

MINUTES OF REGULAR MEETING

MALTA CITY COUNCIL

MALTA CITY HALL

March 12, 2024

Officials present:

Mayor John Demarais

Councilpersons Ward I: David Rummel

William Hicks

Councilpersons Ward II: Bonnie Wiederrick

Laura Pankratz

Clerk/Treasurer: Lorie Bond

Public Works Director: James Truelove

Others attended: Marilyn Taylor, Compliance Officer John Wright III and Kari Hould from PCN.

Mayor Demarais opened the meeting at 5:00pm.

COMMUNICATIONS FROM THE MAYOR

1. Informed Council that the City did not receive the grant funding for the Malta Trails.

Councilperson Hicks moved to approve the minutes, 2nd by Councilperson Pankratz. Motion carried unanimously.

Councilperson Wiederrick moved to approve the agenda, 2nd by Councilperson Rummel. Motion carried unanimously.

Councilpersons Wiederrick and Pankratz presented claims.

Councilperson Rummel moved to approve claim checks 28923 to 28952, 2nd by Councilperson Hicks. Motion carried unanimously.

Councilperson Wiederrick moved to approve February 2024 payroll, 2nd by Councilperson Hicks. Motion carried unanimously.

Mayor Demarais closed the regular meeting and opened the public hearing at 5:02pm.

PUBLIC HEARING

Mayor Demarais stated the purpose of the public hearing was to receive public comments on Resolution 1343. A Resolution naming the repair and maintenance projects pursuant to state-local infrastructure partnership act (HB 355) funding.

Marilyn Taylor asked if the grant funding Mayor Demarais had reported about not receiving was the funding for the street repairs. Mayor Demarais stated that he was talking about the Fish, Wildlife & Parks grant for Malta Trails.

With no more public comment, Mayor Demarais closed the public hearing and reopened the regular meeting at 5:04pm.

DEPARTMENT REPORTS, COMMITTEES & MEETINGS ATTENDED

1. PWD Truelove reported that it would be a few more weeks until the sweeper would be out because the weather was going to be chilly next week.
2. PWD Truelove reported that the alleys were still too spongy to be bladed and the pot holes were still filled with water.
3. PWD Truelove reported that the City Crew was busy reroofing the shed behind the Event Center.

4. PWD Truelove reported that the surveyors would be in town until Friday surveying the location of the force main from the Trafton Park Lift Station to the wastewater treatment plant.
5. PWD Truelove asked Mayor Demarais when he wanted him to bring back seasonal employee David Wilkes. Mayor Demarais said to hold off for now.
6. PWD Truelove asked Mayor Demarais if the City Crew should continue maintaining the Malta Trail's, trails like they had last year. Mayor Demarais told PWD Truelove to continue maintaining the trails.
7. Councilperson Wiederrick reported that the alley behind 519 South 1st Ave West had big mud holes and needed to be bladed. PWD Truelove stated that things had to dry out before the blade could be used in the alley because the holes were still filled with water.
8. Mayor Demarais asked PWD Truelove to move the garbage can behind the old community church building back to the north side of the alley. All of the other garbage cans are on the north side of the alley. At present time the garbage truck empties the cans on the north side of the alley then has to turn around and drive back down the alley to empty the one can that keeps getting moved to the south side. PWD Truelove reported that this has been an ongoing battle between the property owners. The one property owner insists that the can be behind their house and constantly moves it back to their side of the alley. PWD Truelove stated that he would have the garbage can moved to the north side of the alley.
9. Mayor Demarais asked PWD Truelove to have the City Crew start filling pot holes.
10. Clerk Bond presented Council with February financials, current check register, current shut off list, payroll overtime, vacation & sick leave report, and the budget vs actual report.
11. Clerk Bond reported that she had enclosed a copy of the Animal Ordinance in everyone's Council Packet because when Utility Clerk Glenda Knudsen was at the rabies clinic on Saturday March 2nd issuing city animal tags a local veterinarian had asked her why the city required a yearly rabies vaccination. Clerk Bond asked Council if they would consider changing it from a yearly rabies vaccination to a current rabies vaccination if she and Utility Clerk Knudsen could get letters of support from local veterinarians. Clerk Bond reported that the new rabies vaccine is good for three years. This was followed by much discussion about the animal ordinance and rabies vaccination requirements. Clerk Bond asked Council to look through the ordinance and she would keep them updated on the responses received from the local veterinarians.
12. Clerk Bond and Compliance Officer Wright thanked Council for allowing them to attend the Association of Montana Floodplain Administrators Conference in Helena the week of February 26th.
13. Clerk Bond reported Matt Mudd from Great West Engineering had asked her about having a work meeting with Council and Mayor Demarais before the March 26th Council Meeting. Clerk Bond asked all Councilpersons who planned on attending to let her know so she could post that there would be a quorum if needed.
14. Clerk Bond reported that Dan Clark from the MSU Local Government Center would be giving a presentation on the Montana Local Government Review at the Event Center on March 20th at 6:00pm.
15. CO Wright reported he spent a week in Helena attending the AMFM Conference and training for floodplain management.
16. CO Wright reported that he had received three complaints since the February 13th Council Meeting. The complaints were for one suburban and two horse trailers that were parked in the same spot exceeding the five day parking ordinance. CO Wright stated that since receiving the complaints all but one had been moved and the remaining one was

still within their time period to move according to the letter sent to them. CO Wright reported that a total of five letters for ordinance violations had been sent. CO Wright stated that with the weather getting warmer he expected to have to send out a few yard letters.

