

**CUT BANK CITY COUNCIL  
NOVEMBER 4, 2019  
6:30 P.M. – CITY HALL**

**PUBLIC HEARING ON CONDITIONAL USE PERMIT FOR AGAINST THE GRAIN WOODWORKING**

*City Attorney Smith opened the public hearing at 6:30 PM. He called on Michael Wineman, owner of Against the Grain Woodworking, to provide an affidavit of publication proving he advertised the public hearing twice in the Cut Bank Pioneer Press. He proved the affidavit. The business location is 405 1<sup>st</sup> St SE. City Attorney Smith asked Mr. Wineman to describe his business. Mr. Wineman explained that he builds and occasionally sells small woodworking projects. Currently he is selling pens at the Rose Petal. Mr. Wineman was asked if he received any comments from neighbors regarding the conditional use permit. City Attorney Smith asked City Clerk-Treasurer Burley if she received any comments on the proposed conditional use permit and she replied that she had not. City Attorney Smith then asked for comments from the public on the proposed permit and none were heard. Mr. Wineman was told that he had not returned a zoning permit or conditional use permit and he would be required to do so before the conditional use permit could be approved. City Attorney Smith ended the public hearing.*

**CALL TO ORDER/ROLL CALL/PLEDGE OF ALLEGIANCE:**

*Mayor Raemaeker called the meeting of the Cut Bank City Council to order at 6:42 PM, Monday, November 4, 2019. The following persons answered roll call: Councilpersons Timothy Curtiss, Tim Kipp and Erik Nelson. Also present were City Superintendent James Suta, and City Attorney Robert Smith, Police Chief Schultz and Clerk-Treasurer Burley. All present stood and recited the Pledge of Allegiance.*

**ABSENT:** *Councilperson Grubb*

**VISITORS:** *Michael Wineman*

**PUBLIC COMMENT:** *None*

**ADDITIONAL ITEMS FOR DISCUSSION:** *Councilperson would like to discuss the installation of the new water line at Highline Oilfield Services.*

**CLAIMS:**

*Councilperson Curtiss moved to approve the payment of claims through October 31, 2019 for \$66,002.47; Warrants 57888-57919, excluding claim #59553, warrant #57904. Councilperson Nelson seconded. Councilperson Curtiss explained that the claim in question would need clarification as to who the warrant should be made out to before approval. Motion carried with all in favor.*

**CONSENT AGENDA:**

*Councilperson Nelson made the motion to approve the payroll for October 31, 2019 for \$68,959.66, the July financials for \$6,851,625.10, the August financials for \$6,732,739.87 and the September financials for \$6,857,880.77. Councilperson Nelson seconded it. Motion carried unanimously.*

*Councilperson Kipp made the motion to approve the minutes from October 21, 2019 meeting. Councilperson Nelson seconded it. Motion carried unanimously.*

**DEPARTMENT HEAD REPORTS:**

*City Superintendent Suta presented his report to the Council. The water treatment plant employees have been cleaning their basins of sand and debris as part of their winter maintenance plan. The wastewater treatment plant is now working well. The final inspection is planned for November 12, at 10:00 am. The street crew have been trimming trees in preparation for next summer's street work. They have also been busy with snow removal and removing leaves when the weather permits. Solid waste*

*is going well but there is still a lot of garbage being piled beside dumpsters in alleys. The civic center has had some recent upgrades to the lighting.*

**Councilperson Kipp motioned to accept the City Superintendent's Report and Councilperson Nelson seconded. The motion carried 3-0.**

**OLD BUSINESS:** *None*

**NEW BUSINESS:**

**Councilperson Curtiss moved to approve the renewal of the drug testing contract with Mobile Testing with Integrity. Councilperson Curtiss seconded the motion and motion carried 3-0.**

**Councilperson Curtiss moved to approve the Stipulation to Resolve Objections to the City's Water Rights. Councilperson Kipp seconded the motion.** *City Attorney Smith explained the changes made to reach this stipulation. Some changes involve the amount of water guaranteed to the City. It is based on previous usage and the new figures are agreeable to the Mayor, City Superintendent, City Attorney Smith and Water Rights Attorney Franz. This stipulation will make approval of our water rights by the court more likely. When asked about possible long-term conflicts, City Attorney Smith stated that the only thing that he can think of would be if we must change the area we draw water from. A vote was called, and the motion passed 3-0.*

**WORK SESSION:**

*The condition of several hazardous properties in Cut Bank was discussed. The owner of an abandoned hotel will be contacted with a request to mitigate his dangerous property. If the action is not done within 10 days, then a ticket for ordinance violation will be written and the City will step in and mitigate the immediate danger. The property owner will be billed for the expenses incurred in the mitigation. Councilperson Curtiss asked City Superintendent Suta is there was \$25,000 in the budget set aside for this type of work. Superintendent Suta responded that the funding was to be used for the parking lot on Central Avenue this year, but it could be used for such mitigation next year.*

*City Attorney Smith updated the Council on the concerns of the Airport Authority that Glacier County had not levied any mills for the airport. The airport is jointly owned by the City of Cut Bank and Glacier County. Since both the City and County are responsible for the airport's funding, the City Council will be attending one of the next Commissioners meetings and will ask the County to amend their tax bills, including the 2 mills for the airport. The concern is that if the County plans to fund the airport through its general fund, that funding will not be done since the general fund is so far in the red. If the County does not give their mills to the airport, the FFA funding would be immediately due from the joint entities. This would mean that the City and County would have to pay back approximately 3 million dollars and the airport could not operate and would have to shut down.*

*City Superintendent Suta gave the Council the reasons that Highline Oilfield Services was in danger of having its water disconnected. The new lines were supposed to be installed by July of 2019 and after several extensions, some lines were still not installed. City Superintendent Suta spoke with Mr. Nygaard and the lines will be installed by this Thursday. The lines to the building in question were not installed because the owners had not contacted Mr. Nygaard to do the work. It appears now that all installations will be completed by the end of the week.*

**CORRESPONDENCE:** *None*

**COMMITTEE REPORTS:** *City Superintendent Suta reported that the Tri-City Interlocal help it's quarterly meeting. The superintendents were instructed to get some figures together for a replacement chipper and spreader. They will be getting both used and new prices and will present to the Mayors once they have compiled the prices.*

**ADJOURNMENT:** *There being no further business to come before the Council, Mayor Raemaeker adjourned the meeting at 8:00 PM. The next regular meeting is scheduled for November 18, 2019 at 6:30 PM.*

Attest:

Approve:

---

*Linda Burley, Clerk-Treasurer*

---

*Dan Raemaeker, Mayor*