cost of living increases only. There was also discussion on Attorney General Opinion for City Judge and Justice of Peace issue No news on this issue or on the Interlocal Agreement regarding the cost share of City Judge and Justice of the Peace.

Nicole asked if she could be added to the list for a city credit card as she is finding a need for a card. Kevin agreed to check into this.

MAYOR INPUT:

Clayton reported on issues discussed with the County Commissioners such as Baker Lake and drainage. They also discussed the TransCanada Pipeline. Clayton also spoke to Mike Lovec on monitoring the street conditions due to the increase traffic during the highway construction.

PUBLIC WORKS DEPARTMENT INPUT:

Mike spoke about clean-up week and state the weather limited citizen participation.

POLICE DEPARTMENT INPUT:

Randy reported that Curtis would like to negotiate for fewer hours for animal control patrol starting July 1. Randy also reported that the state bid price for a new patrol vehicle is right at \$25,000.00 for either a Dodge Charger or Chevrolet Impala. Motion by JoDee Pratt, Second by Steve Fradenburgh to allow Chief Ketterling to order the vehicle of his choice under state bid. Motion Carried. All Aye.

CLERK TREASUER INPUT:

Clerk Dukart stated that he was in Miles City earlier today to have the mosquito sprayer calibrated. Kevin also reported that he has checked further into the issue for the Voyage Gas cards. There will be a monthly fee of \$2.00 per card. Clerk Dukart deferred to Mayor Hornung on a discussion for a retirement gathering for Russell Culver. JoDee was selected to put together a plan for an open house and a city employee dinner to honor Russell for his past years of dedicated service to the City. Clayton also asked for ideas for a gift such as a plaque for Russell.

COUNCIL INPUT:

JoDee Pratt: Asked Mike about the street condition near the water leak by Stevenson Funeral Home. Mike stated they have been maintaining the area but there is too much moisture to repair the street properly at this time.

RE- Direct: Randy Ketterling reported on the recent meeting with Conoco Phillips. Representative of the company stated that they have a desire to do what they can to assist with suitable public projects in the Community. Brenda Fradenburgh is the local contact for applications for grant projects. Conoco Phillips has indicated plans are still underway to construct an office building North of Baker.

John Beach: John reported to Randy on a semi truck parked on street near his residence. John also pitched the idea of use public funds to invest in a community movie theatre. A local property has expressed interest in donating a lot in the commercial district for this purpose. The idea was discussed at some length.

Steve Fradenburgh: None.

The following claims approved for payment:

4954 Ryan Erickson travel expense \$46.00, 4955 Beverly Anderson travel expense \$272.00, 4956 Curtis Arnold subsistence, contract \$1062.50, 4957 Baker Chamber of Commerce donation \$250.00, 4958 Carquest parts \$1098.75, 4959 Dacotah Paper supplies \$94.01, 4960 Deluxe Motors parts \$109.50, 4961 Kevin Dukart subsistence, travel \$107.00, 4962 Energy Laboratories water analysis \$40.00, 4963 Fallon County Sheriff Office weapons permit \$1190.50, 4964 Fallon County Times publication \$647.30, 4965 Fallon County Treasurer maintenance, mills tipping fee \$7677.02, 4966 Fallon County District April collections \$1021.06, 4967 Fallon Medical Complex fees-health fair \$525.00, 4968 Farmers Union Oil fuel \$2194.42, 4969 Fastenal Company parts \$36.58, 4970 Brenda Flint services \$75.00, 4971 G & G Garbage container site services \$1551.00, 4972 Galls Incorp supplies \$115.67, 4973 Griffith Excavating water leak services \$1670.00, 4974 Hawkins Water Treatment supplies \$2240.88, 4975 Randy Hoenke supplies \$360.42, 4976 Holiday inn travel charge \$128.33, 4977 IIMC dues \$200.00, 4978 Randy Ketterling subsistence \$117.23, 4979 Kois Brothers parts \$972.90, 4980 L.N. Curtis supplies \$100.08, 4981 Bo Lingle travel expense \$93.00, 4982 Michael Loutzenhiser safety boots \$150.00, 4983 Mike Lovec safety boots \$67.00, 4984 M.D.U. utilities \$5320.84, 4985 Mercedes Publishing guide book \$215.90, 4986 Mid-American sewer supplies \$748.00, 4987 Midland Equipment sprinkler parts \$1202.52, 4988 Mid-Rivers Telephone services \$553.62, 4989 Miles City Youth Baseball dues \$650.00, 4990 Mitchells Oilfield Service scoria, sand, gravel \$6414.50, 4991 Montana Rural Water membership \$250.00, 4992 Montana State University class \$87.00, 4993 Montana Tax Foundation dues \$55.00, 4994 MT Dept Health & Envir membership \$210.00, 4995 Tricia Mudd travel expense \$578.02, 4996 Municipal Code page-code ordinance \$913.55, 4997 Naxin Safety 1st aid supplies \$74.65, 4998 Newman Traffic Signs bolts & shipping \$25.66, 4999 Normont Equipment parts, freight \$528.56, 5000 North Fallon Water District April collections \$1121.78, 5001 Northwest Pipe Fittings supplies \$149.14, 5002 Northwest Pipe Fittings –Blg supplies \$959.70, 5003 Petty Cash postage, deposit refunds \$238.00, 5004 Positive Choices donation \$500.00, 5005 Prairie Fuels fuel \$1424.91, 5006 Precision Parts parts \$3.98, 5007 QBS warrants \$161.50, 5008 Red Hot Extinguisher supplies \$335.50, 5009 Running's Supply parts \$330.89, 5010 SBM Inc supplies \$346.97, 5011 Safety Kleen recycle services \$185.43, 5012 Caleb Sandoval subsistence \$83.33, 5013 Sensus Metering software support \$1320.00, 5014 Sew What Embroidery supplies \$2681.00, 5015 Tab Electronics parts & labor \$312.75, 5016 Thee Body Shop services \$1,000.00, 5017 Utilities Underground notification \$13.55, 5018 Wells Fargo credit card payment \$607.07, 5019 Wind River Seed seed & shipping \$806.76, 5020 Zee Medical Service 1st aid supplies \$447.41,

Total Claims: \$ 55,070.66

The following Payroll approved for payment:

390 Alisha Afrank salary \$416.53, 391 Miranda Caron salary \$246.30, 392 Russell Culver salary \$777.64, 393 Pattie Ehret salary \$385.29, 394 Timothy Grube salary 370.70, 395 Trent Harbaugh salary \$155.51, 396 Bruce Inion salary \$158.46, 397 Barbara Ketterling salary \$170.89, 398 Nicole Kono salary \$177.03, 399 Bo Lingle salary \$430.11, 400 Michael Loutzenhiser salary \$1268.79, 401 Marian Manion salary \$407.16, 402 Tricia Mudd salary \$361.82, 403 Christina Shepherd salary \$20.94, 404 Craig Shipman salary \$438.66, 405 MMIA health premium \$8053.90, 406 MT Dept Revenue em w/h \$1431.97, 407 Nationwide Retirement Solutions em w/h + city share \$598.79, 408 Pre-Paid Legal em w/h \$14.95. P.E.R.D. em w/h + city share \$1431.58, Dept Treasury IRS em w/h \$8743.12, MPERA em w/h + city share \$3298.20, ACH semi-monthly em salary \$16,184.33.

Total Payroll: \$ 49,940.31

There being no further business to come before the Baker City Council at this time Motion by Steve Fradenburgh, Second by John Beach to adjourn at 9:23 P.M. Motion Carried. All Aye.

Mayor

Clerk Treasurer

MAY 19, 2010 BAKER CITY COUNCIL MEETING
Two Council Members not present
No Quorum