

AGENDA

*The City of Hardin
406 N. Cheyenne Avenue
Hardin, MT 59034*

March 19, 2024

PUBLIC HEARING: 6:20 p.m. - House Bill 355 Priority List Allocation

**MEETING CALLED TO ORDER AT 6:30 P.M.
PLEDGE OF ALLEGIANCE**

ROLL CALL: Mayor: _____

Alderspersons: Steven Hopes _____ Clayton Greer _____ Chris Sharpe _____
Rock Massine _____ Jeremy Krebs _____ Antonio Espinoza _____

CONSENT AGENDA:

Council Meeting 3/05/2024 Claims

PUBLIC COMMENT:

MAYOR:

COMMITTEE REPORTS:

- **Personnel Committee/City Policy:** Mayor
- **Sewer & Water:** Massine
- **Law Enforcement:** Hopes
- **Streets & Alleys:** Espinoza
- **Parks & Playgrounds:** Krebs
- **Finance/Landfill:** Greer
- **Resolutions and Ordinances:** Sharpe

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATION:

- Montana Department of Environmental Equality - Notice of Publication of Categorical Exclusion

UNFINISHED BUSINESS:

NEW BUSINESS:

- Barry Damschen Contract – Amendment NO. 27

STAFF REPORTS

- **Public Works:**
- **Finance:**
- **Police:**
- **Legal:**
- **Economic Development:**

RESOLUTIONS & ORDINANCES:

Resolution NO. 2363 – Recommending A Funding Priority List for State-Local Infrastructure Partnership Act to the Montana Department of Commerce – House Bill 355 Allocation

Ordinance NO. 2024-07: Second Reading - Authorize the Superintendent of Public Works to Classify Solid Waste Use for Residential Properties

ANNOUNCEMENTS:

Employee Anniversaries: Merle Johns, 7 years; Ross Miller, 5 years; Michael Stimpson 26 years; Dave Weer, 1 year

Invitation to Bid 2024 - All bids must be submitted by Thursday, March 28, 2024 at 3:00 p.m.

Alley Clean-up is scheduled for the week of April 1st. Please have items out early on Monday, April 1st

Weed Mowing Bids are due by 2:00 p.m. March 28, 2024

Sump Pump Reminder – April 1st to September 30th

Letters of Interest to serve on the Police Commission will be advertised April 4th and will be due by April 18, 2024

City of Hardin Job Openings: Full time positions: Police Officers, School Resource Officer, and Police Service Aide (PSA). Part-Time position: Building Inspector/Code Enforcement Apprentice. Positions are open until filled.

Meeting adjourned at _____ P.M.

*Additions to the Agenda can be voted on by Council to add to the Agenda for the next Council meeting.
Agenda items will need to be submitted by Wednesday noon before a Tuesday Council meeting.*

MAYOR
Joe Purcell

POLICE CHIEF
Paul M. George Jr.



PUBLIC WORKS DIRECTOR
Michael Hurff Jr.

FINANCE OFFICER/CITY CLERK
Andrew Lehr

The City of Hardin is inviting you to a scheduled Zoom meeting.

Public Hearing & Council Meeting
of Tuesday, March 19, 2024

Held by virtual meeting and the Public is invited to attend in person.

Topic: City of Hardin Public Hearing & Council Meeting – 3/19/2024

Start Time: 6:20 p.m. Mountain Time

Public Hearing – 6:20 p.m.

Council Meeting – 6:30 p.m.

The meeting will open at 6:10 p.m.

If you will be logging into the Council meeting by:

Computer: Please identify yourself by submitting your first and last name by using the “Chat” function.

Phone: Please identify yourself by stating your First and Last Name.

City of Hardin is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/9897104479>

Meeting ID: 989 710 4479

One tap mobile

+17193594580,,9897104479# US

+12532050468,,9897104479# US

Dial by your location

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 444 9171 US

+1 669 900 9128 US (San Jose)

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 646 558 8656 US (New York)

+1 646 931 3860 US

+1 689 278 1000 US

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

Meeting ID: 989 710 4479

Find your local number: <https://us02web.zoom.us/j/9897104479>

RESOLUTION NO. 2363

A RESOLUTION OF THE CITY OF HARDIN, MONTANA RECOMMENDING A FUNDING PRIORITY LIST FOR STATE-LOCAL INFRASTRUCTURE PARTNERSHIP ACT TO THE MONTANA DEPARTMENT OF COMMERCE

WHEREAS, H.B. 355 created “The State-Local Infrastructure Partnership Act of 2023” (Ch. 771, 2023) (“the Act”);

WHEREAS, the Act created a state-funded program to fund the maintenance or repair of existing infrastructure on a partnership basis, with the city or town supplying a cash match;

WHEREAS, Section 5(2) of the Act requires the legislative body of the city or town to hold a public hearing and, based on the information received at the hearing, prepare and submit a recommendation for funding in priority order to the Montana Department of Commerce;

WHEREAS, a public hearing before the City Council of the City of Hardin was held on March 19, 2024 wherein the City Council considered the proposed projects for Act funding.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HARDIN, MONTANA:

SECTION 1. The City Council of the City of Hardin has identified the following infrastructure project(s) in priority order for Act funding:

1. Lining the interior of the City’s concrete water storage tank.
2. Purchase and installation of submersible mixers for the City’s two water storage tanks.

SECTION 2. The application for each project is attached to this resolution.

SECTION 3. This Resolution shall be submitted to the Montana Department of Commerce.

The City Council of the City of Hardin further resolves that officers and employees of the City shall have the authority to make any actions necessary to effectively execute this resolution, for the resolution to have full effect.

PASSED AND ADOPTED by the City Council of the City of Hardin, Montana, and APPROVED this _____ day of March, 2024.

