

CITY OF CHOTEAU

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OFFICIAL MINUTES OF THE JUNE 20, 2017 MEETING OF THE CHOTEAU CITY COUNCIL

Present were Mayor Jack Conatser, Council Member Jill Owen, Council Member Dan Lannen and Council Member Rose Crawford. Council Member Stewart Merja was excused.

Staff present was Utility Billing Clerk Rebecca Olsen and Public Works Director Mike Maples.

Citizens present were Melody Martinsen of the Choteau Acantha; Clay Crawford, Kelly Skinner, Julienne Gramm and Susan Luinstra of the Choteau Community Art Studio; Joe Dellwo, Teton County Commissioner; Jennifer Stutz, City Attorney; Wyman, Daymian and Daysha McLoughlin; Jessie Watkins; Rich Lusky; Kathleen Moscatello; Andrew Watson; and Beth Barlow.

CALL TO ORDER

Mayor Conatser called the meeting to order at 7:03 p.m.

APPROVAL OF THE MINUTES OF THE CITY COUNCIL MEETING OF MAY 16, 2017

A motion to approve the minutes of the May 16, 2017 meeting was made by Council Member Crawford, seconded by Council Member Lannen. Council Members Crawford, Lannen and Owen voted aye. Council Member Merja was excused.

REQUESTS TO BE OUT OF STATE

None

UNFINISHED BUSINESS

NEW BUSINESS

DISCUSSION AND POSSIBLE VOTE ON FUTURE USE OF NURSING HOME BUILDING - SUSAN LUINSTRA

Mayor Conatser explained that Susan Luinstra and Blair Patton visited with him a couple of weeks ago to see what the city could do to help them purchase or if the city would purchase the nursing home building and lease it back to the arts committee. He and Mr. Patton walked through the building and had a building inspection done. The inspector did find some deficiencies but overall, the building is in superior condition.

Susan Luinstra introduced the members of the Choteau Community Art Studio that were in attendance and gave a presentation on what the art studio does. She stated that she was made aware of a grant possibility from Art Place America in February for up to \$500,000. She stated that a large group of arts people were assembled to get ideas on how to move forward and applied for \$195,000 of the grant funding available. They did not receive the grant but the Nursing Home then became available.

Kelly Skinner spoke about the possibility of using the former nursing home building and its many rooms for not only art but maybe dance classes, recitals, plays, small concerts, artist studios, gallery, gift shop, etc.

Ms. Luinstra stated that the building is perfect. It is already handicapped accessible, centrally located, well lit, has multiple entries and parking. It offers lots of opportunities for community groups to become involved in economic growth. She stated that the group is not financially large enough to purchase the building on their own. They need time to find renters to fill it up, to establish programs and to establish and build an online presence.

Ms. Luinstra read a letter from Tanya Richem in support of purchasing the building and using it for the arts.

Teton County Commissioner Joe Dellwo explained that he does not want to see an empty building in Choteau and hopes it works out for the art community.

Mayor Conatser explained that the county commissioners have had legal deadlines they have had to follow in the sale of the building. He stated that one of the drawbacks of the building is the high cost of heating. He stated that an audit can be done by NorthWestern Energy and they can make recommendations on how to resolve that issue.

Ms. Luinstra explained that she would like to get a dialog going, to talk about how to make it work for the community.

Mayor Conatser stated that the city is pretty conservative when it comes to spending but would like to find a way that this would work out.

Council Member Crawford stated that she would like to have more discussion and maybe find out how many vendors might be interested in having space in the building and what potential rents might be. She also suggested that a committee be formed to look into all the possibilities.

Julian Gramm suggested an article in the newspaper to possibly drum up some interest as the Acantha is also online and seen by more than just Choteau people. She also stated that she would be glad to have any advice Blair Patton can give them as Mayor Conatser stated earlier that he was instrumental in setting up the arts programs in Lewistown.

Mayor Conatser asked Commissioner Dellwo if a 30 or 60-day extension would be OK with the commissioners. Mr. Dellwo replied that there are no other offers on the table and he does not want to pressure the city into make a rash decision.

Kathleen Moscatello said this is a great idea, she used to work at the Scottsdale Artist's School. There were classes put on by different artist's for a few days at a time and it was always busy.

Council Member Owen stated that this is a good idea but also needs more discussion and a plan.

Beth Barlow is also in favor, she thought it might be good to have a gallery for the local artists.

Mayor Conatser suggested the discussion be tabled until the next meeting.

Andy Watson stated that he drove from Great Falls to attend the meeting. He explained that he was involved with the Alliance for the Varied Arts from 1978 in Logan Utah. They started in an old abandoned school building and it grew really big. It finally had to be moved to a larger building on Main Street. They received grant funding from the National Endowment for the Arts. He suggested they be contacted for grants.

Jessie Watkins explained that she and Callie Peebles have a dance studio in town. They have been sharing space with different groups but are looking for a permanent place to have their studio. She also works with the girl scouts and feels that they can also use the new facility.

Council Member Owen asked if there were any way there could be a joint city/county venture. County Commissioner Dellwo replied that the county wants to get rid of the building so that would not be feasible. Mayor Conatser agreed.

A motion to table the discussion until the next meeting on July 18, 2017 was made by Council Member Lannen, seconded by Council Member Crawford. Council Members Lannen, Crawford and Owen voted aye. Council Member Merja was excuse.

VOTE ON JUSTICE OF THE PEACE INTERLOCAL AGREEMENT

Mayor Conatser reported that after two years, we will be working with the county again for court services. A motion to approve the Interlocal Agreement was made by Council Member Owen, seconded by Council Member Crawford.

