

City of Ada
Minutes of the City Council Meeting
May 8, 2018 – 5:30 p.m.
City Hall

Members present: Members: John Rosenberger, John Hintz, Jacob Kroshus, Tom Opheim, Josh Mathsen, Crystal Stene and Mike Nelson

Others present: Ashley Larson, Mark Askelson, Mayor Sawrey and others.

I. Citizen Forum – No one came forward

II. Consent Agenda: Accounts Payable amounts \$71,190.27
City pre-paid checks amounted to \$282,531.76.

- A. ON-SALE LIQUOR LICENSES through 4/30/2019 : BASELINE SPORTS BAR
- B. SUNDAY ON-SALE LICENSE through 4/30/2019: BASELINE SPORTS BAR
- C. Block Party for Liquor Store Closing – open ended due to announcement of closing.

Motion by Member Rosenberger, second by Member Hintz to move Gambling Fund requests to New Business. Members voting for: Hintz, Rosenberger, Kroshus, Opheim, Nelson, Mathsen and Stene. Against: None. Motion passed.

Motion by Member Opheim, second by Member Stene to accept the Consent Agenda as amended. Members voting for: Hintz, Rosenberger, Kroshus, Opheim, Nelson, Mathsen and Stene. Against: None. Motion passed.

I. Approve Agenda – addition to the agenda was moving RESOLUTION 2018-05-01 RESOLUTION APPROVING THE ISSUANCE OF LAWFUL GAMBLING PREMISE PERMIT TO THE BORUP COMMUNITY CLUB to 3) under the mayor's report.

Motion by Member Hintz, second by Member Kroshus to accept the Agenda as amended. Members voting for: Hintz, Rosenberger, Kroshus, Opheim, Nelson, Mathsen and Stene. Against: None. Motion passed.

III. Presentations with possible discussion and decision:

- A. Pinsonneault and Triplett Plaque Presentations
- B. Ulteig Engineering Capabilities Presentation
- C. Moore Engineering Update

Mayor Sawrey presented past council members Pinsonneault and Triplett with Appreciation Plaques, thanking them for their years of service.

Two persons, including Alex Ranz of Ada, presented to council information about Ulteig Engineering, the company the two are employed by. No questions were asked of the two.

Moore Engineering updated council regarding the cleaning and televising of the sewer system in the City of Ada. A payment request was presented for approval. The invoice represents about 25% of the estimated cost of the project. VisuSewer, the contracted party, is over 50% completed and it was deemed reasonable to accept this payment request.

Motion by Member Opheim, second by Member Rosenberger to have Public Works Director Brian Rasmusson review and approve the pay request from VisuSewer. Members voting for: Hintz, Rosenberger, Kroshus, Opheim, Nelson, Mathsen and Stene. Against: None. Motion passed.

IV. Reports of Department Heads and Committees

A. Mayor's report

- 1 Off-Sale Expansion Design Committee Appointment
- 2 Leiman Consulting Contract Addendum (Minimum Wage)
- 3 Borup Community Club Resolution

Mayor Sawrey announced to council the appointment of members to the Off-Sale Expansion Design Committee. The committee members are Stacey Erickson, Hillary Chisholm representing the citizens and John Hintz and Crystal Stene representing council.

Motion by Member Hintz, second by Member Mathsen to approve the nominations for the Off-Sale Expansion Design Committee. Members voting for: Hintz, Rosenberger, Kroshus, Opheim, Nelson, Mathsen and Stene. Against: None. Motion passed.

Mayor Sawrey presented to council an employment agreement between Former Administrative James Leiman and the City of Ada. Member Opheim questioned whether this agreement should have been an independent consultant agreement. Mayor Sawrey referenced that the City's attorney drafted this employment agreement and was relying on the attorney's expertise in this matter. Added conversation took place regarding liability to the City relating to an employee's actions and the fact that the contract currently reads that Leiman would be indemnified as an employee and any actions, torts or criminal acts as a City employee.

Motion by Member Opheim, second by Member Rosenberger to have the City Attorney draft an independent consultant agreement with Mr. Leiman. Members voting for: Hintz, Rosenberger, Kroshus, Opheim, and Stene. Against: Nelson and Mathsen Motion passed.

Hilda Miller, representing the Borup Community Club, addressed the council regarding RESOLUTION 2018-05-01 a RESOLUTION APPROVING THE ISSUANCE OF LAWFUL GAMBLING PREMISE PERMIT TO THE BORUP COMMUNITY CLUB.

Motion by Member Opheim, second by Member Nelson to approve RESOLUTION 2018-05-01 a RESOLUTION APPROVING THE ISSUANCE OF LAWFUL GAMBLING PREMISE PERMIT TO THE BORUP COMMUNITY CLUB. By Roll Call Vote: Members voting for: Hintz, Rosenberger, Kroshus, Opheim, Nelson, Mathsen and Stene. Against: NONE Motion passed.

