

CUT BANK CITY COUNCIL
NOVEMBER 6, 2023
6:30 P.M. – CITY HALL & ZOOM

THIS MEETING WAS HELD VIA ZOOM & AT CITY HALL

CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE:

Mayor Kim Winchell called the meeting of the Cut Bank City Council to order at 6:30 PM, Monday, November 6, 2023. The following persons answered roll call: Mayor Winchell, Councilpersons Tim Curtiss, Doug Vermulm, and Kacie Fey. Also present were City Superintendent James Suta, Building Inspector Jim Yeagley, City Attorney Smith, Police Chief Schutz, Deputy City Attorney Bugni, and Clerk Treasurer Burley. All present recited the Pledge of Allegiance.

VISITORS: Vernon Thomas, Justin Perry, Chrystle White, Rick Geiger, Ron Hermann, and Tom Shock

ABSENT: John Reynolds

PUBLIC COMMENT:

Rick Geiger, 109 Meade Ave., addressed the Council for the Airport Authority. He told them that if the Authority does not have enough money to fulfill its obligations, then the City and County are jointly responsible for its outstanding debt. Current debt on loans is about 4.4 million dollars. The County failed to put the levy on the tax rolls one year, so the Authority did not get any County funding that year. They should have enough to pay the ten-year loan payment but if not, then it will fall to the City and County. A grant was received from the FFA, and it had a 90/10 match. This match was borrowed and will be paid off.

Ron Hermann, 236 4th Ave SW, reiterated that the Airport needs more funding to stay viable. Without the full funding of the City and County it cannot run. There needs to be a way to get additional funding, or the Airport will have to close.

Tom Schock, 22 2nd St SW, brought up his wish that a wolf be painted on the new water tank. He has spoken to a lady about it but has not heard back from her.

CLAIMS: Councilperson Fey moved to approve the claims through November 2, 2023, for \$101,653.22 warrants 61590-61628. Councilperson Curtiss seconded the motion. A vote was called, and motion carried 3-0.

CONSENT AGENDA:

Councilperson Curtiss moved to approve the October 16, 2023, minutes, the payroll from October 26, 2023, for \$102,627.80. Councilperson Vermulm seconded the motion. Motion carried 3-0.

DEPARTMENT HEAD REPORTS:

Superintendent Suta presented his report. The first water break of the year occurred this morning and is not all repaired. **Councilperson Curtiss moved to accept the City Superintendent's report and Councilperson Fey seconded the motion. Motion carried 3-0.**

City Attorney Smith reported that he has been working on the annexation project. **Councilperson Fey moved to accept the City Attorney's report and Councilperson Curtiss seconded the motion. Motion carried 3-0.**

OLD BUSINESS: **None**

NEW BUSINESS: **Councilperson Curtiss moved to renew the Drug Testing contract with Mobile Testing with Integrity. Councilperson Fey seconded the motion and motion passed 3-0.**

Councilperson Curtiss moved to approved ARPA Draw #5 (B Loan) for the Phase IV Water Project (\$124,902.32), Draw #3 for SRF (\$10,116.00), and pay application for DN Tanks for \$124,286.32. Councilperson Vermulm seconded the motion that passed unanimously.

CORRESPONDENCE: None

WORK SESSION: Mayor Winchell explained that she has heard from several residents that they do not want the Council to allow marijuana dispensaries to operate in City limits. Our current ordinance bans these businesses. Concern is that there will be businesses opened in the County Island and that we will not be able to regulate them because they fall under the County's laws. After discussing this with MT League of Cities and Towns attorney Thomas Jodoin, Clerk-Treasurer Burley reported that the City can change our zoning to state that these businesses are not allowed to be within a certain distance from schools and churches. At that point, anyone located in that County Island that are within that distance from schools or churches would have to abide by the City's zoning regulations even though they were not annexed into the City. The other option that the City has to keep these businesses out would be to hold an election and let the voters decide whether or not to allow it. This option would cost the City approximately \$5,000.

Justin Perry, 408 Mtn View Blvd, asked if we could get a tax from any marijuana dispensary that opened on the County Island. He was told that we cannot receive any tax funding as long as the County does not tax the sales of marijuana.

Tom Shock, 22 2nd St SW, told the Council that since we are a sub-government of the federal government, marijuana should be illegal since it is still illegal at the federal level.

Vernon Thomas, 20 4th St SW, asked how one could read the marijuana ordinance. Clerk-Treasurer Burley volunteered to email him the ordinance.

COMMITTEE REPORTS:

Councilperson Curtiss reported that the Tri-City Interlocal held their quarterly.

Chief Schultz reported that he attended the Board of Health meeting. He will be sitting on the board again for the next year. There is one position open and interested people can apply for the position.

EXECUTIVE REPORT: Mayor Winchell reported that it has been business as usual this week.

ADJOURNMENT: There being no further business to come before the Council, **Mayor Winchell adjourned the meeting at 7:39 PM.** The next regular meeting is scheduled for November 20, 2023, at 6:30 PM.

Attest:

Approve:

Linda Burley, Clerk-Treasurer

Kim Winchell, Mayor