

**BELGRADE CITY COUNCIL MEETING MINUTES  
COUNCIL CHAMBERS**

**August 19, 2013**

**7:00 P.M.**

Mayor Nelson called the meeting to order. Mayor and Council Members in attendance were: Anne Koentopp, Bob Retterath, Russell Nelson, Tudor Gee, Mark Criner and John Youngberg. Acting City Attorney Ramler was absent as was Council Member Cooper. Others in attendance were: Acting City Manager E.J. Clark, Public Works Director Steve Klotz, City Court Judge Michele Snowberger, City Planner Jason Karp, Susan Schneider, Rudy Schneider, Virjeana Brown, Shelley Morrow, Teresa Flanagan, Darcy Halpin, and Sue Caldwell

Council Member Youngberg made a motion to excuse Council Member Cooper. Council Member Gee seconded the motion. All voted aye, motion carried unanimously

**PUBLIC FORUM** - Darci Halpin of 409 McEwen stated I am here respectfully asking the Council to change the barking dog policy for Belgrade. A couple of months ago I was ready to come into this meeting because my husband and I were fed up with the barking dogs in our neighborhood. I changed my mind because I was thinking that I did not want to be the crazy woman in the neighborhood. In the meantime, it did not stop and we became fed up again. Instead of being mad every day I decided to come to the Council and try to make a change.

We have lived at this address for 22 years. In all these years, we have never been so inundated with so many barking dogs. Some of the owners disrespect the City of Belgrade and the neighbors allow their dogs to bark all day. One owner works and leaves their dog outside and the dog barks most of the day. Some are home and let their dogs bark even being at home. Another neighbor is at home and she does make her dog quit barking, but when she leaves, the dog stays outside and barks nonstop until she gets home. Even knowing what their neighbors think about their dog barking they still let their dogs bark. I have actually gone to two of our neighbors and asked them to take care of their dogs barking. Nothing has transpired from that. There is a lack of respect and responsibility of being a pet owner with these few people. I must say there are some responsible owners but the few are making us crazy and make it bad for those who comply. We realize that dogs bark but this is out of control.

I have done some research into what the City of Bozeman, Gallatin County and the City of Manhattan do. The following is a summary of what they do. The City of Bozeman, in what I could read, there is no mention of a barking dog. I assume when they talk about a nuisance dog that can mean anything from barking to being dangerous to being loose. The person can file a complaint and then animal control will investigate and issue an appropriate citation. The first citation can be a fine of up to \$100, but if paid within ten days it is \$50.00. The second citation can be up to \$200 but if paid within ten days it is \$100 and so on and so forth. I did read that in the first complaint there is no fine. Gallatin County Animal Control will go to the place of the complaint and listen for 20 minutes. If they do not hear anything or see anything, they ask the complainant to document on audio/camera and keep a diary. If true, they issue a warning, but no fine the first time. It will be suggested that they get a bark collar or keep the pet inside. The second complaint is a \$50 citation and that goes up \$50 after that. The city of Manhattan is very confusing. It is called a public nuisance and a municipal infraction, which can go to civil court. The complainant has to fill out a bark log and sign in the complaint. The offender is not told

The complainant has to fill out a bark log and sign in the complaint. The offender is not told who complained. The offender goes to court right away and if they say they are not guilty they have to prove their dog is not barking, if found guilty they will go to court again before the Judge. The fine is \$300 up to \$500.

From what I understand, from Office Lehmann, Belgrade's policy with the first complaint he goes to the home and puts a note on the door saying there is a complaint about the dog and if they do not comply they could possibly go to court. I understand that if the offender says that his dog is not a nuisance the Judge may throw out the case. If this is indeed true, this is ridiculous. There are no consequences for these irresponsible people toward their dogs and neighbors. I would like to recommend that the City look at County policy. Perhaps the first citation is a warning and then the second and third and etc. go up from \$50 in \$50 increments every time after that and that there is no disclosure of the complainant. There has to be a monetary consequence, get rid of court. I feel that this may cause retaliation and strife in the neighborhood knowing who is complaining.

