MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF ROUNDUP HELD ON JANUARY 3, 2023 AT 7:00 P.M. IN THE CITY COUNCIL CHAMBERS AND GOTO MEETING.

The meeting was called to order by Mayor Jones. Clerk/Treasurer Lanter conducted roll call with council members, Liggett, Vivirito, Erickson, McCleary, Toombs and Fisher present. Also, present was Director Sibley and Assistant Clerk Mann. Attorney Brooks and Long were present by video. Absent was Carlson.

*MOVED BY ERICKSON, SECONDED BY VIVIRITO TO APPROVE THE MINUTES OF THE DECEMBER 20, 2022 MEETING. ALL IN FAVOR. MOTION CARRIED.*

*MOVED BY FISHER, SECONDED BY MCCLEARY TO APPROVE THE AGENDA, ADDING UPDATE ON LIGHTING COMPLAINT. ALL IN FAVOR. MOTION CARRIED.*

**Public Comment: John Perrella of Perrella Fireworks-**Collected signatures from residents before reading the draft on Fireworks Ordinance. Signatures collected was given to mayor Jones.

**Visitors: Levi Hershberger, Auctioneer-**Is an Auctioneer on the side. Was contacted by Tom Webber. Mayor Jones gave him a copy of the market analysis which was done by Ken Minnie. **Vivirito-** We need to be sure people bidding have the money in the bank before bidding. **Toombs-** When bidding, we had to prove funds by bringing minimum bid in cash. **Fisher-** Maybe a letter from the bank to prove they were approved. What is the fee for the auction? **Mr. Hershberger-**This will be my first real estate auction, past auctions were 10% of total auction. Would be happy with 3% of sale. **Liggett-**Who would do the advertising? **Attorney Brooks-** will collaborate with the Mayor and Mr. Hershberger and will do the advertising. Will also make a basic agreement with auctioneer. Mr. Hershberger gave mayor Jones a copy of his agreement, Mayor Jones will forward it to Attorney Brooks.

**Law Enforcement:** **Undersheriff Bednar-** Will email report.

**Mayor Jones:**

* **Lighting at the Park:** Talked with Mike Mihalovich of Electric Service Shop on the lighting at the park. Said he would get us the details within the next couple weeks and the work would be done before the end of summer.
* **CDBG (Community Development Block Grant):** We did not receive the funds for the update on growth policy. Will have a conference call, asked Jerry and Craig from Great West to be on that discussion. Would like Toombs to sit in on it.
* Salaries and Benefits will have a committee meeting January 17th @ 6:00pm.

**Attorney Brooks:**

* **KLE:** Letter ready to go to Insurance Company, will get it to the mayor tomorrow or Thursday. I think it’s wise to go down this path.
* **Code and Ordinance violations:** Finished agreement between County and City, County Attorney was good with helping.

**Correspondence: Clerk/Treasurer Lanter-** Received 3 comments by email on fireworks.

**Report out from Council Committee Meetings:**

* **Stockman Bar: Mayor Jones-**The motion from last meeting is vague, the council needs to be more specific on what they want. We will need an action item to reflect cost and who will cover expenses? **McCleary-** New property owner should. **Toombs-** The motion doesn’t say a minimum bid which is a concern. Split closing costs 50/50. **Fisher-** Good with 50/50 split, would like some kind of minimum and to refuse any bid. **Erickson**- 50/50 for closing costs, city should pay for auctioneer. No minimum bid. **Vivirito**-City pay for the auctioneer and would like a minimum bid. **Liggett-** 50/50 is reasonable, city pay for auctioneer, it should work itself out but possibly a minimum bid. If there isn’t a lot of interest in it, it won’t do any good. **Long-** I support minimum bid, 50/50 closing cost and the auctioneer be paid by the city. **Attorney Brooks-** Suggests a minimum bid, there needs to be more discussion. Can add, city reserves the right to deny any or all bids. **Mr. Hershberger-**Minimum bids can bring serious buyers, no minimum bid might bring more people. **Troy Evans-**Point of Order. An action item was already made on no minimum bid. **Attorney Brooks-**Council is entitled to revisit, not bound by a decision from two weeks ago. Public is not allowed to make a point of order during a meeting. The meeting is run by the mayor. **Fisher-** Will we allow online bidding? **Attorney Brooks-** You do not have to allow it. **Mayor-** thoughts on online bidding? **Toombs-** Don’t know, haven’t been thinking about it. **McCleary-** I’ll have to think about it. **Erickson-** Not for it. **Vivirito-** No online bidding. **Liggett-** What would it take to implement it? **Long-** I have witnessed online bidding, it does open up to more people. I can see it going well and I can see downfalls. Would have to pre-register and verify funds. **Attorney Brooks-**Other expenses to think about are, Title Insurance, recording fees. *Action Item on next agenda.*
* **Fireworks Ordinance:** Mayor Jones read and reviewed changes. **Fisher-** add council to be notified of decision on fire restrictions, we have to take the heat. **Bednar-**14-99 c is confusing. **Sibley-**I can put it on a map.
* **Update on lighting issue:** **Vivirito-**Motion light pointed to alley, shined in neighbor’s house, city sent a letter. Light was moved away from complaining neighbors. Drove by there, did jumping jacks, light didn’t come on, complaint resolved.

***Public Comment: Bednar-*** *Just so you know, fines for fireworks are $100-$500 and shooting a gun in town is $0-$500.* ***Troy Evans-*** *You struck through Montana law; the fire chief has ultimate say.*

***Mayor Jones-*** *We will look into State Law, fire chief can sign off.*

***Joan Perrella****- We cannot afford insurance for family fireworks display on Main St. Mayor and Attorney will look at legalities.*

**Claims were read as follows:**

City Payroll $53,196.91 Energy Labs $554.00

Per Diem $350.00 Great West $11,213.75

360 Office Supply $144.99 Homestead Vet $75.00

A&A Implement $219.00 Mastercard $425.80

AT&T $30.37 Midland Implement $215.55

American Welding & Gas $70.92 Midrivers $454.92

Axilon Law $1,000.00 O’Reilly Auto $684.40

Billings Overhead Door $5,231.00 Picchioni’s IGA $8.65

Building Codes Bureau $36.00 Roundup Hardware $233.66

Car Quest $626.30 Roundup Schools $4,375.00

County of Musselshell $25,000.00 State Industrial $1,277.80

DPC Industries $100.00 USPS $2,400.00

Electric Service Shop $642.78 Van Dyke’s $23.16

*MOVED BY TOOMBS, SECONDED BY LIGGETT TO APPROVE CLAIMS FOR THE PRECEDING MONTH AND DRAW WARRANTS ON THE TREASURY FOR THE SAME. ALL IN FAVOR. MOTION CARRIED*.

***No******Public Comment.******Troy Evans****-Last meeting, there was discussion, a vote and a motion. This frustrates everyone especially should frustrate Jeremy and Rick. My mind as a citizen, council loses credibility for backsliding.*

*MOVED BY FISHER SECONDED BY TOOMBS. TO ADJOURN THE MEETING. MOTION CARRIED.*

*THE MEETING ADJOURNED AT 8:39 P.M.*

APPROVED BY\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sandra Jones- Mayor Tanya Lanter- Clerk Treasurer

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Cassandra Mann-Assistant Clerk