YEA VOTES _____

NAY VOTES _____

CITY OF HARDIN

BY: _____
Mayor

ATTEST: _____
City Clerk

**STATE-LOCAL INFRASTRUCTURE PARTNERSHIP ACT
ENVIRONMENTAL REVIEW CATEGORIAL EXCLUSIONS**

Projects that are awarded SLIPA funds may be subject to the requirements of the Montana Environmental Policy Act ("MEPA"). All Grantees must complete and submit to Commerce the SLIPA Environmental Review Form and identify whether the proposed project meets the criteria for a categorical exclusion. Proposed projects that do not meet a categorical exclusion must complete additional environmental review as required by MEPA. Appropriate MEPA documentation must be submitted to Commerce to receive reimbursements.

MEPA specifies three different levels of environmental review, based on the significance of the potential impacts. The levels are: (1) exempt or excluded from MEPA review; (2) environmental assessment ("EA"), and (3) environmental impact statement ("EIS").

The Department's categorical exclusions are established by Admin. R. Mont. 8.2.328(2). The following actions relevant to SLIPA may meet the criteria for categorical exclusions and will not normally require preparation of either an environmental assessment or an environmental impact statement for submission to Commerce:

- (1) Projects that involve only minor repairs or rehabilitation to an existing facility, including functional replacement of an existing facility or facility components;
- (2) Projects where the footprint of the proposed structures, pipelines, or other infrastructure would be substantially unchanged from existing conditions, and there is no increase in the population served by the facility;
- (3) Projects relating to existing infrastructure systems such as sewer systems, drinking water supply systems, and stormwater systems, including combined sewer overflow systems that involve:
 - (i) minor upgrading;
 - (ii) minor expansion of system capacity;
 - (iii) rehabilitation (including functional replacement) of the existing system and system components. See Mont. Admin. R. 8.2.328(2).

Above projects are not eligible for a categorical exclusion for any of the reasons established by Admin. R. Mont. 8.2.328(3), including if:

1. The proposed project involves substantial public controversy over the project's potential effect on the quality of the human environment;
2. The proposed project might have a significant effect on the quality of the human environment;
or;
3. The proposed project might affect sensitive environmental or cultural resource areas or endangered or threatened species and their critical habitats. See A.R.M 8.2.328(3).

SLIPA participants must certify to the Department that their project(s) qualify for a categorical exclusion under MEPA. If they cannot do so, additional MEPA review may be necessary.

**STATE-LOCAL INFRASTRUCTURE PARTNERSHIP ACT
ENVIRONMENTAL REVIEW FORM**

NAME OF PROJECT:	Hardin Water Storage Tank Upgrades
PROPOSED ACTION:	Line Concrete tank and install submersible mixers
LOCATION:	Hardin (43700 US Hwy 87) _____, Montana

1. Is an Environmental Assessment or Environmental Impact Statement required?

- The above project and proposed action **does meet** the criteria for a categorical exclusion established by Admin. R. Mont. 8.2.328(2) and **does not require** an environmental assessment or an environmental impact statement.
- The above project and proposed action **does not meet** the criteria for a categorical exclusion established by Admin. R. Mont. 8.2.328(2) and **does require** an environmental assessment or an environmental impact statement.

2. Describe the reason project **does or does not** meet the criteria for a categorical exclusion.

This project does meet the criteria for a categorical exclusion due to the fact this project falls within ARM 8.2.328.2.c-e and 8.2.328.2.g(iii). There will be two submersible mixers installed, one in each of the water storage tanks. There will also be a new protective coating applied to the interior of the concrete tank. Due to the minor repairs and capital equipment installed, and that the project will remain within the existing footprint of the City's property and storage tanks, this project is considered to be a categorical exclusion.

3. Projects that **do not meet** the criteria for a categorical exclusion **must** complete and submit to Commerce the following:

- Environmental Assessment Checklist;
- Environmental Review Form;
- Documentation of public involvement opportunity; and
- Final Action taken by resolution or documented local decision.

Andrew Lehr
 Authorized Representative, Title _____
 City/Town _____

3-15-24
 Date

THE STATE-LOCAL INFRASTRUCTURE PARTNERSHIP ACT (HB 355) APPLICATION

Section I

1. **Project Name:** Hardin Water Tank Upgrades **Project Priority list #** 1
2. **Primary Contact:** Michael Hurff Jr Title: Public Works Director
Address: 406 N Cheyenne Ave City: Hardin Zip Code: 59034
Phone: 406-665-9260 E-mail: publicworks@hardinmt.com

The Primary Contact must submit a copy of their resume attesting to their qualifications and ability to manage the project.

3. Project Type: Must be for maintenance or repair of existing systems.

- | | |
|---|---|
| <input checked="" type="checkbox"/> Drinking Water | <input type="checkbox"/> Airport |
| <input type="checkbox"/> Wastewater Treatment | <input type="checkbox"/> Public ground |
| <input type="checkbox"/> Fire Suppression System
(Independent of drinking water) | <input type="checkbox"/> Public building |
| <input type="checkbox"/> Streets | <input type="checkbox"/> Existing water and
wastewater treatment
plans that are being
operated at 90% of design
capacity or greater |
| <input type="checkbox"/> Roads | <input type="checkbox"/> Other (please describe) |
| <input type="checkbox"/> Bridge | |
| <input type="checkbox"/> Landfill | |

4. Description of Prospective Project

i. Project summary and problems to be addressed (please provide narrative response):

The City of Hardin has two 500,000 gallon water tanks for storage of treated drinking water for the city residents. Both of these tanks are at approximately 43700 US Highway 87. This project will address issues that the City of Hardin is currently experiencing with both of these tanks. During the winter months water freezes at the top of the tanks in what is called an ice cap. This ice cap remains there through the winter months.

The second issue is with the concrete tank and that it has a slow leak. This tank needs to be relined to add a protective water-proof layer that will extend the useful life.

ii. Provide a narrative description for the need to undertake the repairs:

The mixers will continuously agitate the water to prevent the ice caps from forming in the water tanks. This will extend the water tanks useful lives. The mixers will also gas off disinfection byproducts. This will create better quality of water for the residents of Hardin.