I am not here to cause strife in our neighborhood, but we want to live here. We do not want to move. We want some consequence to neighbors whose dogs are allowed to bark and are dangerous. There are three dangerous dogs on our street in my opinion, a German Shepard who barks constantly even when the owner is home. She does stop him when she is home, but he barks constantly when she leaves. Both neighbors are barked at constantly when they are in their yards. One neighbor told me that the German Shepard charges the fence at his children when they are playing. I witnessed this dog start a fight with a leashed dog walking by. Another dog, a Rottweiler barks all day starting from the time the owner goes to work even though she has been told three times that her dog barks constantly. I have witnessed this dog practically come over the fence to attack two utility workers with a dangerous killer bark. The last dangerous dog is new to the neighborhood. He is a Border collie cross. He tried to attack our neighbors through a screen door. When she told the owner what the dog had done the owner denied it, but it was confirmed by another neighbor that it was *that* dog. I have audio documentation of four dogs barking. I have documented when I am at home the time of barking and have even gone to two neighbors and have talked to them about their barking dogs. Again, we are very frustrated even talking to other people in other neighborhoods around us. All are frustrated with this problem. Again, I am here respectfully asking the Council to change the barking dog policy.

Virjeana Brown of 720 Northern Pacific Avenue stated I have three different things that I would like to bring up. The stop sign is at Northern Pacific Avenue is continuing to be a problem. I am concerned about a water deficit in the water budget to the tune of \$600,000 and the Council was talking about bringing former Finance Director Foltz back to look into that. I am concerned about that in the respect that I do not want to be on the hook for a large amount of money that has gone missing if there is something inappropriate or if there is insurance to cover that.

Mayor Nelson stated to make it clear and there are no rumors floating around, we have the budget figured out. Depreciation caused the deficit. The budget is within \$68,000 of the revenue. We have asked for former Finance Director Foltz help because we have lost two pieces of institutional knowledge. Mr. Menicucci had been the City Manager for 23 years and Marilyn Foltz the former Finance Director retired after 20 years. We really needed some help and that is

why the Council agreed with my recommendation to seek out former Finance Director Foltz' help to review the budget for us, which she has done and given some feedback.

Council Member Youngberg stated that there has been no impropriety of any kind in any of the budgets.

Virjeana Brown stated the other issue she would like to bring to the Council is regarding the trains. I was at a meeting in Bozeman last week and I asked them for a copy. I have a copy specific to Belgrade. The reason I am coming here is because I am very concerned about the export terminals in Washington, but it does affect us here. For example, last July my granddaughter had a seven-minute seizure. Technically, I should have called 911, but I have an emergency medication available. Two years ago, I had to send her to Salt Lake City via air ambulance. I am concerned that if these export terminals do go through they are talking about coal trains that are 125 cars long. I am concerned because I live on the north side of the railroad tracks. Emergency services are on the south side of the railroad tracks. I know that there is an underpass coming, but I still think that it is going to be a problem not just for me, but for anybody that needs emergency services on that side. I know that some towns across Montana are sending letters asking the Army Corp of Engineers to please include Montana in their environmental impact studies because I think it is going to be a huge impact on this town.

Acting City Manager Clark stated that in regards to the stop sign, Public Works Director Klotz has applied for a grant to place bollards and narrow the intersection to draw more attention. We are also going to paint lines of where to stop. We are going to try alternative methods temporarily to draw a little more attention to that intersection.

Mayor Nelson called three times for any more members of the public to speak during the public forum. Hearing none, the public forum was closed.

**PUBLIC HEARING - Res. 2013-12 PERMISSIVE MEDICAL LEVY** - Acting City Manager Clark stated that nothing in this levy had changed since it was presented at the previous meeting. It is in reference to employee benefits.

