

**CUT BANK CITY COUNCIL  
AUGUST 21, 2017  
6:30 P.M. – CITY HALL**

**CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE:**

Mayor Raemaeker called the meeting of the Cut Bank City Council to order at 6:30 PM, Monday, August 21, 2017. The following Council members answered roll call: Councilpersons Timothy Curtiss, Tim Kipp, and Tyson Michaels. Also present were City Clerk-Treasurer Linda Burley, City Superintendent Jim Suta, City Attorney Robert Smith, Police Chief Schultz and Building Inspector Kevin Quinlan. All present stood and recited the Pledge of Allegiance.

**ABSENT:** Donovan Grubb

**VISITORS:** See attached sign-in sheet.

**PUBLIC COMMENT:** Diane Anton and Jill Huschka addressed the council about the feral cat problem in the neighborhood of 5<sup>th</sup> Avenue SE. There are many feral cats in the area and there is a resident, formerly from the neighborhood, who frequently feeds them around a vacant house. The owner of the property has put up No Trespassing signs, but it continues to be a problem. The cats are not vaccinated and can spread disease and leave their feces in neighbors' yards. Police Chief Schultz told the residents that they can go to the Police Station and will be loaned traps to catch the cats. The Police will then find new farm homes for the cats. As far as the trespassing complaint goes, only the owner or manager can initiate a trespassing charge. If the Police receive photos of someone trespassing, then the owner or manager can be contacted to verify that they want to take action. Councilperson Curtiss stated he would research the Cat Ordinance that Shelby enacted.

**PUBLIC DISCUSSION ON THE SUBOXONE CLINIC "IDEAL OPTIONS":** Mayor Raemaeker spoke before opening the floor to public comment. He spoke recently with the two doctors who own Ideal Options. They were open to the idea of relocating their clinic, but have a two-year lease on their current building and would like to avoid the financial penalties of breaking the lease. They have offered to pay for a full time downtown business district police officer to help with ordinance enforcement. This would be a full-time position and Ideal Options would pay for the training as well. They committed to paying for two years of the new officer and after two years, if it didn't work out, then they would consider other options. Mayor Raemaeker said the doctors wanted to work with the community. Police Chief Schultz added that the officer would be able to walk the street and be quickly available if anything happens.

City Attorney Smith was asked why we issued them a business license to begin with. He stated that the zoning is legal, the business is legal and he had no reason not to recommend they be given a license.

The question was raised as to whether crimes, mostly theft, had increased since the opening of the clinic. Chief Schultz reported that their records do not show any increase in crimes. If crimes are not reported, then they will not be included in the statistics so all crimes need to be reported to the police. The Police Department has received more calls for parking violations, loitering (which is not illegal), and littering since its opening though.

Doug Norman told the Council that his grandchildren live very close to the clinic and they no longer have a place to play safely. The area of the alley and sidewalk are not safe as drug paraphernalia is found lying on the ground where children can get into it. The children do not feel safe walking by the clinic where its clientele is gathered on the sidewalk waiting for their appointments.

Ray Christiaens asked the Council if they knew what the cost of breaking the lease would be. Mayor Raemaeker replied that the amount was not known. Mr. Christiaens then asked what the cost of the additional police officer would be and was told \$50,000 per year. He stated that the broken lease would probably cost no more than \$12,000 to \$15,000 a year, which would be a cheaper option for the clinic than paying for the officer.

Crystal Soker said that Northern Rockies Medical Center has seen an increase in ER visits where the patients have had suboxone and other drugs in their systems at the same time. Suboxone is not supposed to be used with other drugs and the clinic should not be dispersing prescriptions to people who are still using other drugs. She brought up the question of who regulates these clinics and who assures that patients are being properly tested for other drugs.

Tippy Burtch asked how long it would take to get the new officer on duty. Chief Schultz said that approximately one month after the council approved the program, the officer should be ready to start walking the beat. It was also asked why there has been no officer walking the business area already. Chief Schultz pointed out that he schedules officers to be where there is the most criminal activity. If there have been no complaints in the area, then there is no basis to increase patrols. People need to call the police every time a violation or incident occurs.