The lining of the concrete tank will provide a protective layer on the inside of the water tank. Stahly Engineering conducted a site visit and investigation on 11/4/2020 of the water tanks. Their assessment listed moisture migration as an issue. The report stated efflorescence observed on the tank is a sign of water migration. The overall analysis stated that the majority of observed deterioration is attributed to freeze-thaw. Freeze-thaw occurs when water that has absorbed into the small pores of the concrete freezes and expands causing cracks to form. The lining will prevent absorption into the concrete so the water doesn't expand and degrade the structural integrity of the concrete. This will also help to extend the life of this water tank.

iii. Explanation as to why the proposed project is appropriate, cost-effective, and a long-term solution to the problem:

The City of Hardin believes this proposed project to be appropriate due to the continuing degradation of the concrete tank. This tank now has a small leak that was not present when Stahly completed their observation in November 2020. This is cause for concern for the City. Stahly noted this tank would last 5-10 years without any updates. This report was created approximately 3 years 4 months ago and the city would like to address this issue before the 5-year estimate. The City also believes this is the most cost effective. The water tank evaluation from Stahly noted that these repairs would extend the life of the tanks 20 years from the time of the report. The city believes this is more cost effective than constructing a new water tank. While there are hopes for future expansion of the city, there currently is no need to expand the water holding capacity. The city also believes this is a long-term solution. The estimate is the tanks useful life will extend 20 years, but it most likely will be longer when proper and timely maintenance is completed.

iv. List of tasks to be completed and repairs needed (please provide narrative response):

The tasks that will be completed through this program are the installation of mixers to agitate the water in the tanks. The second task will be to re-line the concrete tank. The city will prepare a formal bid process for the lining of the tank due to the projected cost of the project. Once the bids are received the city will choose the lowest responsible bidder and prepare an agreement with this contractor. The tank will have to be drained and the tank coated. This process is projected to happen in the fall or spring months when it is warm enough to still work on the tank, but not during the summer months when water needs are higher.

5. Non-Priority Project

Refer to Application Instructions

6. Required Documentation

Please submit the following documents as attachments at the end of the application, as required by Commerce and Section 6 of HB 355.

- I. Maps or Google Photos showing the Project;
- II. Cost Estimates;
- III. Time Schedule;
- IV. Local Cash Match Statement;
- V. Resume of Project Manager; and
- VI. Evidence of a Public Hearing.

Additional photos documenting problems/proposed solutions are recommended, but not required.

7. Attestation

The undersigned authorized representative hereby attests that the city or town: (a) solicited and accepted applications for eligible projects on or before December 31, 2023; (b) held a public hearing in compliance with HB 355, evidence of which has been submitted to Commerce; and (c) understands and agrees it must provide a minimum local cash match of 25% of the total project cost to receive funding.

Signature	Date	Printed Name and Title
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8. Certification to Submit:

The undersigned authorized representative hereby certifies that (a) the information set forth in this application is correct to the best of his/her knowledge; (b) s/he has received, read, and understood these guidelines and agrees to comply with all requirements imposed by HB 355; (c) the representatives of this proposal have authorized the submittal of this application; (d) s/he has the authority to act on behalf of the incorporated city or town on whose behalf s/he is submitting this application, and (e) agrees to comply with all applicable state or federal laws and statues associated with carrying out the project, including providing Commerce with all information required by HB 355, including the information required by Sections 10 and 12.

Signature	Date	Printed Name and Title
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PROJECT BUDGET

(Please modify the budget line items to best reflect specific project needs)

ADMINISTRATION	Source: SLIPA	Source: Local Cash Match	Source:	TOTAL
				\$0
				\$0
				\$0
				\$0
				\$0
				\$0
TOTAL ADMINISTRATION	\$0	\$0	\$0	\$0
CONSTRUCTION RELATED ACTIVITIES				
Tank Mixers	27,412.50	9,137.50		36,550
Lining of Concrete Tank	194,488.50	64,829.50		259,318
				\$0
				\$0
				\$0
				\$0
				\$0
TOTAL ACTIVITY	\$221,901.00	\$73,967.00		\$295,868.00
TOTAL PROJECT BUDGET	\$221,901.00	\$73,967.00		\$295,686.00

IMPLEMENTATION SCHEDULE

(Please modify the implementation schedule tasks to best reflect specific project needs)

Quarterly Progress reports must be submitted to Commerce

TASK (as applicable)	QUARTERS, 2024				QUARTERS, 2025			
	1st JFM	2nd AMJ	3rd JAS	4th OND	1st JFM	2nd AMJ	3rd JAS	4th OND
<u>START UP CONDITIONS</u>								
Completion of Section 12								
<u>PROJECT DESIGN</u>								
Commence Final Design		X						
Complete Project Design		X						
Submit Plans to DEQ		X						
Prepare Bid Documents		X						
Finalize Acquisition		X						
<u>PRE-CONSTRUCTION</u>								
Prepare Bid Documents		X						
Complete relevant funding agreements		X						
Public Bid Advertisement		X						
Open Bids & Examine Proposals		X						
Select Contractor & Award Bid		X						
Conduct Pre-Const. Conference			X					
Issue Notice to Proceed to Contractor			X					
<u>PROJECT CONSTRUCTION</u>								
Begin Construction				X				
Monitor Construction Work				X				
Hold Const. Progress Meetings				X				
Final Inspection				X				
<u>PROJECT CLOSE OUT</u>								
Project Completion Report						X		
Submit Final Certification						X		

**THE COMMON COUNCIL
CITY of HARDIN, MONTANA**

COUNCIL MEETING: The Regular Council Meeting for March 5, 2024 was called to order at 6:30 p.m. Mayor Joe Purcell presiding by reciting the Pledge of Allegiance.

