



CITY OF MILES CITY

Regular Council Meeting Minutes

September 23, 2025 at 6:00 PM

City Council Chambers and online at zoom.us

Zoom ID: 4062343462 | Passcode: 59301

PRESENT

Committee Member Don Simpson
Committee Member Ed Pulecio
Mayor Dwayne Andrews
Committee Member Brant Kassner
Committee Member Sherwood McKay
Committee Member Dan Scott
Committee Member Brooke Bartholomew

ALSO PRESENT:

Interim Fire Chief Ed Kanduch, Public Utilities Director Tom Speelmon, Public Works Director Samantha Malenovsky, Building Inspector Gabe Martinsen, City Attorney Dan Rice, Human Resource Officer Mara Lovett and via zoom Police Chief Doug Colombik, City Planener Joel Nelson, Minute Recorder/Deputy Clerk Tamara Ellsworth.

CALL TO ORDER

1. REQUEST OF CITIZENS AND PUBLIC COMMENT

- A. SHARON MOORE WITH THE NON-PROFIT CONVENT KEEPERS IS ASKING HAYNES ENTERPRISE TO SPEAK ON HER BEHALF IN REGARDS TO A CITY DONATION OF 1 YARD/TON OF ASPHALT AMOUNTING TO \$140 PER TON/YARD.

2. APPROVAL OF CITY COUNCIL/COMMITTEE MINUTES

- A. APPROVE HR COMMITTEE MINUTES FOR 0908 2025 MEETING

Motion made by Committee Member Kassner, Seconded by Committee Member Scott.
Voting Yea: Committee Member Simpson, Committee Member Pulecio, Committee Member Kassner, Committee Member McKay, Committee Member Scott, Committee Member Bartholomew

- B. Approve the Regular Council Meeting Minutes 2025 0909

Motion made by Committee Member Pulecio, Seconded by Committee Member Kassner.
Voting Yea: Committee Member Simpson, Committee Member Pulecio, Committee Member Kassner, Committee Member McKay, Committee Member Scott, Committee Member Bartholomew

- C. Regular Council Minutes 2024 0312

Motion made by Committee Member Bartholomew, Seconded by Committee Member Simpson.

Voting Yea: Committee Member Simpson, Committee Member Pulecio, Committee Member Kassner, Committee Member McKay, Committee Member Scott, Committee Member Bartholomew

D. Regular City Council Minutes 2025 0409

Motion made by Committee Member Pulecio, Seconded by Committee Member Simpson.
Voting Yea: Committee Member Simpson, Committee Member Pulecio, Committee Member Kassner, Committee Member McKay, Committee Member Scott, Committee Member Bartholomew

3. STAFF REPORTS & OTHER COMMITTEE MINUTES

A. HEALTH BOARD MINUTES 2025 0609

B. AIRPORT BOARD MINUTES 2025 0811

C. MCPD September 2025 staff report

4. CITY COUNCIL COMMENTS

Councilmember McKay gave an overview of the informal Parks meeting that took place earlier that day, explained that Kelsey Merritt had produced a vision plan to show what the Parks District could look like in year 2030. He gave an update on the numbers for the survey of residents that are for or against the Parks District and as of right now it is looking like 80/20. Councilperson McKay asked the City Attorney to make a comment on the meeting.

City Attorney Rice upon Councilmember McKay's request explained the process of getting a Parks District started through a resolution which is the administrative route and the county doesn't seem open to that, he also reported that if a Parks District is created that the Parks would still be maintained by City employees and not replaced and gave an example of the Airport being a County/City and yet maintained by city employees.

Councilmember Pulecio stated that he is not receiving emails in regards to other committee/board assignments, Deputy clerk/minute recorder Ellsworth made note and will get his email out to those boards.

5. MAYOR COMMENTS

6. COMMITTEE RECOMMENDATIONS

PUBLIC HEARING

A. ORDINANCE NO. 1398 - AN ORDINANCE ADOPTED PURSUANT TO THE MONTANA INTERIM ZONING STATUTE CONTAINED IN SECTION 76-2-306, MCA, ADOPTING AN INTERIM ZONING ORDINANCE PERTAINING TO THE APPLICATION OF MUNICIPAL ZONING DISTRICTS AND THE ZONING CODE TO THE LAST CHANCE SUBDIVISION AFTER ANNEXATION INTO THE CITY OF MILES CITY, MONTANA.

Mayor Andrews called for proponents 3 times and opponents 3 times, upon hearing none the public hearing was closed.

7. NEW BUSINESS

A. APPROVE RESOLUTION NO. 4643 - A RESOLUTION REVISING THE CITY OF MILES CITY PERSONNEL POLICIES REGARDING PROBATIONARY & TRIAL PERIOD (Human Resources Committee recommends)

Motion made by Committee Member McKay, Seconded by Committee Member Kassner.
Voting Yea: Committee Member Simpson, Committee Member Pulecio, Committee Member

Kassner, Committee Member McKay, Committee Member Scott, Committee Member Bartholomew

- B. APPROVE RESOLUTION NO. 4644 - (first reading) A RESOLUTION TO ADOPT THE PUBLIC RECORDS REQUEST POLICY FOR THE CITY OF MILES CITY

Motion made by Committee Member Kassner, Seconded by Committee Member Pulecio.
Voting Yea: Committee Member Simpson, Committee Member Pulecio, Committee Member Kassner, Committee Member McKay, Committee Member Scott, Committee Member Bartholomew

- C. APPROVE RESOLUTION NO. 4645 - A RESOLUTION AUTHORIZING THE CITY OF MILES CITY TO ENTER INTO AN INTERLOCAL AGREEMENT WITH CUSTER COUNTY FOR FISCAL YEAR 2024-2025 THROUGH 2028-2029.