Mayor Nelson called three times for any members of the public to speak during the public forum. Hearing none, the public forum was closed.

Council Member Youngberg stated that four years ago the legislature passed a bill to allow cities and counties to do this due to the rapidly escalating cost of medical insurance and with the cap on how much they could increase mill levies. The legislature put in a bill allowing us to do this. This is why it is available to us and we certainly need it given the increase in the costs of our benefits.

Council Member Youngberg motioned to approve Resolution 2013-12 Permissive Medical Levy. Council Member Retterath seconded the motion. All voted aye, motion carried unanimously.

## REPORTS

Mayor Nelson reported that he had attended the Central Valley Fire Department meeting last Tuesday night. They talked about their budget. They talked about the recent fires that were in the valley and response to those. Chief Lindroth indicated that he was going to make contact with the sellers of the Quint truck to try to get a little more information of when we would be able to take possession.

Council Member Koentopp stated she thought they were going to give the City a loaner.

Acting City Manager Clark stated that Chief Lindroth was talking about trying to work something out, but no guarantee.

Mayor Nelson reported that Council Member Youngberg and himself met with Acting City Manager Clark and Finance Director Wernikowski last Thursday and worked on the budget of which you will hear about.

City Attorney – was absent

Acting City Manager Clark reported that he did sign the contract with The Prothman Group. They have requested information. We are in the process of getting that for them. I will be asking the Council secure dates. That information will allow The Prothman Group to set up a timeline. The Prothman Group would like to talk to the Council and find out what the Community and City wants.

Council Member Koentopp stated that this should be done as soon as possible.

Mayor Nelson asked if it should be at a regular meeting or should there be a special meeting.

Council Member Youngberg stated that if it is a long regular meeting it makes a long day, but if it is a short agenda I do not see a problem with that.

Mayor Nelson instructed Acting City Manager Clark to act on that accordingly.

## DISCUSSION AGENDA

**PRELIMINARY BUDGET AND SET DATE FOR PUBLIC HEARING** – Council Member Youngberg stated that we will talk about the salary package. For the rest of the Council and for public information the Council does not negotiate salary packages or wages. That is done by department heads and with the Acting City Manager or City Manager. We do not negotiate those. The reason that the salary package was brought to the Council was that the Acting City Manager is one of the department heads that were in question on this. Acting City Manager Clark wanted this brought before the Council simply for transparency. We took the past three years of total pay for the four people who are in question, the department heads. Their total pay including base salary plus overtime was averaged over three years and gave them that as a base salary.

The salary for Public Works Director, Steve Klotz will be \$73,561 per year. He is not qualified for overtime. He does not qualify for comp time. He is paid for keeping the phone for the SCADA system, which is the emergency system for the water and sewer system. If any part of the system goes down, he rotates that amongst his employees. Contract overtime is not available to him. There are no step increases. He will get regular pay for holiday pay, no uniform allowance, and he does get longevity after six years.

The Finance Director, Phyllis Wernikowski will receive \$69,249 per year. That is not exactly an average of her pay because the person who previously held that position was paid significantly more. This brings her in line with other finance officers throughout the valley. We went with people in the valley because that is with whom we compete. There will be no overtime, no comp time, there is no other contract time. She will receive regular pay for holidays and days off. She is eligible for longevity.

The Acting City Manager and Police Chief will get \$84,802 per year. He does not get on-call pay. He gets no overtime. He gets no comp time. He does qualify for contract overtime. Contract overtime is not paid by the City. It is actually paid by the City, but we are paid back. Something like the tournament at the school or a Ritchie Bros. auction. They contract with our police department to provide security. The individuals of that contract pay for that time. The Acting City Manager Clark will get a uniform allowance. In Acting City Manager Clark's case, we deducted a significant of his overtime off for this year and for the past year because he was acting in the absence of former City Manager Menicucci and had a significant amount of overtime. While he is being the Active City Manager, he will receive \$950 a month. We are hoping that is short-term. In reality, we are probably looking to December or January if we are on the fast track.

