

The regular meeting of the Glendive City Council was held Tuesday, September 15, 2020. Mayor Jerry Jimison called the meeting to order with the following Council members present: Avis Anderson, Doug Baker, Leon Baker, Mike Dryden, Betsey Hedrick and Clyde Mitchell. Rhett Coon and Gerald Reichert were absent. Department heads present included: John Hickman, Frank Ceane and Kevin Dorwart. Jacquie Silbernagel and Todd Opp were absent. Others present included: Hunter Herbaugh, Teresea Olson, Craig Pozega, Greg Kemp and Stephen Egli.

Mayor Jimison opened the Council meeting at 7:00 p.m. and recited the Pledge of Allegiance.

L. Baker moved to approve the minutes of the September 1, 2020 public hearing on 2020-2021 preliminary budget; second by Mitchell and the motion carried.

Hedrick moved to approve the minutes of the September 1, 2020 public hearing on the mill levy for premium contributions; second by L. Baker and the motion carried.

L. Baker moved to approve the minutes of the September 1, 2020 regular Council meeting; second by Dryden and the motion carried.

Public hearing for proposed zone changes for 2.21 acres (5 lots) in Sunrise Subdivision. A public hearing for the proposed zone changes of 5 lots in Sunrise Subdivision was held at 7:04pm. The regular council meeting resumed at 7:51pm.

Committee Minute

Street Committee Report– 09/10/20

4:02 p.m. to 5:40 p.m.

Attending: Mayor Jimison, Chief John Hickman, Frank Ceane, Kevin Dorwart, Mike Dryden, Avis Anderson, press: Hunter Herbaugh, Dara Deines visitor

1. BNSF Walking Underpass-Council members Hedrick and Mitchell had checked with Shane O’Keefe, BNSF Building and Bridges, to find out about the walking underpass from Anderson Street, under the tracks to Merrill Avenue. It is badly vandalized. BNSF no longer has the employees to keep this up. BNSF seemed open to a discussion on closing the underpass.

Action: FYI to full council on closing or not. Suggestion was made to ask the public for their input on the issue.

2. Downtown Master plan-Dara Deines of the Eastern Plains Economic Development requested the Council begin implementation of the Downtown Master Plan which has been dropped for a time. Dawson County Economic Development is working with the Eastern Plains. They want permission from the Council to begin working on approved selected elements on the Master Plan.

Action: Council needs to decide if they want to begin implementation of any part of the Action Plan, who to designate as the “champion” to begin work, and what projects to prioritize.

3. Traffic Study on Makoshika Park entrance road-There was extended discussion on tracking the traffic to and from the Park and dealing with people who drive at high speeds on Snyder Avenue to the entrance to the Park. Other traffic issues were discussed as they pertain to the residential blocks leading up to the entrance.

Following Anderson's reading of the street committee minutes there was discussion regarding the BNSF walking underpass. Dryden asked if it was ultimately BNSF's decision to close the underpass. Mitchell talked to Corey Knutson and Shane Okeef. It was maintained by the local BNSF crew and is now managed by the crew out of Mandan, North Dakota. This is a low priority for them because they have all of the bridges and buildings to maintain in that large surrounding area. The City can't do anything because it is BNSF's structure. BNSF can't close it unless the City asks them to. BNSF has the material but they just don't have the manpower now to fix it. The City crew or volunteer groups cannot go in and fix it and paint it without permission from BNSF. Mitchell said not only the trash, but there is water down there and it could be very dangerous if not addressed. He added if we asked BNSF to close the underpass, they would and it would be a permanent closure because they don't have the manpower or local recourses to maintain it.

Doug Baker questioned the City possibly being liable for any law suits. Mitchell said it is possible that both the City and BNSF could be liable because the City requested this underpass many years ago. Hedrick said the current condition is unacceptable for the public to use. She said it was disgusting and has never seen it this bad before. Hedrick felt the photo in the newspaper was very misleading and it is much worse than that photo showed. Hedrick stated she had gone for a walk with her son recently and he opted to walk the longer way around because he didn't want to go in the tunnel because there was a transient person living in there with dogs and he didn't feel safe walking through it. She provided photos of the underpass in its current condition. One of the safety issues she pointed out were the painted lights (black or red) making it darker than it should be. The graffiti is vulgar. Mitchell stated BNSF employees are aware, and have discussed the safety issues of the current state of the underpass but they just don't have the crew to take care of it. Dryden clarified that the closing would be done by BSNF following a request by the City to do so. Hedrick stated we need to hold BSNF accountable for getting this taken care of. It is unacceptable for people to use in the current conditions.

FUPR Committee Report 9/10/20

ATTENDANCE

Mayor Jimison

Council Persons:A. Anderson, M. Dryden, G. Reichert

Dept. Heads: Operations K.Dorwart **Public Works** F. Ceane **Police** J. Hickman

Media: Ranger-Review H. Herbaugh

Guests: Dara Deines

Duration: 4:27-4:57

AGENDA

1. **WTP Update:** Director Rice updated the committee on the progress at the WTP. More walls being poured as is the loading dock. The down-sized crew is installing the SCU equipment and beginning to work on the roof.
 - a. **FYI**

2. **Recommendation on National Child Safety Council:** Police Chief Hickman requested Council support for a program to provide materials, by the non-profit National Child Safety Council, to promote child safety and drug prevention education. The materials will be purchased by funds raised by donations from community businesses and individuals.
 - a. **ACTION: FUPR recommends Council support for the GPD's child and drug safety education program that will use materials and services developed by the National Child Safety Council.**

3. **Planning Contract w/ KLJ:** Director Dorwart recommended the Council grant permission for the Mayor to sign a contract with KLJ Engineering Firm to allow them to continue providing planning services for the City of Glendive. Contract language on risk management issues were amended to the satisfaction of both parties.
 - a. **ACTION: FUPR recommends Council approval of Mayor Jimison signing the contract with KLJ for City Planning Services.**

4. **Public Works (Sewer) Budget Transfer:** Director Ceane requested a budget transfer, within the Sewer Funds, to pay Hill Excavation for cleanup of City ponds.
 - a. **ACTION: FUPR recommends Council approval of transfer of \$6000.00 from Sewer Fund Account # 5310 43030 530 to Sewer Fund account # 5310 430630 360**

5. **Public Comment:** None provided.