B Administrator / Clerk / Treasurer Report

1) Department Updates

Interim Administrator Larson updated council on a number of events happening with in the City of Ada. The Annual Bike Rodeo will take place with the help of Public Works and the Police Department. The Community Event Center is progressing and that the Funds raised to pay for the work being done, so far, have come in and are accounted for. Larson recognized the Public Works Department and how busy they have been assisting with Dekko activities as well as their normal spring work. Larson updated council on the Liquor Store and the changes taking place after the closing of the On-Sale – staffing, hours of business, and changes to employee’s job descriptions. Chief of Police Bueng stated to Larson that they are closing in on hiring a part-time officer. Member Opheim brought to the attention of council some verbiage in the job description of the Liquor Store Clerk. Manager Aasland asked to have extended in the description “other duties as assigned” vs. the term ”cleaning” only.

2) Convention/Event Center Update

Interim Administrator Larson then walked through with council the progress happening at the Event Center. Ceilings and Flooring are complete throughout the Event Center. Additional items needing completion were the kitchen area, some lighting in the ballroom and health code items in the bar area.

Motion by Member Opheim, second by Member Hintz to approve paying \$9,021.50 to Skansgaard Construction for the cost of flooring in the Event Center bar area and some health department items. Members voting for: Hintz, Rosenberger, Kroshus, Opheim, Nelson, Mathsen and Stene. Against: NONE Motion passed.

3) SOP adoption for Event Center

Interim Administrator Larson then brought forward the SOP adoption for events at the Event Center. The document covers rules and regulations when hosting an event. Member Opheim requested a change in the verbiage regarding items being brought into the event center, that they be listed with the type of event being held. One other area of the SOP that Member Opheim would like changed was the “clean up” portion required of renters using the facility and to set a reasonable time line so as not to demand immediate tear down after use.

Motion by Member Hintz, second by Member Rosenberger to approve the SOP for the Event Center with the suggested changes. Members voting for: Hintz, Rosenberger, Kroshus, Opheim, Nelson, Mathsen and Stene. Against: None. Motion passed.

4) Off Sale Position Description Modification

The Off Sale Clerk job description draft document was discussed and from the previously discussed items that would be added to the document, it was decided to accept the job description.

Motion by Member Opheim, second by Member Nelson to approve the Off Sale Clerk job description as amended. Members voting for: Hintz, Rosenberger, Kroshus, Opheim, Nelson, Mathsen and Stene. Against: None. Motion passed.

5) Barn Quilt Trail

Interim Administrator Larson brought to council a request from a local group that is interested in a Barn Quilt Trail. The City was listed as a sponsor of a grant for the group with the funds to be spent on materials to build the Barn Quilts. A motion was requested to agree to sponsor this pass through grant of \$1,750.00

Motion by Member Hintz, second by Member Mathsen to approve sponsoring the Barn Quilters grant in the amount of \$1,750.00. Members voting for: Hintz, Rosenberger, Kroshus, Opheim, Nelson, Mathsen and Stene. Against: None. Motion passed.

6) Tree Grant Utilization Plan

Interim Administrator Larson updated council with the Rural Initiative and the Tree Grant Utilization Plan that they are involved in. Larson stated that up to \$40,000 was still available to spend within the grant. The City also has \$11,000.00 committed to spend within the confines of the grant. The funds available from the Rural Initiative can be used for tools and other items used for maintaining the trees

within the project. The funds cannot be used for motorized items, but the \$11,000.00 the City is committed to, can be used on motorized equipment. A skid steer loader was one asset that was being discussed to spend down these funds. Trailers, water tanks, and small tools were items that can be purchased with the \$40,000.00. It was decided to bring these ideas back to their respective committees; Public Works and Beautification.

IX Old Business

A. First Reading, Ordinance No. 476. An Ordinance Amending City of Ada Animals, Chapter 14, Section 100

Discussion took place on the verbiage as to how this ordinance was written. Member Opheim made comment as to whom the Ordinance is being directed towards. Opheim wanted it be shown that owner of the animal is liable for the “manure” on the lawn. In addition, Opheim thought a penalty be added in the Ordinance. Opheim suggested a step system of penalties be charged the violator if the violation is assessed multiple times. Further discussion led to additional language be recommended regarding clean up of excrement both on private and public property. It was strongly suggested that law enforcement start enforcing Ordinances such as this.

Motion by Member Hintz, second by Member Nelson to approve the First Reading, Ordinance No. 476. An Ordinance Amending City of Ada Animals, Chapter 14, Section 100. By Roll Call Vote; Members voting for: Hintz, Nelson, and Mathsen. Against: Opheim, Rosenberger, Kroshus, and Stene. Motion failed.

Motion by Member Opheim, second by Member Kroshus to add verbiage to Ordinance No. 475, and Ordinance Amending the City of Ada’s Animals, under Chapter 14, Section 100 stating that anyone’s cat or dog that deposits excrement on someone’s private and/or public property, the owner of the animal shall be responsible for removing such excrement and if not removed shall be charged with a misdemeanor penalty. Members voting for: Opheim, Nelson, Mathsen, Rosenberger, Hintz, Kroshus, and Stene. Against: NONE Motion passed.