Motion made by Committee Member Kassner, Seconded by Committee Member McKay.
Voting Yea: Committee Member Simpson, Committee Member Pulecio, Committee Member Kassner, Committee Member McKay, Committee Member Scott, Committee Member Bartholomew

- D. RESOLUTION NO. 4646 - A RESOLUTION ELECTING TO OPERATE UNDER THE ALL-PURPOSE MILL LEVY AND FIXING THE TAX LEVY FOR THE GENERAL FUND, AMBULANCE FUND AND AIRPORT FUND TO BE LEVIED AND ASSESSED ON ALL THE TAXABLE PROPERTY IN THE CITY OF MILES CITY FOR FISCAL YEAR 2025-2026.

Motion made by Committee Member Kassner, Seconded by Committee Member Simpson.
Voting Yea: Committee Member Simpson, Committee Member Pulecio, Committee Member Kassner, Committee Member McKay, Committee Member Scott, Committee Member Bartholomew

- E. RR DEPOT MINOR SUBDIVISION FINAL PLAT/APPLICATION (see staff report and attachments):

1. APPROVE OR DENY WAIVER REQUEST PERTAINING TO THE MILES CITY SUBDIVISION REGULATIONS' REQUIREMENT THAT CONSENT TO PLAT DOCUMENTS FROM LIENHOLDERS ARE TO BE DATED NO OLDER THAN 30 CALENDAR DAYS PRIOR TO THE DATE OF SUBMITTAL.

2. APPROVE OR DENY THE FINAL PLAT AND APPLICATION (the review deadline is September 26, 2025)

Motion made by Committee Member Kassner, Seconded by Committee Member Pulecio, to approve the waiver request pertaining to the Miles City subdivision regulations requirement date of submittal.

City Planner Nelson explained that this item is just waiving the timeline of 30 days due to projects and communications will sometimes take longer than 30 days and the submittal then would not be accepted, this will allow for a longer submittal duration time.

Voting Yea: Committee Member Simpson, Committee Member Pulecio, Committee Member Kassner, Committee Member McKay, Committee Member Scott, Committee Member Bartholomew

Motion made by Committee Member Kassner, Seconded by Committee Member Simpson to approve the final plat and application.

City Planner Nelson gave an overview of the plat, this is a one lot subdivision the old Rail Road Depot. BNSF and the Co-applicant have gone through the admin review and they have complied. The tract would be conveyed to the County, and the County would then convey it to the Fish, Wildlife and Parks.

Voting Yea: Committee Member Simpson, Committee Member Pulecio, Committee Member Kassner, Committee Member McKay, Committee Member Scott, Committee Member Bartholomew

- F. APPROVE ORDINANCE NO. 1398 - AN ORDINANCE ADOPTED PURSUANT TO THE MONTANA INTERIM ZONING STATUTE CONTAINED IN SECTION 76-2-306, MCA, ADOPTING AN INTERIM ZONING ORDINANCE PERTAINING TO THE APPLICATION OF MUNICIPAL ZONING DISTRICTS AND THE ZONING CODE TO THE LAST CHANCE SUBDIVISION AFTER ANNEXATION INTO THE CITY OF MILES CITY, MONTANA.

Motion made by Committee Member McKay, Seconded by Committee Member Kassner.

John Peila, Kinsey MT, commented that he hopes that the zoning stays close to what the county had. He is against the idea of allowing duplexes or apartment buildings in this subdivision as he has already sold to single family units who are not aware of this possibility. City Planner Nelson explained the different types of zoning and there is no district that leaves duplexes out. There are covenants that could be in place that would help. City Attorney Rice explained that this is just an interim zoning ordinance and there will be time to meet with the Planning board to rezone with residential commercial, he then asked John Peila to get in contact with him.

Voting Yea: Committee Member Simpson, Committee Member Pulecio, Committee Member Kassner, Committee Member McKay, Committee Member Scott, Committee Member Bartholomew

8. ADJOURNMENT

Public comment on any public matter that is not on the agenda of this meeting can be presented under Request of Citizens, provided it is within the jurisdiction of the City to address. Public comment will be entered into the minutes of this meeting. The Committee cannot take any action on a matter unless notice of the matter has been made on an agenda and an opportunity for public comment has been allowed on the matter. Public matter does not include contested cases and other adjudicative proceedings

Motion made by Committee Member Simpson, Seconded by Committee Member Pulecio.

Mayor Andrews adjourned the meeting at 6:55 pm.

Voting Yea: Committee Member Simpson, Committee Member Pulecio, Committee Member Kassner, Committee Member McKay, Committee Member Scott, Committee Member Bartholomew