The following Aldermen were present: Steven Hopes, Clayton Greer, Rock Massine, Chris Sharpe, Antonio Espinoza, and Jeremy Krebs. Chris Sharpe was present via Zoom.

Also present: Finance Officer/City Clerk Andrew Lehr, Public Works Director Michael Hurff, Jr., Deputy City Clerk Angela Zimmer, and Officer Timothy Smells

Also present physically and by virtual meeting: Members of the public

MINUTES OF THE PREVIOUS MEETINGS & CLAIMS: Greer made the motion to approve the Council minutes as written for February 20, 2024. Motion seconded by Hopes. On a voice vote the motion was unanimously approved.

Greer made a motion to approve the claims for March 5, 2024.

	CLAIM No.	Monthly Total
January, 2024	30751	\$ 80.61
February, 2024	30715-30731, 30734-30739, 30752-30757, 30760-30762	\$ 45,696.56
March, 2024	30695-30714, 30732-30733, 30750, 30758-30759	\$ <u>457,323.92</u>
Claims Total (Expenditures)		\$ 503,101.09
February Payroll		\$ 197,381.94
Total Submitted		\$ 700,483.03

Massine seconded. On a voice vote, the motion was unanimously approved.

PUBLIC COMMENT:

Jose Funke requested to go into an executive session after the Council meeting; he wants City Council to hear this. Mayor Purcell voiced he needs to address his concern to the Hardin Volunteer Fire Department (HVFD); Council has no authority over the fire department. He would need to address the volunteer fire department board.

MAYOR:

Mayor Purcell reported he will be representing Montana while attending the National Congressional Conference for the National League of Cities and Towns from Sunday, March 10th to Wednesday, March 13th in Washington, D.C. and Chief Paul George, Jr. and the new K-9 are attending training; Officer Smells has stepped into the Chiefs place while he is out.

Personnel Policy/City Policy:

Mayor Purcell reported he, Hurff, and Lehr will be reviewing the Personnel Policy Manual to update as needed.

Sewer & Water:

Law Enforcement:

Streets & Alleys:

Parks & Playgrounds:

Finance/Landfill:

Resolutions & Ordinances:

SPECIAL COMMITTEES:

PETITIONS & COMMUNICATIONS:

The City received information from Hardin Public Schools about Portrait of a Graduate.

UNFINISHED BUSINESS: N/A

NEW BUSINESS:

Mayor Purcell reported there will be a public hearing on Tuesday, March 19th at 6:20 p.m. for the House Bill 355 Allocation. Lehr reported the City of Hardin Allocation is \$281,820; the City is required to match twenty-five percent. The mixers were approved at the last meeting. The liner cost is just over two hundred and fifty-nine thousand dollars. The total with the mixers and liner will be just over two hundred and Ninety-five thousand dollars. The resolution for the HB 355 allocation to be used for the mixers and the lining for the concrete water tank will go before Council after the Public Hearing. Hopes motioned to approve the lining for the concrete water tank. Espinoza seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reported the City received one bid proposal, for the Wayfinding Grant RFP, from Interstate Engineering in the amount of \$39,930. Mayor Purcell noted He, Tina Toyne, and Lehr looked at adding two of the additional proposed options, the Mobile App & GIS Mapping and the City Branding, and discussed reducing the amount of the Public Involvement cost of \$14,370, in the original bid, as most of this can be done through the City. Greer motioned to approve the bid in the amount of up to \$40,000. Espinoza seconded. On a voice vote the motion was unanimously approved.

Lehr reported the Montana Main Street Grant in the amount of \$33,333 and \$6,600 received from Big Horn County will be used toward the Wayfinding Project. Lehr reviewed the Master Plan for Wayfinding and Signage submitted by Interstate Engineering. Lehr pointed out the benefits of moving forward with the two additional proposed options previously mentioned. Mayor Purcell reported that as the project moves forward, it will come before council again for approval. Massine motioned to accept the proposal. Krebs seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reviewed the amendment to the Ash Disposal Agreement with Rocky Mountain Power. The agreement would leave the monthly rate the same at \$20,000 and increase the amount from \$2.58 per ton to \$7.25 per ton. Massine motioned to approve the amendment. Greer seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell reviewed the Agreement for Reimbursement with Rocky Mountain Power for operation of the Street Lights on Sugar Factory Road. The City will pay the bill and then bill Rocky Mountain Power for reimbursement. Espinoza motioned to approve the agreement. Greer seconded. Rob Bryson recommended for the City to request for the fuses to be installed at the base of the poles; this will allow them to be accessed easier when they need to be replaced. On a voice vote the motion was unanimously approved.

Jose Funke, representing the owner of Alpine Meadows MHP, asked Council to table the request that was submitted for a reduction in the sewer portion of the bill. He noted they are working to figure out if the leak is underground. The letter of request was tabled.

Mayor Purcell reported adding residential to City Code 8-1-3 would give the superintendent the authority to determine garbage classifications for residential garbage. Espinoza provided a scenario and asked what if a resident refuses the additional can. Hurff voiced if there were complaints, a letter would be provided to the resident noting their pick-up days of the week, tips to break down boxes or recycle, etc. to see if those options help; the last resort would to add another can.

STAFF REPORTS:

Public Works:

Hurff reported he has received two different quotes, around \$130,000, to replace the lining in the concrete tank. Dax Simek, of Stahly Engineering, recommended ½” thick lining; there was a state inspection at the Landfill last week; the city crew is moving bio-solid dirt from the Wastewater Treatment Plant to the landfill; the city crew has been working in the parks as weather permits; and employees in the water and wastewater departments have been taking classes. Hurff reported he has been working on Entry Level Driver Training (ELDT) with the Federal Motor Carrier Safety Division to become certified as a designated trainer for entry level Commercial Driver Training. Hurff reported he is looking into having the city employees do the dirt work for the container site at the landfill. Mayor Purcell asked about the status of the sand shed. Hurff reported the concrete work is on schedule and the installation will follow, weather permitting.

