

CUT BANK CITY COUNCIL
SEPTEMBER 6, 2022
6:30 P.M. – CITY HALL & ZOOM

THIS MEETING WAS HELD VIA ZOOM & AT CITY HALL

The public hearing for Resolution 22-05, the 2021-2022 Budget Amendment, was opened at 6:30 PM by City Attorney Smith.

City Attorney Smith swore in Clerk-Treasurer Burley. Clerk-Treasurer Burley was asked to explain her duties involved in the public hearing process. City Attorney Smith asked Clerk-Treasurer Burley if she had published the notice of public hearing and if she had the affidavit of publication for this notice. Clerk-Burley responded yes. City Attorney Smith then asked her if she had received any public comment concerning the proposed budget amendment and she responded no comments had been received.

City Attorney Smith asked for public comments and hearing no comments, City Attorney Smith closed the public hearing.

Regular Business Meeting:

CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE:

Council President Curtiss called the meeting of the Cut Bank City Council to order at 6:30 PM, Tuesday, September 6, 2022. The following persons answered roll call: Mayor Winchell (via Zoom), Councilpersons Kacie Fey, and Cesar Morales. Also present were City Building Inspector Jim Yeagley, City Attorney Smith, Police Chief Schutz, and Clerk Treasurer Burley. All present recited the Pledge of Allegiance.

VISITORS: Vernon Thomas, Tom Shock, Silas Easterling, Scot Heisl (via Zoom)

ABSENT: City Superintendent Suta, Councilperson Vermulm

ITEMS NOT ON THE AGENDA: None

PUBLIC COMMENT:

Tom Shock stated he has concerns over the tank project. He worries that the public may not be able to pay for it and it will force people to move out of Cut Bank. He asked to be on the agenda but was denied. He wants to know why this project has gone from a \$3 million project to nearly \$4 ½ million. Councilperson Curtiss told Mr. Shock we could get him all the information the Council had when they made the decision to replace the tank with a concrete tank and not a cheaper option. Mayor Winchell offered to sit down with Mr. Shock and go over the project, start to finish.

Vernon Thomas addressed the Council with his concern over the project cost increasing. Mayor Winchell extended her offer to explain the entire project to him as well as Mr. Shock. Mr. Thomas also reported that the garbage situation near his home seems to have been solved. The owner has been removing the garbage and debris and has not been burning again.

Police Chief Schultz reported that he will be testing candidates tomorrow and will need an interview committee. Councilperson Fey offered to be on the committee. Chief Schultz will contact her when he has a firm date.

CLAIMS: Councilperson Fey moved to approve the claims through September 2, 2022, for \$216,324.57 warrants 60528-60580. Councilperson Morales seconded the motion. A vote was called, and motion carried 3-0.

ADDITIONAL ITEMS FOR DISCUSSION: None

CONSENT AGENDA:

Councilperson Fey moved to approve the August 15, 2022, minutes, the payroll from September 1, 2022, for \$86,292.69. Councilperson Morales seconded the motion. Motion carried 3-0.

DEPARTMENT HEAD REPORTS:

Superintendent Suta was not at the meeting as he was on vacation. Councilperson Curtiss spoke with the Superintendent and relayed that the paving has all been done and the City picked up a side by side at an auction last week.

City Attorney Smith reported that he had not drafted a formal report as it had slipped his mind with all the resolutions he had to produce for this meeting. He has been busy with City Court. **Councilperson Curtiss moved to accept the City Attorney's report and Councilperson Fey seconded the motion. Motion carried 3-0.**

OLD BUSINESS: None

NEW BUSINESS: Silas Easterling, of Home Finders, Inc., asked the Council to allow him to proceed in applying for a variance for his property at 131 3rd Ave NW. The lot is 7,000 square feet and has two homes on it. He would like to split the property so he can sell the homes individually. The current zoning says a property must be at least 5,000 square feet. He would like a variance so that he can sell these smaller homes separately. Building Inspector Yeagley told the Council that this would not be setting precedent since it would only apply to current properties under 10,000 square feet with more than one dwelling on the property. Inspector Yeagley also explained that the process has changed. The DEQ must give their approval and the City Engineer will have to certify that the City can provide adequate water and wastewater services to the homes. **Councilperson Curtiss moved to allow Mr. Easterling to proceed with his variance application. Councilperson Morales seconded the motion and motion carried unanimously.**

Councilperson Fey moved to approve the 2021-2022 budget amendment, Resolution 22-05. Councilperson Morales seconded the motion. Motion passed 3-0.

Councilperson Curtiss moved to approve Resolution 22-06, the Preliminary Budget. Councilperson Morales seconded the motion. Motion passed 3-0.

Councilperson Morales moved to approve Resolution 22-07, the Intent to Levy for Street Lighting. Councilperson Fey seconded the motion. Motion passed 3-0.

Councilperson Morales moved to approve Resolution 22-08, the Intent to Levy for Street Maintenance Districts #1-4. Councilperson Fey seconded the motion. Motion passed 3-0.

Councilperson Fey moved to approve Resolution 22-09, the Intent to Levy 39.87 mills for Law Enforcement. Councilperson Morales seconded the motion. Motion passed 3-0.

Councilperson Morales moved to approve Resolution 22-10, the Intent to Levy 22.55 Mills for Permissive Health Levy. Councilperson Fey seconded the motion. Motion passed 3-0.

Councilperson Fey moved to approve Resolution 22-11, the Intent to Levy for Park Maintenance. Councilperson Morales seconded the motion. Motion passed 3-0.

Councilperson Fey moved to approve Draw #5 from SRF Loan Forgiveness for \$175,604, Draw #3 fro SRF Loan B for \$379,213, and C&C Excavation Pay App for \$515,331.38. Councilperson Morales seconded the motion. Motion carried unanimously.

CORRESPONDENCE: None

WORK SESSION: None

COMMITTEE REPORTS: None.

ADJOURNMENT: There being no further business to come before the Council, **Mayor Winchell adjourned the meeting at 7:15 PM.** The next regular meeting is scheduled for January 18, 2022, at 6:30 PM.

Attest:

Approve:

Linda Burley, Clerk-Treasurer

Kim Winchell, Mayor