The City Planner Jason Karp gets an increase in pay, as did Finance Director Wernikowski. Finance Director Wernikowski received an increase because she was started at a low amount as a first year probationary period. When the former City Manager Menicucci hired Finance Director Wernikowski, an increase was promised and that brings her in line with other competition.

The City Planner, Jason Karp will receive an increase in pay from \$52,019 to \$54,119. That is an increase of \$1,999 per year. The reason for the increase is that City Planner Karp will now be the City Planner. In the past he was the Assistant Planner, Mr. Menicucci was the City Planner. City Planner Karp also takes over the full responsibility for the building departments. That is a small increase and puts him in line with other people. If you look at Bozeman, the salary is \$58,000 for a Planner III. In Gallatin County Planner III is \$52,034, Manhattan contracts their planning. It puts him in line with the second or third tier planner in those situations. That is the salary package. The budget committee who met with the Acting City Manager are recommending this. This subject is brought to the Council for transparency.

Mayor Nelson called three times for public comment. Hearing none, the public forum was closed.

**PRELIMINARY BUDGET AND SET DATE FOR PUBLIC HEARING** – Mayor Nelson stated that the water and sewer numbers we had seen previously was a \$1.7 million each of those categories. In seeing the difference, we asked what that difference was. The difference

is depreciation of \$500,000 in each category. That is a paper transaction and not an actual cash transaction. By deducting that, which is the right thing to do, the water operating fund expenditures exceed revenues by \$68,000. We feel that the deficit will be covered by the increase in the water rates and can be handled by the excess cash that we have. We are fortunate to have a good pile of cash. There is \$1.4 million in cash. We are comfortable with the water fund.

Council Member Youngberg stated that the special project fund is for the jobs done in the past year, which is why we are at a deficit. We are going to have income coming in from the loan to cover the expenditures. That should balance out in the special project fund.

Council Member Koentopp asked if that was the project with a short punch list.

Council Member Youngberg stated we have a punch list on the last job, which is not complete. When the project is done, we will receive over half a million dollars.

Public Works Director Klotz stated they would start the punch list. We combined the last one with the one-year warranty walk through. It would have been done already but it had to go through the surety. We deal with the contractor, but then the engineer contacts the surety, the surety pays the contractor. The contractor is not holding us up the engineers are not holding us up, going through the surety is holding up the project. The surety was with us on the last walk-through.

Mayor Nelson stated the revenue number in the special went up to \$750,000. Were we able to transfer any monies from impact fees to that?

Acting City Manager Clark stated possibly, we are still researching the impact fee part of that.

Mayor Nelson stated with that account it is possible there is enough revenue to take care of the deficit, but we know we have \$500,000 coming in. If we cannot move some of the impact fee money, we may have a deficit in the cash account. We are researching what we can do. In the sewer fund there is a small difference in revenues versus expenditures. We are about \$3,000 over in expenditures.

Acting City Manager Clark stated that Finance Director Wernikowski had an emergency in her family. We hope that everything will be okay for her. She should be back soon and we will have more information available then.

Mayor Nelson stated that for this year the expenditures versus the revenues are within about \$3,000 that is a good thing. What we do have to deal with as a Council is the deficit of \$413,000 in sewer cash.

Council Member Youngberg stated one of the questions that came up was why we have a deficit in that account. A large part of that in the sewer account is because of a significant increase in utility costs for the City. Our electric rates have gone up significantly and it takes a great deal of electricity to run our sewage treatment plant. Gas for vehicles has increased and there has been an increase in the cost of disposing of trash. Replacement of lines has also

increased in cost another big part of it is interest. If we look back four years ago, we were not paying interest because we did not have any sewer projects. Because of projects we had to do to stop leaks and problems, plus monitoring wells we have to put in for our sewage treatment plant there has become a significant deficit in that account. It comes down to interest on loans, cost of electricity, gas, utilities and required monitoring costs. There is construction of the lift station involved in that. We will receive some reimbursement eventually, but not all of the expense. We are working on what we can legally do with impact fees on the new lift station.