VI New Business

A. Kaleidoscope guests.

May – Mathsen\Stene; June – Nelson\Rosenberger; July – Sawrey\Opheim
August; Hintz\Kroshus

B. RESOLUTION 2018-05-02, a RESOLUTION AUTHORIZING OFFICIAL SIGNATURES ON THE CITY OF ADA INVESTMENTS AND BANK ACCOUNTS

A request to authorize Interim Ashley Larson and to remove former Administrator Leiman from the signature page and authority list for the City of Ada's Credit Card, Investment, and Bank Accounts.

Motion by Member Nelson, second by Member Stene to approve RESOLUTION 2018-05-02, a RESOLUTION AUTHORIZING OFFICIAL SIGNATURES ON THE CITY OF ADA INVESTMENTS AND BANK ACCOUNTS

By Roll Call Vote: Members Voting for: Hintz, Kroshus, Mathsen, Stene, Opheim, Nelson and Rosenberger. Against NONE Motion passed

C. RESOLUTION 2018-05-03 – RESOLUTION AUTHORIZING NORMAN COUNTY PROPERTY ACQUISITION

A parcel of land, owned by the City of Ada via the JD 51 project, is requested to be transferred to Norman County. The Ordinance reads that the land is being transferred at Fair Market Value. Member Opheim questioned whether we were getting paid for this property. The statute that is referred to in the Resolution relates to land that was bought with State Bonds. Member Rosenberger then stated that the land was acquired through FEMA and that if any monies were to be received from the purchase, those monies would be sent back to FEMA. The intention of the transfer was to benefit Norman County so they could expand their facility near the property.

Motion by Member Opheim, second by Member Rosenberger to amend the Resolution to strike the term Fair Market Value from the Resolution.

Members Voting for: Hintz, Mathsen, Stene, Opheim, and Rosenberger. Against Nelson and Kroshus Motion passed

Motion by Member Opheim, second by Member Hintz to approve the RESOLUTION 2018-05-03 – RESOLUTION AUTHORIZING NORMAN COUNTY PROPERTY ACQUISITION as amended. Members Voting for: Hintz, Kroshus, Mathsen, Stene, Opheim, Nelson and Rosenberger. Against NONE Motion passed

D. Public Works Committee Out brief

- a. Member Rosenberger brought to the attention of council that he was concerned about debris in the parks within the City of Ada. Dekko Director Larson made mention that there are routine pick up days in the park, and that this incident may have been residue from the winter snow piles.
- b. Member Rosenberger brought forward a single Levee Mowing Bid for the City's Levy. This bid is from the same person that mowed last year and will cost the City of Ada \$78.00 per hour.

Motion by Member Nelson, second by Member Opheim to approve the bid for Levee Mowing around the entire City of Ada at \$78.00 per hour. Members for: Hintz, Kroshus, Mathsen, Rosenberger, Stene, Nelson and Opheim. Against: None. Motion passed

- c. Member Rosenberger requested from council to approve paving projects recommended from the Public Works Committee.

Motion by Member Nelson, second by Member Mathsen to approve the recommendation of the Public Works Committee for the bid on requested paving projects for 2018. Members for: Hintz, Kroshus, Mathsen, Rosenberger, Stene, Nelson and Opheim. Against: None. Motion passed

- E. Donation requests from the Liquor Fund** – multiple requests came in this month from organizations looking for the \$200.00 maximum donation the city allows. Sue Nelson representing the Ada-Borup Trap Shooting Team along with Lea Nelson from the Marsh River 4-H Group and Katherine Nelson representing a project called Blessing Bag being sponsored by the Marsh River 4-H. A letter request came in from the Missoula Children's Theater, they will be putting on a play in the City that offers children an opportunity to be in the production.

Motion by Member Opheim, second by Member Hintz to approve the request for \$200.00 for the Norman County Trap Shooting Team. Members for: Hintz, Kroshus, Mathsen, Rosenberger, Stene, Nelson and Opheim. Against: None. Motion passed

Motion by Member Hintz, second by Member Rosenberger to approve the request for \$200.00 to the Marsh River 4-H group to help defray costs to a national convention. Members for: Hintz, Kroshus, Mathsen, Rosenberger, Stene, Nelson and Opheim. Against: None. Motion passed

Motion by Member Opheim, second by Member Stene to approve the request for \$200.00 from Katherine Nelson and the Blessing Bag project she is doing through the Marsh River 4-H group. Members for: Hintz, Kroshus, Mathsen, Rosenberger, Stene, Nelson and Opheim. Against: None. Motion passed

Motion by Member Nelson, second by Member Opheim to approve the request for \$200.00 from the Missoula Children's Theater for their production in the City of Ada – Summer 2018. Members for: Hintz, Kroshus, Mathsen, Rosenberger, Stene, Nelson and Opheim. Against: None. Motion passed

VII Adjournment

Motion by Member Hintz at 7:05 p.m., second by Member Kroshus to adjourn the meeting. Members for: Hintz, Kroshus, Mathsen, Rosenberger, Stene, Nelson and Opheim. Against: None. Motion passed

Respectfully submitted,

Todd Sawrey, Mayor

**Ashley Larson, Interim City
Administrator/Clerk/Treasurer**