Finance:

Lehr reviewed the Landfill Closure/ Post Closure Estimates, for the landfill that were submitted by Barry Damschen Consulting, LLC.

Lehr reviewed the Continuing Disclosures and Event Notice for the Tax Industrial Development Revenue Bonds (TIFD).

Lehr reported he, Hurff and Mayor Purcell will attend the Coal Board meeting on March 14th in Billings, MT for the Coal Board Application that was submitted for a new garbage truck. He will be attending water and sewer training in Great Falls during the March 19th Council meeting, adding he will be present by Zoom.

Police:

Officer Timothy Smells reviewed calls for service and provided a brief update on the status of candidates for police officer positions. There was further discussion about the graphics for the new police vehicles, vehicle tow contact rotations, the Police Service Aide (PSA) and the police K-9 that is currently attending training with Police Chief Paul George.

Legal:

Economic Development:

Toyne reported she continues to work with the housing development of the Western Motel property and the empty lot next to it and she met with RC&D to see how the Brownfields grant can help with the project; she and Joe Connelly have been working with the Montana Business Attraction Team, she has been developing and distributing a house survey; and she attended the Visit SEMT meeting at the battlefield and voiced there needs to be a great amount of effort done as the City for the 150th anniversary of the Little Big Horn Battle that will take place in June 2026. Toyne reported she has been supporting Lehr as he has composed the application for the Montana Community Reinvestment Plan Act (HB819) and also the RFP for the Wayfinding Planning Grant; she had a meeting about the CDBG grant that was awarded for a county wide housing needs assessment; and she received information from the Department of Commerce about a grant opportunity for small businesses in historic downtowns. Toyne announced that she is resigning from her position, she will remain in her position for four more months, and it has not yet been decided by the Commissioners if they will continue with the position.

RESOLUTIONS & ORDINANCES:

Resolution NO. 2360: Authorize Submission of a CDBG Grant Application to Fund a Comprehensive Economic Development Strategy Plan. Hopes motioned to approve the resolution. Greer seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2361: To Authorize the Sale of Surplus Property. Espinoza motioned to approve the resolution. Massine seconded. On a voice vote the motion was unanimously approved.

Resolution NO. 2362: Authorize Submission of an Application for USDA Rural Development Grant to Assist with the Purchase of Garbage Truck. Massine motioned to approve the resolution. Espinoza seconded. On a voice vote the motion was unanimously approved.

Ordinance NO. 2024-06: Second Reading - To Remove a Certain Type of Use for Areas Zoned as R2 General Residential District. Greer motioned to approve the second reading of the ordinance. Massine seconded. On a voice vote the motion was unanimously approved.

Mayor Purcell announced the ordinance will go into effect thirty days from the second reading.

Ordinance NO. 2024-07: Authorize the Superintendent of Public Works to Classify Solid Waste Use for Residential Properties. Massine motioned to approve the first reading of the ordinance. Hopes seconded. On a voice vote the motion was unanimously approved.

ANNOUNCEMENTS:

Mayor Purcell announced a Public Hearing for House Bill 355 is scheduled for Tuesday, March 19, 2024 at 6:20 p.m. at City Council Chambers; the Invitation to Bid for surplus property will be advertised and the bids must be submitted by Thursday, March 28, 2024 by 3:00 p.m.; and the City of Hardin has the following Job Openings: Full time positions: Police Officers, School Resource and Police Service Aide (PSA). Part-Time position: Building Inspector/Code Enforcement Apprentice. Positions are open until filled.

Greer motioned to adjourn the meeting at 7:51 p.m. Krebs seconded. On a voice vote the motion was unanimously approved.

Joe Purcell, Mayor

ATTEST:

Andrew Lehr, Finance Officer/City Clerk

City of Hardin

Submitted for Approval

March 19, 2024

Month	CLAIM No.	Monthly Total
January, 2024	30776	\$ 2,786.40
February, 2024	30763-30772, 30774-30775, 30781-30793, 30795-30796	111,694.57
March, 2024	30773, 30777-30780, 30794, 30797-30799	51,980.53
TOTAL Submitted		\$ 166,461.50

**Claims or Expenditures over \$5,000
per Resolution #2189**

Vendor	Purpose	Check #	Amount
FIRST INTERSTATE BANK WM	Annual financial assurance for LF Closure	40128	45,600.18
STAHLY ENGINEERING & ASSOCIATES INC	Railway survey, storm water review	40138	7,523.00
STAHLY ENGINEERING & ASSOCIATES INC	Phase II Wastewater Upgrade Project Eng.	40139	70,156.19
EXEMPT from Resolution 2189:			
NORTHWESTERN ENERGY	Electric Utilities	40132	17,655.39