Council Member Koentopp asked if it has to be from sewer impact fees.

Mayor Nelson stated to use those impact fees it has to be a project that was identified five or seven years ago, it has to be on that list.

Acting City Manager Clark stated that the force-main project was specifically mentioned.

Mayor Nelson stated we will be able to get some of that out of the impact fees, but it has to match.

Council Member Youngberg stated we do not have a great deal of money in the sewer impact fee account.

Mayor Nelson stated \$40,000 is budgeted.

Council Member Youngberg stated we could move some money around if available once we adopt a preliminary budget.

Mayor Nelson stated due to the negative cash and based on the consultant's recommendation and our position compared to other communities it is time to look at having an increase of water and sewer rates.

Council Member Youngberg stated the current base rate for water, which includes 5,000 gallons of water, is \$15.82 an increase of 15% at \$2.37 would bring our water rate to \$18.19. Our sewer base right now is \$19.94. When we looked at the deficit we found to pay that deficit within one year would take an increase of 50% in the sewer rates. We did not think that was a good idea given the economic times and peoples willingness to pay. We looked at taking a smaller bite of that in the first year of 25% and see where we come out in the end. It would go from \$19.94 with an increase of 25% to \$4.99. We end up with a proposed rate of \$18.19 for water and \$24.93 and \$43.12 for sewer. That would be the total minimum bill and that is giving them 5,000 gallons. That would be an increase from \$35.76, which is an increase of \$7.36. We looked at communities in River Rock and Manhattan their average bill is somewhere in the area of \$100.00. River Rock is at \$55.00 so we are significantly lower. Bozeman is higher as well, not a lot higher but it is around the \$50.00 mark. We are still among the lowest in the valley. This gives us an opportunity to stop operating at a deficit in the water and allows us to pay off half the deficit in the sewer.

Council Member Retterath asked if we could increase 25% by law.

Mayor Nelson stated that yes we can.

Council Member Koentopp stated they have done away with that law through the legislature.

Mayor Nelson called three times for any public comment. Hearing none, he closed the public forum.

Council Member Youngberg stated one of the concerns we have is that ending cash balance in the general fund is low. We looked at some things to do in order to fix that. If you remember about five to eight years ago former City Manager Menicucci put some money in a sidewalk revolving loan fund where if you wanted to fix a sidewalk in front of your house or build sidewalks the City would pay half if you paid half. That money has sat unused for all that time.

Finance Director Wernikowski is researching if that was done by ordinance. If that is just a transfer, we can transfer the money back into the general fund. This would give us an additional \$21,000, which moves us closer to being at what we need. Truthfully, we need \$150,000 to have a cash reserve at the end in the general fund. Certainly, we do not have a lot of options.

Former City Manager Menicucci was fiscally responsible. We have not had an increase in taxes and there is not much in that general fund area to cut. The hope is that we are going to see some larger properties come on-line for taxes. We are seeing some significant residential building going on. We are going to start seeing that heal itself over the next year.

Council Member Koentopp stated that after talking with Council Member Youngberg, we have done this budget with the same number of mills for a number of years and this town is growing. We have young families, and they want parks and we need fire. As much as I do not like to pay taxes, it may be we have to raise the mill levy. There is a maximum that you can do, but maybe just add some more mills to the budget to help the general fund. That is for when our new City Manager comes in with a new budget. I think we are trying to keep a small city budget with a burgeoning city that is requiring many services. We have a community of 1,500 people from River Rock that come and use our services that we cannot even tax.

Mayor Nelson stated that most of the general fund is salaries due to that there is little flexibility. I do not think that we can cut salaries at this time.

Council Member Koentopp stated you still need salaries and you still need employees for an enlarging city.