6. **Meeting Adjourned: 4:57 Respectfully submitted Council member Dryden Ward III
Respectfully submitted by Councilman Dryden Ward III**

PUBLIC COMMENT

Teresea Olson- 401 Anderson- Stated that she was in support of closing the BNSF underpass. Olson stated that she lives near the entrance to the underpass and agrees with Hedrick’s previous statements of the vulgar and unacceptable condition the underpass is currently in. She added that there are often transient people living in the tunnel during the summer months that the police department might not be aware of. Olson’s second statement to the Council was in support of the master plan that was put together years ago by grants of different organizations and the City. She supports getting it going and now that we have a group that wants to implement the plan, she suggested granting the Eastern Plains Economic Development Council (EPEDC) the authority to oversee the master plan.

NEW BUSINESS

BNSF pedestrian underpass. After previous discussion following Andersons reading of the Street Committee report, Mayor Jimison suggested taking this issue back to the Street Committee for further investigation.

City of Glendive Downtown Masterplan. Several items have been accomplished but need to keep the progress moving. Mayor Jimison suggested taking this to committee for further evaluation on implementation of the Master Plan.

Approve National Child Safety Council Program for Glendive Police Department. Mitchell moved to approve National Child Safety Council Program for Glendive Police Department; second by L. Baker and the motion carried.

Approve signing of City Planner contract with KLJ Engineering. Dryden moved to approve signing of City Planner contract with KLJ Engineering; second by Hedrick and the motion carried.

Approve budget transfer of \$6,000.00 for public works. L. Baker moved to approve budget transfer of \$6,000.00 for public works; second by Hedrick and the motion carried. Ceane noted that this was the

same request in last year's budget for the purpose of cleaning out the storm retention ponds below Hungry Joe.

Approve zone change request for lots 2,3,4 and 5 of Tract 2E of Amended Plat#12 Sunrise Subdivision. Dryden moved to approve zone change request for lots 2,3,4 and 5 of Tract 2E of Amended Plat#12 Sunrise Subdivision; second by Hedrick and the motion carried. Dryden restated what Anderson had previously mentioned about Kemp and Egli communicating adding while Kemp has no obligation to do so, Dryden appreciates the willingness to work together.

Accounts Payable Claims: \$59,856.78. Hedrick moved to approve the accounts payable for: \$59,856.78; second by Mitchell and the motion passed.

DEPARTMENT HEAD COMMENTS

Police- Chief John Hickman stated the floors are cleaned at the office. The Durango parts are on backorder and the charger that was wrecked is also waiting on repairs. One officer will be attending the academy starting this week. A new speed sign has been put up on Snyder. The dispatch room progress is continuing with the flooring and painting going on now. The Police Department has an open position for part-time dispatcher.

Operations- Kevin Dorwart has finished up the budget report and is close to being ready to send in. This will allow him to get back to the annual report. He is also working on legislative resolutions to take to the legislature next session as well as wrapping up a personnel issue. He added the water treatment plant project is going well and the work is excellent.

Public Works- Frank Ceane stated Pete is doing locates. They will be wrapped up next week with Top Gun Construction finishing up asphalt repair from the MDU project. The crew is still mowing and watering and the splash park is open as long as it is 70* outside. They finished painting the curb, gutter and crosswalks. The crew is also cold patching and finishing up the last of the summer work as long as the weather permits. The sand shed is full and ready to go for winter.

Craig Pozega- The water treatment plant progress is going well.

MAYOR'S COMMENTS

-Tonight's Arbor Day tree planting- 6:30pm Nowlan Avenue Park

-September 17-The Gallery 5-7pm- Pamela Harr bronzes

-2020 Census-September 30 deadline. Mayor Jimison stated the monetary reasons for the importance of accurate population counting of all City, County, and State. He also explained the possibility of an additional State Representative if all of the Montana population is counted. Currently Montana has one representative.

-2020 Presidential Election- Mail in ballot-Law suit by President Trump and Republican Party Central Committee. Mayor Jimison stated that 46 out of the 56 Counties in Montana (including Dawson) had opted for mail in ballots. Due to the pending legal issues, mail out ballots will not be allowed until that matter is settled requiring regular voting. Dorwart noted that if they wished, people could register to vote absentee.

COMMITTEE MEETINGS

Ordinance Committee- Monday, September 21, 2020, 4:00 pm

Personnel Committee- Monday, September 21, 2020, 4:15pm

Dryden noted that if needed with the previous suggestions of more discussions on the BNSF underpass and the City of Glendive Downtown Masterplan, that with the two weeks left in the month they could have an additional Street/FUPR meeting to get those two items moving along.

DEPARTMENT REPORTS

City Court for August
Fire Department Report

D. Baker made a motion to adjourn the meeting; second by L. Baker and the meeting was adjourned at 8:55pm.

Dated this 15th day of September, 2020.
Approved the 6th day of October, 2020.

Jerry Jimison, Mayor

ATTEST:

Jessica Ayre, Administrative Clerk