Melody Martinsen asked what the agreement would provide. Mayor Conatser replied that it would provide the city with a justice court that will cover all the tickets issued in the city. The county will be responsible for any retirement and the risk. The cost will be \$8,364 per year.

Council Members Owen, Crawford and Lannen voted aye. Council Member Merja was excused.

VOTE ON LAW ENFORCEMENT INTERLOCAL AGREEMENT

Mayor Conatser explained that the agreement will cover code enforcement within the City of Choteau for \$135,035 per year. This will provide two deputies residing within a 10-minute response time and will provide no less than 84 hours of duty time per week. There is a three percent increase included.

A motion to approve the Law Enforcement Interlocal Agreement was made by Council Member Lannen, seconded by Council Member Crawford. Council Members Lannen, Crawford and Owen voted aye. Council Member Merja was excused.

VOTE ON CITY ATTORNEY EMPLOYMENT AGREEMENT

Mayor Conatser reported that the contract for City Attorney is with Jennifer Stutz for \$32,000 per year.

A motion to approve the City Attorney Employment Agreement was made by Council Member Crawford, seconded by Council Member Owen. Council Members Crawford, Owen and Lannen voted aye. Council Member Merja was excused.

VOTE ON AMENDED SERVICE AGREEMENT AMENDMENT - DOWL

Mayor Conatser reported that we have an engineering report and wastewater recovery report as well as a request for payment for engineering services for the additional six weeks of the project.

Council Member Lannen clarified that the additional amount will be \$31,360, we have already paid \$98,000 for engineering services. He assumes that part of that is for the re-design of the sand beds. He recommends that the city does not pay DOWL any more money. We have incurred expenses for things that were never used and feels some of the project was over engineered. He suggests DOWL go to Williams Brother Construction and collect from them.

Mayor Conatser stated that he looked at the liquidated damages so far and they total \$192,000. He stated that we need to speak to our funding agencies and legal counsel to see how best to do this. We do need to put a stop to the continuing expenses.

Mayor Conatser suggested the issue be tabled until he can speak with all the parties involved. A motion to table the amended service agreement was made by Council Member Owen, seconded by Council Member Crawford. Council Members Owen, Crawford and Lannen voted aye. Council Member Merja was excused.

CLAIMS

A motion to approve the claims for May in the amount of \$148,788.69 was made by Council Member Lannen, seconded by Council Member Crawford. Council Members Lannen, Crawford and Owen voted aye. Council Member Merja was excused.

LAW ENFORCEMENT REPORT

There was no Law Enforcement Report submitted.

CITY JUDGE'S REPORT

There was no City Judge's Report submitted.

PUBLIC WORKS DIRECTORS REPORT

Public Works Director Maples reported that flows have dropped off since the last update. We went from over 1150 gpm down to 486 gpm. With the last rain, we are currently sitting at 553 gpm. The problem with the grit system has been resolved. The concrete work on the sludge drying beds have been completed and leak testing is being conducted. Williams Brother Construction is addressing site work, prepping for final road grade material and removing their equipment.

Public Works Director Maples stated that next week the fencing contractor will begin fencing the headworks and lift station areas, WesTech will be sending a tech to help us tune the biological process and the funding agencies will be on site for a walk through for substantial completion of the contract.

He will start working on the GIS project funded by the Montana Land Information Act grant.

The crew constructed a pontoon intake for a pump to start pumping down the lagoon, helped put a water line in for Byler's Bakery, exercised and flow tested fire hydrants, patched potholes, planted trees for Arbor Day, assisted with removing a hazardous tree, picked up sticks and branches and graded alleys.

FINANCE OFFICERS REPORT

Finance Officer Rogers was excused.

MAYOR AND COUNCIL REPORTS

Mayor Conatser reported that he has been getting a lot of questions about a possible marijuana shop in Grizzly Sports. He asked City Attorney Stutz to explain the issue. She stated that the city has had a moratorium in the past but it has expired. She explained that I-182, medical marijuana act, will go into effect on June 30, 2017. The city will have the authority to regulate what can be here. She stated that a dispensary will be able to sell to individuals, not just one person. She suggested that a moratorium for six months be put into place to allow for fact finding and discussion. She stated that if that is the route to take, there should be a special meeting called for next week, it would need to be noticed in the paper. She explained that a license may not be obtained from the state if a city has zoning against it or an ordinance in place.

Mayor Conatser explained that back in April, he received a phone call asking if we had a moratorium against marijuana. He told the caller that ours had expired. The caller then stated that he could put in a secure storage facility if he chose to. The caller then signed a 10 year lease with a man for a medical marijuana facility on Main Avenue.

Mayor Conatser will be calling a special meeting on June 29, 2017 at 7:00 pm. at City Hall to discuss the issue.

Mayor Conatser stated that he received a letter from the MMIA about the upcoming Executive Forums put on by the Montana League of Cities and Towns in conjunction with the MMIA and Local Government Center. Choteau will be the host for 2020, thanks to Beth Barlow who worked to get it here. It will bring a few hundred people to Choteau.

Council Member Owen stated that she had some friends come in from out of town for the swim meet. They said that Choteau was an awesome place to have the swim meet and thought it would be a great place to have the state meet sometime in the future.

PUBLIC COMMENT

City Attorney Stutz stated that the City should consider having business licenses in the near future.

Susan Luinstra thanked Public Works Director Maples for his and the crews hard work.

ADJOURNMENT

A motion to adjourn the meeting at 8:16 p.m. was made by Council Member Crawford, seconded by Council Member Owen. Council Members Crawford, Owen and Lannen voted aye. Council Member Merja was excused.

John W. Conatser, Mayor

Rebecca E. Olsen, Utility Billing Clerk