

## MINUTES OF REGULAR MEETING

## MALTA CITY COUNCIL MALTA CITY HALL

October 13, 2020

Officials present:

Mayor John Demarais

Councilpersons Ward I: David Rummel

William Hicks

Councilpersons Ward II: Bonnie Wiederrick

James Sintler

Clerk/Treasurer: Lorie Bond

Public Works Director: James Truelove

Others attended: Janet Berg, Wendy Simanton, Truman Hinkson, Judy Olson, Bill Rock, Marilyn Taylor and Krista Fahlgren from PCN

Mayor Demarais opened the meeting at 5:00pm.

### COMMUNICATIONS FROM THE MAYOR

1. None.

Councilperson Hicks moved to approve the minutes, 2<sup>nd</sup> by Councilperson Sintler. Motion carried unanimously.

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

Councilpersons Wiederrick and Sintler presented claim warrants.

Councilperson Rummel moved to approve claim checks 26548 to 26587, 2<sup>nd</sup> by Councilperson Hicks. Motion carried unanimously.

Councilperson Sintler moved to approve September 2020 payroll, 2<sup>nd</sup> by Councilperson Wiederrick. Motion carried unanimously.

### DEPARTMENT REPORTS, COMMITTEES & MEETINGS ATTENDED

1. PWD Truelove reported that grass containers had been picked up and the leaf vacuum truck was out.
2. PWD Truelove reported that the fire hydrants on the north side had been flushed and they found two that had issues with manganese buildup.
3. PWD Truelove reported that the speed limit sign had been placed in different locations throughout the city.
4. PWD Truelove reported that the landfill scale had been inspected and Gallatin Scale would have to recalibrate the scale.
5. PWD Truelove reported that all of the park bathrooms would be closed and winterized this week.
6. PWD Truelove reported that a person from Montana Rural Water had measured the sludge in the lagoon. The city would have to look into sludge removal options in the next three years.
7. PWD Truelove reported that the dike inspection was completed today. The Corp of Engineers did not do the inspection. The inspection was completed by RJH Consulting.
8. PWD Truelove reported that they were flow meter testing fire hydrants for the fire department.
9. PWD Truelove reported that he would be impounding the nuisance school bus next week.

Mayor Demarais closed the regular meeting and opened the Public Hearing at 5:10pm.

## **PUBLIC HEARING**

Mayor Demarais stated the reason for the public hearing was to receive public comment on Ordinance 454 – An Ordinance amending Ordinance 453, chapter 6.23.010 & 6.23.020 to allow & regulate female chickens within the City of Malta and opened the floor for public comment. (Statements below are summarized)

Malta resident Marilyn Taylor stated that she opposed chickens in the city limits. Mrs. Taylor stated that she was raised around chickens and they smell, attract bugs, attract raccoons, weasels, skunks etc. The City already has cat and dog owners that aren't responsible for their pets.

Malta resident Truman Hinkson stated that he was for chickens. He home schools his children and raising chickens would be a learning experience. His kids would know where chickens and eggs come from. Chickens eat bugs and the raccoons are in the area already. Chickens owners would support local businesses by buying their supplies in town. Chickens would be a positive thing and many places allow chickens.

Malta resident Wendy Simanton stated that the nursing home, town kids and the 4-H program would benefit from chickens being allowed in the City. Eggs are healthy, it's important to eat healthy and to know what you're eating. There's already skunks and deer in town. Mrs. Simanton stated that fifteen permits were not enough and named the many places that have no caps on the amount of permits issued.

Malta resident Judy Olson state that she was against chickens. Who would monitor the chickens, how would a neighbor's chickens effect the property values. Who would enforce the rules? She shared her experience living next to animal owners who did not clean up after their animals. Chickens smell, are messy and she did not want them next door to her.

Mayor Demarais read three letters concerning the Chicken Ordinance, two against and one for chickens.

Mayor Demarais asked if there where anymore comments.

With no questions or comments, Mayor Demarais closed the public hearing and opened the regular meeting at 5:28pm.

## **DEPARTMENT REPORTS, COMMITTEES & MEETINGS ATTENDED (continued)**

10. Clerk Bond presented Council with the September financials, the current check register, the current shut off list, the September payroll overtime, vacation, sick leave report and the revenue and expenditure actual vs budget reports.
11. Clerk Bond reported that there would be a Planning Board Meeting & public hearing on October 22, 2020 about the Variance Application submitted by Larry & Gail Wilcott.
12. Mayor Demarais informed Council that he had hired Kristina Benner to fill the Assistant Park & Recreation Director position that was left vacant when Jessica Zeiger resigned.

## **PUBLIC COMMENT**

1. None

## **NEW BUSINESS**

1. Mayor Demarais presented Council with Ordinance 454 – An Ordinance amending Ordinance 453, chapter 6.23.010 & 6.23.020 to allow & regulate female chickens within the City of Malta. Councilperson Hicks stated that he had been approached by at 15 – 20 people about the chicken ordinance with only two of the individuals being in favor of the chicken ordinance. This was followed by much discussion about the smells created by chickens and if chickens would devalue properties in the neighborhoods. Councilperson Rummel moved to approve Ordinance 454, 2<sup>nd</sup> by Councilperson Wiederrick. Mayor Demarais called for a roll call vote.

Councilpersons Rummel Aye, Wiederrick Nay, Sintler Nay, Hicks Nay. Motion Failed.

2. Mayor Demarais informed Council that he had met with Phillips County Commissioners and they were willing to sell the old bridge over the Milk River by Trafton Park to the City for one dollar. Mayor Demarais reported that the purchase of the bridge would not increase the city's insurance a lot. Mayor Demarais informed Council the improvements to the bridge would have to be paid for with funds obtained from grants etc..., the City would only do in kind work and would not put any money into bridge improvements. This was followed by discussion about whether the north end of the bridge would be blocked off or open for pedestrian travel and if there was a right away in place because of the private property on the north side of the bridge. After much discussion Councilperson Wiederrick moved to buy the bridge from Phillips County for one dollar, 2<sup>nd</sup> by Councilperson Sintler. Mayor Demarais called for a roll call vote. Councilpersons Wiederrick Aye, Sintler Aye, Rummel Aye, Hicks Aye. Motion Carried.
3. Mayor Demarais informed Council that Sheila O'Brien had resigned from the Planning Board. Mayor Demarais asked Council to appoint Don Voegel to the Planning Board to fill the vacated position. Councilperson Sintler moved to appoint Don Voegel to the Planning Board, 2<sup>nd</sup> by Councilperson Hicks. Mayor Demarais called for a roll call vote. Councilperson Sintler Aye, Hicks Aye, Wiederrick Aye, Rummel Aye. Motion Carried.

**OTHER COMMENTS**

1. None

With no other business, Councilperson Wiederrick moved to adjourn, 2<sup>nd</sup> by Councilperson Sintler. Motion carried unanimously. Meeting adjourned at 6:10pm.

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Mayor

ATTEST:

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Clerk/Treasurer