CITY OF HARDIN
Claims Report

For the Accounting Period: January, 2024

Vendor	Claim #	Check	Amount
MORRISON-MAIERLE	CL 30776	40126	2,786.40

CITY OF HARDIN

Claims Report

For the Accounting Period: February, 2024

Vendor	Claim #	Check	Amount
JOE PURCELL	CL 30763	40119	326.96
360° OFFICE SOLUTIONS INC	CL 30764	40112	668.78
BIG SKY EXPRESS WASH	CL 30765	40115	34.20
FERGUSON ENTERPRISES INC	CL 30766	40116	882.81
HARDIN DO IT BEST	CL 30767	40118	24.73
HARDIN AREA CHAMBER OF COMMERCE	CL 30768	40117	200.00
KOIS BROTHERS EQUIPMENT CO.	CL 30769	40120	1,376.00
NORTHWEST PIPE FITTINGS	CL 30770	40121	93.25
ST Vincent Occupational Healthcare	CL 30771	40122	90.00
APG YELLOWSTONE NEWS GROUP	CL 30772	40113	157.60
BIG HORN COUNTY ELECTRIC	CL 30774	40114	4,539.15
UTILITIES UNDERGROUND LOC. CTR.	CL 30775	40123	20.64
LEVEL 3 COMMUNICATIONS, LLC	CL 30781	40131	481.56
NORTHWESTERN ENERGY	CL 30782	40132	17,655.39
VERIZON WIRELESS	CL 30783	-99727	569.10
BIG HORN HOSPITAL ASSOCIATION	CL 30784	40133	110.00
BIG SKY FIRE EQUIPMENT	CL 30785	40134	750.58
BILLINGS PETERBILT/JACKSON GROUP	CL 30786	40135	373.74
DIS TECHNOLOGIES	CL 30787	40136	993.55
NSI SOLUTIONS INC	CL 30788	-99726	180.00
TOWN & COUNTRY SUPPLY ASSN	CL 30789	40137	20.00
STAHLY ENGINEERING & ASSOCIATES INC	CL 30790	40138	7,523.00
STAHLY ENGINEERING & ASSOCIATES INC	CL 30791	40139	70,156.19
STAHLY ENGINEERING & ASSOCIATES INC	CL 30792	40140	2,567.50
THE ORIGINAL BRIEFS	CL 30793	40141	366.40
CENTRAL SERVICES DIVISION	CL 30795	40143	1,518.44
JERRICKA HILSTON	CL 30796	40144	15.00
			111,694.57

CITY OF HARDIN

Claims Report

For the Accounting Period: March, 2024

Vendor	Claim #	Check	Amount
VECTOR SOLUTIONS	CL 30773	40124	1,314.35
IN CONTROL, INC	CL 30777	40127	2,494.00
FIRST INTERSTATE BANK WM	CL 30778	40128	45,600.18
BIG SKY FIRE EQUIPMENT	CL 30779	40129	73.00
inCONTACT INC	CL 30780	40130	629.11
SAFEGUARD BUSINESS SYSTEMS INC	CL 30794	40142	1,671.89
TREVOR LAUTT	CL 30797	40145	66.00
STEFFEN PETERS	CL 30798	40146	66.00
ANDREW LEHR	CL 30799	40147	66.00
			51,980.53

CITY OF HARDIN

Check Report

3/19/2024

Vendor	Claim #	Check	Amount
360° OFFICE SOLUTIONS INC	CL 30764	40112	668.78
APG YELLOWSTONE NEWS GROUP	CL 30772	40113	157.60
BIG HORN COUNTY ELECTRIC	CL 30774	40114	4,539.15
BIG SKY EXPRESS WASH	CL 30765	40115	34.20
FERGUSON ENTERPRISES INC	CL 30766	40116	882.81
HARDIN AREA CHAMBER OF COMMERCE	CL 30768	40117	200.00
HARDIN DO IT BEST	CL 30767	40118	24.73
JOE PURCELL	CL 30763	40119	326.96
KOIS BROTHERS EQUIPMENT CO.	CL 30769	40120	1,376.00
NORTHWEST PIPE FITTINGS	CL 30770	40121	93.25
ST Vincent Occupational Healthcare	CL 30771	40122	90.00
UTILITIES UNDERGROUND LOC. CTR.	CL 30775	40123	20.64
VECTOR SOLUTIONS	CL 30773	40124	1,314.35
MORRISON-MAIERLE	CL 30776	40126	2,786.40
IN CONTROL, INC	CL 30777	40127	2,494.00
FIRST INTERSTATE BANK WM	CL 30778	40128	45,600.18
BIG SKY FIRE EQUIPMENT	CL 30779	40129	73.00
inCONTACT INC	CL 30780	40130	629.11
LEVEL 3 COMMUNICATIONS, LLC	CL 30781	40131	481.56
NORTHWESTERN ENERGY	CL 30782	40132	17,655.39
BIG HORN HOSPITAL ASSOCIATION	CL 30784	40133	110.00
BIG SKY FIRE EQUIPMENT	CL 30785	40134	750.58
BILLINGS PETERBILT/JACKSON GROUP	CL 30786	40135	373.74
DIS TECHNOLOGIES	CL 30787	40136	993.55
TOWN & COUNTRY SUPPLY ASSN	CL 30789	40137	20.00
STAHLY ENGINEERING & ASSOCIATES INC	CL 30790	40138	7,523.00
STAHLY ENGINEERING & ASSOCIATES INC	CL 30791	40139	70,156.19
STAHLY ENGINEERING & ASSOCIATES INC	CL 30792	40140	2,567.50
THE ORIGINAL BRIEFS	CL 30793	40141	366.40
SAFEGUARD BUSINESS SYSTEMS INC	CL 30794	40142	1,671.89
CENTRAL SERVICES DIVISION	CL 30795	40143	1,518.44
JERRICKA HILSTON	CL 30796	40144	15.00
TREVOR LAUTT	CL 30797	40145	66.00
STEFFEN PETERS	CL 30798	40146	66.00
ANDREW LEHR	CL 30799	40147	66.00
NSI SOLUTIONS INC	CL 30788	-99726	180.00
VERIZON WIRELESS	CL 30783	-99727	569.10

166,461.50



NOTICE OF PUBLICATION OF CATEGORICAL EXCLUSION
CITY OF HARDIN, MONTANA
WPCSRF #: C301316
Hardin Wastewater Improvements, Phases 2 & 3
February 6, 2024

Through a 2020 City of Hardin Wastewater Upgrades Preliminary Engineering Report (PER) and a 2023 Update, the city's wastewater treatment plant (WWTP) was evaluated to determine its adequacy for current and future conditions. The current WWTP was built in 1978 and has not had significant upgrades, outside of headworks and ultraviolet (UV) disinfection projects, since that time. The wastewater treatment process consists of screening, an oxidation ditch, final clarification, disinfection, and discharge to the Bighorn River under a National Pollutant Discharge Elimination System (NPDES) permit. Many of the components in the unit processes have reached the end of their useful life or lack redundancy.

