

CITY OF MCCLEARY
Public Hearings and Regular City Council Meeting
Wednesday, November 14, 2012

ROLL CALL AND FLAG SALUTE Council members Catterlin, Reed, Schiller, Lant and Ator.

ABSENT None.

STAFF PRESENT Present at the meeting were Dan Glenn, Wendy Collins, Nick Bird, John Graham and Jon Hinton from Gray & Osborne.

PUBLIC HEARING ON SURPLUS TRANSFORMERS The public hearing on transformers opened at 7:02 pm. A list of depreciated, surplused transformers was provided for the Council to review. An audience member asked what the City will do with them if they can't sell them. Nick Bird replied by stating the City will have to pay for the disposal because of the PSB chemical in them, which could be costly. The public hearing closed at 7:03 pm.

PUBLIC HEARING ON PRELIMINARY BUDGET The public hearing on the preliminary budget opened at 7:04 pm. Mayor Dent stated the budget will be balanced. Current expense reserves have not been touched yet. He added this is the last year water rates will increase 22%. The public hear closed at 7:10 pm.

CITY COUNCIL MEETING

PUBLIC COMMENT Helen Lake commented that she heard Sterling Bank will be closing but will not be selling the building. She is very sad to see this happen.

MINUTES APPROVED **It was moved by Councilman Catterlin, seconded by Councilman Reed to approve the minutes from the October 24, 2012 meeting. Motion Carried 5-0.**

MAYOR'S COMMENTS Mayor Dent reported the fire station roof is leaking and the City does not have the money to re-roof it. He stated some of the crew members favor a metal roof. Due to the age of the roof and normal wear and tear, this will not be covered by insurance. No action is needed at this time.

How to spend or disperse the fire mitigation money must be decided by February 2013. The past developer is rumored to have filed bankruptcy.

Mayor Dent announced that Vern Merryman is officially retired from the City. Jon Ehreshmann is not interested in the manager's job. The City is hoping to advertise the position in the near future.

ELECTION RESULTS Fire Districts 5 and 12 both failed their levy's. Mayor Dent is not sure how this is going to affect the City. Both districts were in dire need of passing their levy's.

DIRECTOR OF PUBLIC WORKS REPORT Nick Bird has provided a memo for the Council and invites any questions they may have.

CITY ATTORNEY REPORT Dan Glenn provided a memo for the Council and invites any questions they may have. Dan Glenn discussed the marijuana moratorium. He suggested taking concerns to a hearing examiner. The Mayor wants a professional handling those issues.

GUTTER CHANGE ORDER NO. 1 **It was moved by Councilman Catterlin, seconded by Councilman Reed to authorize Change Order No. 1A for gutter replacement with a total cost of project of \$16,130.50. Motion Carried 5-0.**

WELL 2/3 PROJECT - PROGRESS ESTIMATE NO. 2 **It was moved by Councilman Lant, seconded by Councilman Ator to authorize the payment of Progress Estimate No. 2 to Award Construction in the amount of \$303,871.80 and deposit \$14,693.99 into the retainage account. Motion Carried 5-0.**

RESOLUTION NO. 650 SUPRLUS TRANSFORMERS It was moved by Councilman Lant, seconded by Councilman Schiller to adopt Resolution No. 650 declaring materials to be surplus and providing for the negotiated disposition thereof. Resolution Adopted 5-0.

RESOLUTION NO. 651 LEMAY 2013 RATES It was moved by Councilman Lant, seconded by Councilman Ator to adopt Resolution No. 651 relating to public services; establishing and confirming fees; repealing resolution 635, and providing for effective dates. Resolution Adopted 5-0.

ORDINANCE NO. 787 AD VALOREM TAX LEVY It was moved by Councilman Ator, seconded by Councilman Lant to adopt Ordinance No. 787 relating to the establishment of the regular tax levy for the year 2012 for collection in the year 2013; making findings; and reserving rights. The amount of increase (1%) will equal \$2,408.00 making the estimated levy in the amount of \$243,248.00. Roll call taken in the affirmative. Ordinance Adopted 5-0.

APPROVAL OF VOUCHERS Vouchers/Checks approved were 35533-35615 including EFT's in the amount of \$224,812.69.

Payroll Checks approved were 35452-35563 including EFT's in the amount of \$178,712.44.

It was moved by Councilman Ator, seconded by Councilmen Reed to approve the vouchers. Motion Carried 5-0.

PUBLIC COMMENT None.

EXECUTIVE SESSION It was moved by Councilman Lant, seconded by Councilman Reed to have an executive session for 10 minutes to discuss Mark Reed Hospital settlement, Mr. Cobain and the fraud trial. The executive session began at 7:54 pm and ended at 7:59 pm.

MARK REED HOSPITAL SETTLEMENT It was moved by Councilman Schiller, seconded by Councilman Catterlin to accept the settlement between the City and Mark Reed Hospital in the amount of \$39,000 for utility services. Motion Carried 5-0.

MEETING ADJOURNED It was moved by Councilman Lant, seconded by Councilmen Ator to adjourn the meeting at 8:01 PM. The next meeting will be on November 14, 2012 at 7:00 PM. Motion Carried 5-0.

Mayor Gary Dent: _____

Clerk-Treasurer Wendy Collins: _____