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**City of Choteau**  
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OFFICIAL MINUTES OF THE JANUARY 6, 2015 MEETING  
OF THE CITY COUNCIL

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

Staff present was Finance Officer Jodi Rogers, Deputy Clerk Mary Corey and Public Works Director Kelly Hirsch.

Citizens present were Melody Martinsen of the Choteau Acantha; John Morris; Curly Anderson; Harold Yeager; Jim Bouma of the Stage Stop Inn; Rob & Wendy Barney; Pete Howard and Richard Bigelow.

CALL TO ORDER

Mayor Conatser called the meeting to order at 7:00 p.m.

OPENING PUBLIC HEARING - TAX ABATEMENT REQUEST - STAGE STOP INN

Mayor Conatser opened the Public Hearing at 7:00 p.m.

Curly Anderson stated that Mr. Bouma built the original hotel to attract people to Choteau. Mr. Anderson wants to see the State B Volleyball Tournaments in Choteau. Without the hotel and the addition, we would not be able to have any large functions in the city. He feels that Choteau needs to support the tax abatement.

Harold Yeager stated that he agrees with Mr. Anderson. It is not a loss of taxes, it is just a reduced tax. It will end up being a net gain.

Mayor Conatser stated that the Public Hearing will be held open until the next meeting on the 20th when Council will decide whether or not to go ahead with the abatement. Verbal and written comments will be accepted up until that time.

APPROVAL OF THE MINUTES

A motion to approve the minutes of the December 16, 2014 meeting was made by Council Member Lannen, seconded by Council Member Owen. The motion passed with all in attendance voting aye.

REQUESTS TO BE OUT OF STATE

None

UNFINISHED BUSINESS

DISCUSSION ON CITY JUDGE CONTRACT

Mayor Conatser explained that the contract is for City Judge Mike Fasbender. His monthly salary will be \$500 and mileage will be 57.5 cents per mile. Fairfield and Choteau will share training costs, mileage and per diem 50/50. There is an agreement that after one year, the City or Mr. Fasbender may re-negotiate the rates. There is also an escape clause where either party may give 90 days notice to end the contract. Council Member Owen asked if the City will be paying witness and juror fees. Mayor Conatser replied that we would. She then asked what the difference would be from the old contract. Mayor Conatser replied that Judge Howard was paid \$840 per month, \$200 per year for office supplies and his clerk and \$600 per year for travel. Under the new agreements, the judge will use the City car for travel. Mileage will be paid when Judge Fasbender drives to Choteau for court and home, not when he uses the City car. Choteau and Fairfield will be sharing a clerk, those hours are yet to be worked out. The new arrangement will save the City approximately \$3000 per year.

VOTE ON RESOLUTION NO. 790 - ACCEPTANCE OF CITY JUDGE AGREEMENT

A motion to approve Resolution No. 790 was made by Council Member Merja, seconded by Council Member Crawford. The motion passed with all in attendance voting aye.

NEW BUSINESS

VOTE ON REQUEST FOR WATER BILL REDUCTION - WENDY BARNEY

Rob Barney explained that in the last couple of months, it has come to their attention that there was a faulty fitting at their residence that caused a water leak. Over 168,000 gallons went through their meter because of this. He was told by the man doing the excavation work that they were the 8<sup>th</sup> one this has happened to. He is requesting a reduction in their water charges. Council Member Lannen asked if this happened at the meter. Mr. Barney replied that it was outside the meter. Public Works Director Hirsch explained that it was the coupling from the water line to the meter pit that

cracked. He further explained that it was installed by a plumber, not the City. Mayor Conatser read a portion of Ordinance #294 that states:

“The city is responsible for the water main and main corporation valve. The property owner is responsible for the service pipe from the city water main to the premises together with the curb stops and box. Service pipe and curb stop will be installed according to city specifications and by authorized persons only, at the expense of the property owner. No claim shall be made against the city on account of failure of any service pipe or fixtures or for accidental failure in the supply of water.”

Mayor Conatser explained that he has been the Mayor for only a year but he has not had anyone come in and complain about a broken fixture in that time.

Mr. Barney introduced his father-in-law, Richard Bigelow. Mr. Bigelow stated that just before Thanksgiving, Rob showed him his water bill, over three months the bill kept going up. They took some shovels to dig up the area. They could hear water running so they called Public Works Director Hirsch. Mr. Bigelow asked who he should call, Public Works Director Hirsch suggested Ted Hinderager. Mr. Bigelow stated that it was a coupling on the meter that was broken. He received a bill for the excavation and does not feel he should have to pay for it and gave it to the city. He further stated that Public Works Director Hirsch wondered why the water leak was not noticed months ago. Finance Officer Rogers explained that the City runs over 900 bills each month. We run a report that shows excessive water usage and it did not kick out on that report until the November bill. We can't look at each and every bill. She reported that we did try to contact them on the last bill. We could not get hold of Wendy or Rob and finally left messages on Mr. Bigelow's phone, which he denied but Wendy and Rob confirmed. Mr. Barney came in to pay on the bill and he was informed of the excessive usage at that time. Mr. Bigelow suggested that the bill should be adjusted for the excessive usage and the City should have to pay the excavation bill.

Mayor Conatser stated that according to the Ordinance, the location of the leak is the responsibility of the homeowner. He stated that we will work with them to set up a payment schedule. Mr. Yeager suggested they check with their homeowners insurance to see if it might be covered. Council Member Lannen suggested customers check their water bills.

#### CLAIMS

A motion to approve the claims for December was made by Council Member Merja, seconded by Council Member Owen. The motion passed with all in attendance voting aye.

#### PUBLIC WORKS DIRECTOR'S REPORT

Public Works Director Hirsch reported that the crew hauled gravel, plowed snow and did some shop work.

Mayor Conatser stated that he received a letter thanking the City for plowing snow on Christmas Eve night. He explained that Public Works Director Hirsch was plowing so the crew could be home with their families.

#### FINANCE OFFICER'S REPORT

Finance Officer Rogers reported that the audit is done. There did not seem to be any problems. She reported that Becky Olsen is back to work.

#### MAYOR AND COUNCIL REPORTS

Council Member Merja asked if there was an order of importance when plowing snow. Finance Officer Rogers replied that we have it in our policy. He further asked if the city goes back and plows after vehicles have been moved. Public Works Director Hirsch replied that we do not.

Mayor Conatser thanked everyone for coming and for their comments.

#### ZONING PERMIT REPORT FOR DECEMBER 2014

Name	Address	Description
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#### PUBLIC COMMENT

None

#### ADJOURNMENT

A motion to adjourn the meeting at 7:38 p.m. was made by Council Member Lannen, seconded by Council Member Crawford. The motion passed with all in attendance voting aye.

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John W. Conatser, Mayor

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Jodi L. Rogers, Finance Officer