The proposed improvements include a new backup generator; replacement of the headworks building, including new screening and grit removal equipment; a second UV train; a new laboratory area; a third secondary clarifier; rehabilitation of the aerobic digester, upgrades to the oxidation ditch; and comprehensive WWTP control and Supervisory Control and Data Acquisition (SCADA) systems. These proposed improvements will extend the life of Hardin's WWTP and support reliable wastewater treatment to meet NPDES permit limits, thereby protecting state waters and public health.

Pursuant to ARM 17.40.318, the Department has concluded that the proposed project meets the Categorical Exclusion criteria of the National Environmental Policy Act (NEPA) and the Montana Environmental Policy Act (MEPA). The Categorical Exclusion may be revoked if the project is not initiated within the time period specified in the facility plan, a new or modified application is submitted, new evidence demonstrates serious local or environmental issues exist, or state, local, tribal, or federal laws are violated.

DEQ is aware of the district court opinion in *Held v. State*, ruling the statutory prohibition on including greenhouse gas analyses in MEPA reviews unconstitutional. DEQ continues to actively review options for a thoughtful, defensible disclosure of greenhouse gas data and analysis for the wide variety of projects the Agency reviews.

The documentation for the Categorical Exclusion is available for public review at the following locations and online at <http://deq.mt.gov/public/water-public>:

Department of Environmental Quality
State Revolving Fund Loan Program
1520 East Sixth Avenue
Helena, MT 59601

City of Hardin
406 N Cheyenne Avenue
Hardin, MT 59034

Sincerely,



Michael Abrahamson, PE
Section Supervisor
Water Pollution Control State Revolving Fund Program
Engineering Bureau, Water Quality Division
Montana Department of Environmental Quality

AMENDMENT NO. 27

**CITY OF HARDIN LANDFILL
ENGINEERING CONSULTING SERVICES**

The Original Consultant Agreement for Professional Services ("Agreement") between the City of Hardin, ("Owner") and Barry Damschen Consulting, LLC ("Consultant") for the period of January 1, 2003 through December 31, 2003 shall be amended to provide the same consulting services for the period of January 1, 2024 through December 31, 2024.

FEE

The Consultant shall conduct the work for the Lump Sum Fee of \$7,000.00. The Consultant shall invoice the Owner one fourth of the total fee on a quarterly basis.

This Owner and Consultant hereby agree to this Amendment.

City of Hardin, Montana

Barry Damschen Consulting, LLC

Mayor



Barry E. Damschen, P.E.
Owner

Attest

3-11-24

Date

Date

ORDINANCE NO. 2024-07

**AN ORDINANCE AMENDING HARDIN CITY CODE
TO AUTHORIZE THE SUPERINTENDENT OF PUBLIC WORKS TO
CLASSIFY SOLID WASTE USE FOR RESIDENTIAL PROPERTIES**

WHEREAS, the City Council (hereinafter "Council") of the City of Hardin (hereinafter "City") desires to modify and change the City Code of Hardin, Montana to authorize the Superintendent of Public Works to determine the amount of solid waste services provided for residential properties;

WHEREAS, the City Code of Hardin currently allows the Superintendent of Public Works to make such determinations for business, commercial, educational, and other institutions, and the Council desires to extend the authority for residential properties.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF HARDIN, MONTANA, Title 8, Chapter 1, Section 3 is amended by the insertion of language (underlined), as follows:

8-1-3: SUPERINTENDENT OF PUBLIC WORKS TO DETERMINE USER CLASSIFICATION: The Operations Director shall determine the average volume of garbage and rubbish produced, the amount of service provided and degree of use for all residential, business, commercial, educational and other institutions, and shall recommend to the City Council the proper classification of such users.

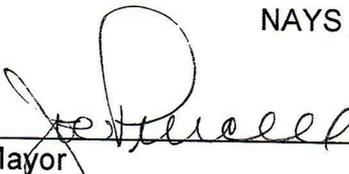
DATE OF EFFECT.

The amendment to this ordinance shall take effect and be in force thirty (30) days from the date of its second reading and passage by the City Council as required by law.

FIRST READING AND PASSAGE By a majority vote of the members present this 5th day of March, 2024.

YEAS 6

NAYS 0



Mayor

ATTEST:



City Clerk



POSTED AND MADE AVAILABLE TO THE PUBLIC this 6th day of
March, 2024.

Andrew Leh
City Clerk

SECOND READING AND PASSAGE By a majority vote of the members
present this _____ day of _____, 2024.

YEAS _____

NAYS _____

Mayor

ATTEST:

City Clerk

City Of Hardin Invitation to Bid

The City of Hardin Public Works Department is soliciting sealed offers from interested parties for sale of the following items:

<u>BID AMOUNT</u>	<u>ITEM</u>
.Bid Item 01 \$ _____	Sentry Fire Safe
.Bid Item 02 \$ _____	1997 F250 Ford Manual 4x4
.Bid Item 03 \$ _____	Ford Tractor 3 Point PTO - Year Unknown
.Bid Item 04 \$ _____	1992 Chevrolet 1-Ton 2x4 Flatbed Automatic
.Bid Item 05 \$ _____	500 Gallon Shop Air Compressor Duel Motor
.Bid Item 06 \$ _____	12 Foot Utility Trailer
.Bid Item 07 \$ _____	Harbor Freight Ladder Rack
.Bid Item 08 \$ _____	8 foot Pick Up Box with Rear Bumper from 2016 Chevrolet
.Bid Item 09 \$ _____	5 th Wheel Hitch off 2016 Chevrolet Pickup
.Bid Item 10 \$ _____	1992 Diahatsu Van 4x4 Manual
.Bid Item 11 \$ _____	Fiberglass Utility Box 8 foot
.Bid Item 12 <u>A</u> \$ _____	<u>LOT A Water Pipes</u> 7 inch inside, 20 foot length, 45 total quantity
.Bid Item 12 <u>B</u> \$ _____	<u>LOT B Water Pipes</u> 15 inch inside, 20 foot length, 19 total quantity
.Bid Item 13 \$ _____	2021 Ford Explorer Rear Seats
.Bid Item 14 \$ _____	1982 E3500 16 Passenger Van Ford Custom Fire Bus 2x4
.Bid Item 15 \$ _____	Push Bumper off 2015 Ford Explorer
.Bid Item 16 \$ _____	1967 International Distributor Manual 2x4
.Bid Item 17 \$ _____	Pull Broom Standard Steel Works
.Bid Item 18 \$ _____	Layton Track Paver
.Bid Item 19 \$ _____	2023 Ford Interceptor Utility Rear Seats