Council Member Youngberg stated that they discussed salaries. The truth is when you have good people and you want to keep those good people you cannot spit in their lunchbox. You have to compensate them as well as you can under the circumstances you have.

Council Member Koentopp stated that she knew that Former City Manager Menicucci always prided himself on keeping a small staff per capita compared to other towns. It is amazing what these people do to keep this town going. We need to look elsewhere.

Council Member Youngberg stated we have to pass the preliminary budget tonight. Truthfully, what we bring in what we are going to have to spend is not going to change. There is going to be a little bit of shuffle as there always has been. I am comfortable passing the preliminary budget tonight. Do we want to make the recommendation, start the increase in the water and sewer rates, and have the City Attorney draft an ordinance for each of those?

Council Member Retterath asked if it is going to stay at 5,000 gallons.

Acting City Manager Clark stated the proposal that came from the consultant was to reduce it to 4,000.

Mayor Nelson stated that the consultants recommend reducing the base from 5,000 gallons to 4,000.

Council Member Retterath stated he would personally like to leave it at 5,000 gallons.

Council Member Gee stated he would like to leave it at 5,000 gallons.

Council Member Koentopp stated she agreed with leaving it at 5,000 gallons.

Council Member Criner stated he would like to leave it at 5,000 gallons for now and look at it again next year.

Council Member Youngberg stated that the only thing that we would gain by moving it down is that a larger portion of your overall cost would be borne by the people who use more than the minimum amount of water. If you lower the base to 4,000 gallons, people might stop watering their lawn or stop doing things they traditionally do. We pride ourselves on having some nice neighborhoods I am in favor of keeping at 5,000 gallons.

Council Member Retterath stated that no one wants to increase rates or taxes but this has to be done to keep up. It should have been done a few years ago and now we are behind.

Council Member Youngberg stated if you recall Former City Manager Menicucci came to us the last three years. The rates were raised in 2011, but just enough to cover expenses then. Former City Manager Menicucci said we were going to have to increase the rates again because we cannot operate at a deficit and keep spending our reserves.

Council Member Retterath stated he would vote in favor of the increase.

Council Member Criner stated that beside the increase in rates, looking at more cuts Streamline costs \$5,000, and we could choose to cut that. A large group from River Rock and Landmark do not pay and they use the service from Belgrade to ride into Bozeman.

Council Member Koentopp stated that is a good point, but the County does pay.

Acting City Manager Clark stated that he and the Mayor were at a meeting last March. The County Commissioners were not in favor of donating much. We discussed the fact that most

people riding from Belgrade come out of River Rock and it did not seem to matter. They are not going to increase theirs any.

Council Member Youngberg stated some of the people that ride Streamline do not have many options. At this time, I would not be in favor of cutting that.

Council Member Criner stated I would like to see what the County residents pay. From what I understand MSU, Bozeman, Livingston, and Belgrade pay most of the costs.

Acting City Manager Clark stated at the meeting I asked if there were a demographic split and told they had never been asked that question. We do not know how many riders are City, how many are County.

Council Member Criner stated I would not cut it, I think that it is a great service right now, we pay for Streamline service as residents of the City of Belgrade, nonresidents who use it do not pay.

Council Member Youngberg stated that we are \$150,000 below where we need to be on the general fund for our cash reserve. I do not know if it makes much difference in the final budget whether it is \$150,000 or \$145,000, we still have to service our folks. We are going to get a comment on our audit most likely anyway.

Council Member Criner asked if the Council is comfortable with the \$150,000 for this year.

Mayor Nelson stated we are researching to see if we can use the sidewalk fund. We have batted around a couple other ideas and we will bring those next time after further research before the final budget.

Council Member salaries add up to \$8,000 total per year. That is part of the Charter. We are researching ways that we can waive the salary if this group would want to. We will report at the next meeting if something can be done related to that.

Council Member Youngberg stated that all of this is going to be internal shuffling of funds. We can heal that up a little bit.

