

**CITY OF BOULDER  
P.O. BOX 68  
BOULDER, MONTANA 59632  
CITY COUNCIL MEETING MINUTES  
MONDAY, November 20, 2023**

CALL TO ORDER:

Mayor Giulio called the meeting to order at 6:30 p.m. followed by the Pledge of Allegiance.

ROLL CALL:

Elected officials present: Russell Giulio, Drew Dawson, Patricia Lewis, Gyle Nix, and Mike Taylor (by Zoom.)

Others participating: Megan McCauley (*City Clerk*), Jack Trethewey (*ambulance director*), Dennis Wortman (*Public Works Director*)

APPROVAL OF MINUTES OF PREVIOUS MEETING:

The minutes from the 10/16/2023 Council Meeting – Dawson moved, Lewis seconded, carried with 4 aye votes.

APPROVAL OF AGENDA: Dawson made a motion to approve the agenda, Nix seconded, carried with 4 aye votes.

REQUESTS OF ELECTED CITY OFFICIALS FOR ABSENCES EXCEEDING 10 DAYS OR PARTICIPATION BY TELECOMMUNICATION:

Lewis will be out of state for 5 months, will Zoom in for future meetings. Dawson moved to approve after stating he check Montana Code and it is allowable, Nix seconded. Passed with 4 aye votes

COMMUNICATION FOR PUBLIC RECORD (Ex parte): None.

CONSTITUENT ISSUES-REPORTS FROM THE MAYOR AND COUNCIL MEMBERS: None.

CONSENT AGENDA TO INCLUDE:

- Mayor Report – None.
- Ambulance Report - Received. Jack said they're collecting more calls and billing more. Calls are on the upswing as of late.
- Fire Report – Received.
- Public Works Report – Wortman said they were working on Christmas lights and said anyone could help. EMT classes are going well. Need to get skills done after Thanksgiving.
- City Court Report – Received.
- City Attorney Report – Received.
- Finance/Investment Report – None.
- Community Improvement Coordinator Report – None. Was not present
- Reports from Clerk
  - Cash/Bank Reconciliation, October 2023
  - Statement of Revenue Budget vs Actual, October 2023
  - Statement of Expenditure Budget vs Actual, October 2023
  - Utility Billing Adjustments for October 2023
  - Ambulance Write-offs & collections for October 2023

Dawson made a motion to approve the Consent Agenda. Lewis seconded the motion and the motion carried with 4 aye votes.

#### CORRESPONDENCE:

#### COMMITTEE REPORTS:

- **Planning Board:** LaDana Hintz reported that the Board did not have a meeting in November but three members attended the training session by MSU for boards. No date set for the next meeting as we are waiting for response from members
- **Chamber of Commerce:** Lewis reported the Bizarre was packed with 50 vendors and it went well
- **Cemetery Advisory Committee:** Lewis reported they put together a draft for a Right to Interment, working with City staff to get software. The committee wants the fees that are collected to be saved for future expansion. Working with Clerk & Records office to see if the deeds should be filed at the Courthouse. Next month's agenda they would like to have these drafts reviewed.
- **Finance/Investment Committee:** Taylor is reviewing information from the City Attorney regarding what the committee can legally do.

#### OLD BUSINESS:

1. Fee Schedule – discussing and determining Water/Sewer fees. Keep as is.

#### NEW BUSINESS:

1. City Judge Contract Renewal
  - Dawson moved to approval the renewal of the contract as presented. Lewis seconded. The motion carried with 4 aye votes.
2. Betty DeMers Hering reimbursement
  - Giulio asked about the invoices and why one was blacked out, Betty said it was for confidentiality
  - Giulio asked when the property was purchased, Betty said 2006. Giulio asked why wasn't there a survey done at the time, Betty said her surveyor said you didn't have to have a survey to buy land. Giulio said it's probably a good idea.
  - Dawson stated that he thinks that this could go back and forth for a long time on this issue, after talking to people involved individually, he would like to recommend something that is not consistent with what the City Attorney recommends. He states the City Attorney said the fees should be a wash because in court cases of this nature, there is no fees/awards given. He read an email chain between the Attorney and himself. Dawson is leaning towards paying Ms. Hering, McCauley had concern of who would pay and from what budget item. The reading of the email continued.
  - Dawson moved to reimburse Ms. Hering \$5,000 over roughly the next quarter or as we can come up with that funding from our budget.
  - Lewis seconded.
  - Dawson quoted Cool Hand Luke, "we have a failure to communicate." States all parties could have communicated better and \$5,000 is a responsible offer to settle this issue and move forward.
  - Lewis thinks it's a low offer, she thinks this was an oversight years ago. She is in agreement if Betty is in agreement with that.

- Betty stated that she could share in the cost, she paid a lawyer and a surveyor. She states that the City should have surveyed where the road should have been years ago. She would accept compensation of half of it.
  - Dawson asked if \$5,000 was acceptable and she said "yes she could accept that"
  - The motion carried with 4 aye votes.
3. HB 355 – SLIP Act
- McCauley elaborated on some rules and deadlines.
  - Elly Schmeltzer (City Engineer) said the Capital Improvement Projects is a good place to start. She suggested that she probably wouldn't put this towards the water project as there is already funding routes created for that project.
  - McCauley will start on the list and it will be on the next agenda for discussion
4. Christmas Parade Update
- Taylor gave the update that people are getting excited. December 1<sup>st</sup>. Lining up at 5:30, Parade at 6, 6:30 lighting ceremony and festivities. Sheriffs office is going to do traffic control.
5. Approval of City record destruction request – Dawson moved for approval of record destruction request. Nix seconded. Motion passed with 4 aye votes.

UNSCHEDULED MATTERS:

Giulio stated that we received the CDBG grant to update our Zoning Code in the amount of \$30,000

OPEN PUBLIC COMMENT:

Kathy Rux wanted to know where the 15 mph sign was for Hauser due to the trucks going up and down the road.

AUTHORIZATION TO PAY BILLS: The bills were presented for payment authorization using checks #17388-17432 in the amount of \$68,075.21, and ACH payments #99760-99767 the amount of \$14,686.36 for a total of \$82,761.57. Taylor made a motion to approve the bills and payments as presented. Nix seconded the motion and the motion carried with 4 aye votes.

COUNCIL AGENDA SUGGESTIONS TO THE MAYOR FOR THE NEXT MEETING:


Discussion about potentially purchasing a used pickup from Jefferson County for the Public Works department.

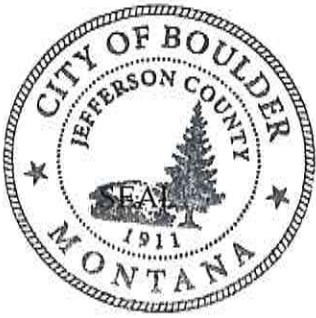
Discuss with MDT the speed on Hwy 69 by Thompson St. and Dollar Store, keeping it at 35 mph instead of 45 mph.

LaDana asked where we were at with the trails easement, stated it is holding them up on getting grants.

ADJOURNMENT: With no further business, the meeting was adjourned at 7:16 p.m. The next regularly scheduled meeting will be held on Monday, December 18, 2023, at 6:30 p.m.

DATE: December 18<sup>th</sup> 2023

  
Mayor



Attest Megan McCauley  
City Clerk