LeAnne Kavanagh, of the Cut Bank Pioneer Press, asked if Code 4.1.11 was still in effect. She read part of the code that gave the council the authority to deny or revoke a business license when it shall deem best for the public interest to do so. She told the Council that Ideal Options had originally requested a business license from the City of Shelby and that the City Council had told them that they would need to first get approval from all the local businesses. She asked if it might be harder to revoke their business license than it would have been to deny it in the first place. Mayor Raemaeker stated that the business license application had not mentioned suboxone, but had listed the business as an outpatient physician practice. License approval procedures have since been changed to make the approval process more stringent.

Erik Nelson suggested sending a cease and desist letter due to the public outcry. The best scenario would be that they would move their business as a result and if they did nothing, then we would have lost nothing.

Vicki Schott, owner of It Fits, recounted a recent incident where someone tried to break into her store. She believes it is a direct result of the clinic.

Many residents voiced their opinions that crime has indeed increased significantly since Ideal Options opened its doors.

Kim Norman asked if the clinic was dispensing the drugs and was told by Chief Schultz that they are only writing prescriptions and not handing out the drugs. She asked if they were writing prescriptions for other drugs also and was told no.

It was stated that in larger cities the playgrounds must be swept for needles and drug paraphernalia and that it was rumored that they had to do that in Cut Bank also. Cut Bank Schools Superintendent Wade Jacobson informed the public that Cut Bank Schools has not had to have the playgrounds swept for needles or other drug paraphernalia.

Mayor Raemaeker suggested the City hold another public meeting and invite the doctors who own Ideal Options to attend. This way they can answer the public's questions and see for themselves the significant objection to having the clinic in Cut Bank. Mayor Raemaeker was asked by Ray Christiaens to call the doctors and ask them to move to another location as a first step. He agreed to do so.

With no further comments from the public about the suboxone clinic, Mayor Raemaeker thanked everyone for attending and sharing their comments and suggestions with the Council. The City will inform the public when the next public meeting, to which the owners of Ideal Options will be invited, will be held.

**CLAIMS: Councilperson Michaels moved to approve the claims through August 17, 2017 for \$143,012.67. Councilperson Kipp seconded the motion and the motion carried with a 3-0 vote.**

**ADDITIONAL ITEMS FOR DISCUSSION:** None

**CONSENT AGENDA:**

**Councilperson Curtiss moved to approve the City Council Minutes from August 7, 2017 and the August 10, 2017 payroll in the amount of \$86,297.78. Councilperson Michaels seconded the motion. The motion passed 3-0.**

**DEPARTMENT HEAD REPORTS:**

**Police Chief Schultz** presented his report to the Council. **Councilperson Kipp moved to approve the Police Chief's report. Councilperson Curtiss seconded the motion. Motion carried 3-0.**

**Building Inspector's Report:** Building Inspector Quinlan reported that he issued 17 zoning permits, 1 sidewalk permit and 1 building permit during the month. There are still 8 open building permits. He has been in contact with Harvest Foods and they are proceeding with plans to open a business in Cut Bank. The clinic addition is also on track and they are seeking bids. **Councilperson Curtiss moved to approve the Building Inspector's Report. Councilperson Michaels seconded the motion and the motion carried unanimously.**

**OLD BUSINESS:** None.

**NEW BUSINESS:**

**Budgets Presented:** 2017-2018 department budgets were presented by City Clerk-Treasurer Burley and City Superintendent Suta.

**Councilperson Curtiss moved to approve Resolution 17-8 Intent to Levy for Street Maintenance Districts 1-4. Councilperson Michaels seconded the motion that passed unanimously.**

**Councilperson Curtiss made a motion to approve Resolution 17-9 Intent to Levy for Street Lighting District. Councilperson Kipp seconded the motion. Motion carried 3-0.**

**Councilperson Curtiss moved to approve Resolution 17-12 to Approve the Preliminary Budget. Motion was seconded by Councilperson Michaels and carried 3-0.**

**Correspondence:** None

**WORK SESSION:** None

**ADJOURNMENT:** There being no further business to come before the Council, **Mayor Raemaeker adjourned the meeting at 9:03 PM.**

**Attest:**

**Approve:**

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Linda Burley, Clerk-Treasurer

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Dan Raemaeker, Mayor