Mayor Nelson stated the best-case scenario discussed is that \$145,000 deficit can be reduced to about \$103,000 if we made the three changes. That is the best we can do without looking at anything else.

Council Member Criner stated that it would be better to wait for a new City Manager for any long term planning.

Council Member Gee stated that the changes we are going to adopt drop the deficit from \$150,000 to \$108,000. Will we have added income next year?

Council Member Youngberg stated we should have more income next year.

Council Member Gee asked if that number would start to shrink going forward.

Mayor Nelson stated if the amount does not shrink at a pace deemed fast enough then that is something that we would need to study over the next year or two.

Council Member Youngberg stated that is a challenge the new City Manager would want to take part in.

Council Member Youngberg motioned to approve the preliminary budget for fiscal year 2013-2014 and set a public hearing for September 3, 2013. Council Member Retterath seconded the motion. All voted aye, motion carried unanimously.

**CONTINUATION OF DISCUSSION REGARDING WATER AND SEWER RATES FROM AUGUST 12, 2013** - Council Member Youngberg stated I do not think that anyone wants to raise rates, but we also want to be able to turn on the water and have water come out flush the toilet and have it go away.

Council Member Criner stated those are the two most important reasons why you have a city.

Council Member Koentopp stated that we would have to give this to the City Attorney to draw up and have a public hearing.

Council Member Youngberg stated that the City Attorney will draft an ordinance and we will have a public hearing. We are 60 days out at least.

Council Member Retterath motioned to increase the water rates by 15% an increase of \$2.37 and increase the sewer rates by 25% which is \$4.99 so that would give a new proposed rate of \$43.12. The current rate is \$35.76. Council Member Gee seconded the motion. All voted aye, motion carried unanimously.

#### **CONSENT AGENDA**

**APPROVE WARRANTS PAYABLE FOR JULY 2013** – Council Member Retterath made a motion to approve the warrants payable for July 2013. Council Member Koentopp seconded the motion. All voted aye, motion carried unanimously.

#### **FOR YOUR INFORMATION**

Council Member Youngberg stated we are working on the dog ordinance as a whole. Acting City Manager Clark stated he is meeting with Darci Halpin tomorrow in reference to the specific complaints they have. I will go over that with Community Service Officer Lehman and square that away.

Council Member Youngberg stated I would like to see if we could address their problem.

Council Member Koentopp stated I am sure it is not the only spot in town.

Council Member Youngberg stated that is not the only trouble spot in town, I think someone has complained about my dogs.

Acting City Manager Clark stated he would find out what Community Service Officer Lehman told them and see if we can get it worked out. I did not know about her complaint until she stopped me in the hallway tonight and told me about it. We will see if we can fix it tomorrow.

Council Member Koentopp asked if the offending dog owner could come before the court and state their dog is not barking.

Acting City Manager Clark stated you must have cause to give someone a citation before going to court. They can come in and plead not guilty. We would then have a hearing at their choice of either a Judge or Jury. They would have to go through the standard process.

Council Member Criner had nothing to report.

Council Member Gee had nothing to report.

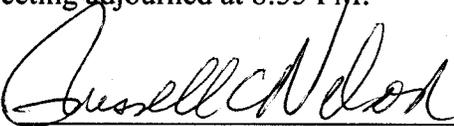
Council Member Retterath had nothing to report.

Council Member Koentopp had nothing to report.

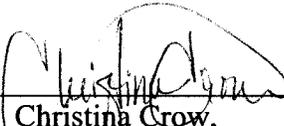
Acting City Manager Clark stated that Council Member Koentopp had asked for a walk-through of the house at 314 S Broadway. If any of you have time tonight or if you want to make future arrangements, I can take you down and show you the house. The Public Works crew has done a nice job inside. It is ready to rent out at this time.

#### ADJOURN

Council Member Gee made a motion to adjourn. Meeting adjourned at 8:55 PM.



Russell C. Nelson, Mayor



Christina Crow,  
Administrative Secretary