Bids will be considered based on the highest offer. All bids must be sealed and shall be marked clearly on the outside of the envelope Invitation to Bid 2024 and the Bid Item Number for which piece of equipment which they are bidding. Include your Name, Address, and Telephone number. All proposals must be signed. The City of Hardin, Montana implies no warranties or equipment condition. Equipment is sold as it is, where it is, and it is the responsibility of the purchaser to know the condition of the equipment before purchase. Transportation of the equipment to the purchaser's facility is the responsibility of the purchaser.

This equipment is available for inspection. To schedule an appointment call Michael Hurff, Public Works Director, at (406) 665-9260 or Randy Melville, Mechanic, at (406) 665-9262. Pictures of the equipment are available to view at City Hall, 406 N. Cheyenne Ave. Hardin, Montana and on the City website hardinmt.com/Notices.html.

Sealed offers must be received at the office of the City of Hardin City Clerk, 406 N. Cheyenne Ave., Hardin, Montana, 59034, by 3:00 p.m. local time on, Thursday, March 28, 2024. Offers will be publicly opened and read aloud on, Thursday, March 28, 2024 at 3:00 p.m. local time in the City of Hardin Council Chambers, located at 401 N. Cheyenne Ave, Hardin, Montana, 59034.

The City of Hardin reserves the right to reject any or all offers, to waive irregularities, or to accept any offer deemed to be in the best interest of the City of Hardin. All won items must be removed within 30 days or will be forfeited with no refund of Payment.

Dated this 6th Day of March, 2024


Andrew Lehr, Finance Officer/City Clerk

MAYOR
Joe Purcell

POLICE CHIEF
Paul M. George Jr.

The City of
HARDIN
Montana

PUBLIC WORKS DIRECTOR
Michael Hurff Jr.

FINANCE OFFICER/CITY CLERK
Andrew Lehr



Alley Clean-up

April 1st – April 5th

**Please have items out early
Monday, April 1st**

**City will be picking up items that are placed in the alley away
from trash cans, not obstructing entry way through alley.**

~Branches need to be less than 8 feet~

(NO tires. NO appliances that contain Freon.)

The City of Hardin would like to take this opportunity during the alley clean-up to remind residents of the refuse ordinances 08-1-12 thru 08-1-20: 08-1-12: Removal of Bulky Items not Required, 08-1-13: Certain Matter Not to be Placed in Receptacles, 08-1-14: Unauthorized Use of Receptacles Prohibited, 08-1-17: Parking Interfering with Containers Prohibited, 08-1-18: Damaging Containers Prohibited, 08-1-19: Doors and Lids to be Kept Closed.

Thank you for allowing us the opportunity to serve the citizens of Hardin. Please follow us on the website, www.hardinmt.com/Notices.html, for extended details of the ordinances. Please contact us by phone, email, or simply stop by and let us know how we can improve our services.

City Hall at 665-9292

City of Hardin 406 N Cheyenne Hardin MT 59034 Phone (406) 665-9292 Fax (406) 665-2719

MAYOR
Joe Purcell

POLICE CHIEF
Paul M. George Jr.



PUBLIC WORKS DIRECTOR
Michael Hurff Jr.

FINANCE OFFICER/CITY CLERK
Andrew Lehr

City of Hardin Public Notice

The City of Hardin will be soliciting bids for contractors or individuals to mow lots/parcels within the city limits of Hardin. The contract will run from May 1, 2024 to October 31, 2024. Bids must include prices for large parcels, small parcels, branches, and miscellaneous clean up. Picture taking, the compilation of information, and job coordination with the city code enforcer is required. Individuals or contractors applying need to have their own tools and equipment as well as liability insurance. A list of equipment must be provided. Sealed bids need to be clearly marked on the outside of the envelope – **2024 Weed Mowing Bids** and should be received no later than 2:00 p.m. on March 28, 2024 at City Hall at 406 N. Cheyenne Avenue, Hardin, MT 59034, at which time the bids will be publicly opened at City Council Chambers located at 401 N. Cheyenne Avenue, Hardin, MT. For more details call 665-9292.

MAYOR
Joe Purcell

POLICE CHIEF
Paul M. George Jr.



PUBLIC WORKS DIRECTOR
Michael Hurff Jr.

FINANCE OFFICER/CITY CLERK
Andrew Lehr

REMINDER TO THE PUBLIC

APRIL - SEPTEMBER

ALL Sump Pumps **MUST** Discharge water outside and **NOT** into the Sanitary Sewer to redirect the drainage of surface runoff or ground water from the public sanitary sewer. Your compliance will help reduce sewage flows at City lift stations and at the Waste Water Treatment Plant.

The SUMP PUMP ORDINANCE requires that an approved system must be in place or a **monthly fee** will be added to the owners' sewer bill for six consecutive months, beginning in April of each year or until an approved discharge system is in place.

Certificates of Sump Pump Inspection are available at www.hardinmt.com/Notices.html or City Hall. For more information call 665-9292