17. Councilperson Pankratz asked if there was a limit of how many vehicles could be parked on a property owner's lawn. CO Wright responded that there was no limit but all vehicles had to be drivable and licensed. Not junk vehicles. If the vehicles do not run and have flat tires etc... and are not licensed then they can be sited under the community decay ordinance. CO Wright asked Councilperson Pankratz to make a complaint about the property in question.
18. Kari Hould asked CO Wright if anything was being done about the vehicle parked backwards by Cedarview. CO Wright reported that he had sent letters to the owners of the vehicle and had not hear back from them yet. This was followed by much discussion about abandoned vehicles.
19. Mayor Demarais informed Council that he would be having a Planning Board Meeting sometime because of a variance request.

PUBLIC COMMENT

1. Marilyn Taylor asked Council why some people could use the City Hall gymnasium for events and some couldn't. Could the City be sued because of this? Ms. Taylor asked why everyone wasn't treated equally. This was followed by discussion of how/why Council makes decisions they do. Clerk Bond reported that Deputy Clerk Barrett had been working on an amended City Hall Gymnasium rental application. Clerk Bond stated that she could place it on the March 26th agenda or if they wanted to have a public hearing to allow public comment it would be placed on the April 9th agenda because she would have to advertise the public hearing. After some discussion it was decided to place it on the April 9th Council Meeting Agenda.

NEW BUSINESS

1. Mayor Demarais presented Council with the PhillCo 2024 contribution invoice for \$2,500. Councilperson moved to pay the PhillCo 2024 invoice, 2nd by Councilperson Rummel. Mayor Demarais called for a roll call vote. Councilpersons Wiederrick Aye, Rummel Aye, Pankratz Aye, Hick Aye. Motion carried.
2. Mayor Demarais presented Council with Resolution 1343, a resolution naming repair and maintenance project pursuant to State-Local Infrastructure Partnership Act. (HB355) Funding. Mayor Demarais informed Council that this resolution was in conjunction with the application required for HB355 funding of the projects approve at the last Council Meeting. Councilperson Rummel moved to adopt resolution 1343, 2nd by Councilperson Hicks. Mayor Demarais called for a roll call vote. Councilpersons Rummel Aye, Hicks Aye, Wiederrick Aye, Pankratz Aye. Motion carried.
3. Mayor Demarais present Council with Resolution 1344. A resolution amending the Sewer Fund – R&D account 102240. Clerk Bond reported that at present time the sewer funds equaled \$926,296.12. Clerk Bond broke down how much was in each account in the fund. Unrestricted Cash, account 101000 contained \$37,868.72. Unrestricted funds can be used to pay bills, all other accounts are reserve accounts and the funds cannot be used for anything unless used for what it is reserved for. Revenue Bond Sinking, account 102210 contained \$2,279.72. Reserve – Sewer – RD, account 102220 contained \$260,000. These reserve funds are required by the R&D Loan per the loan taken out to pay for the wastewater lagoon. Reserve SRF Loan Legg Lift Station, account 102221 contained \$10938.00. These reserve funds are required as part of the Legg Lift Station SRF Loan. Surplus Reserve, account 102230 contained \$2914.60. Cash R&D, (reserve

& depreciation) account 102240 contained \$612,295.18. Clerk Bond reported that a percentage of the monthly sewer revenues had been placed the reserve account since before 1992 and she could not find why the City had been saving the funds or what for. Clerk Bond stated that the Resolution would allow the City to expend the funds from account 102240 for repair/maintenance of the City of Malta's Sewer System. After much discussion about the failure of the sewer force main and the installation of a bypass sewer line. Councilperson Hick moved to adopt Resolution 1344, 2nd by Councilperson Pankratz. Mayor Demarais called for a roll call vote. Councilpersons Hicks Aye, Pankratz Aye, Rummel Aye, Wiederrick Aye. Motion carried.

OTHER COMMENTS

1. None

With no other business, Councilperson Wiederrick moved to adjourn, 2nd by Councilperson Rummel. Motion carried unanimously. Meeting adjourned at 6:05pm.

John Demarais - Mayor

ATTEST:

Lorie R. Bond - Clerk/Treasurer