

## City of White Sulphur Springs

The regular meeting of the City Council was held on October 3, 2022 at 7:00 P.M. Mayor Rick Nelson called the meeting to order with the following members present:

Pattie Berg  
Ron Coleman  
Rick Ellison  
Lee Blanchard

### **A. Call Regular Meeting to Order**

### **B. Roll Call**

### **C. Pledge of Allegiance to Flag**

**D. Public Comment:** Public comment will be accepted on public matters not listed on this agenda and are within the jurisdiction of the City Council and having a significant interest to the public. During a regular session, there will be time after each agenda item for comment about that item.

1. Step up to the podium and state your name and address for the record.
2. Please limit your comments to THREE (3) minutes.

### **E. Read & Approve - Accept or Reject Minutes**

#### **1. June 21<sup>st</sup> Meeting - Regular Session and Work Session**

*Possible Motion: Move to Accept Minutes as presented or as amended.*

Pattie Berg motioned to accept the June 21<sup>st</sup> minutes as amended. Ron Coleman seconded the motion. All said Aye. Motion carried and passed.

#### **2. July 5<sup>th</sup> Meeting - Regular Session**

*Possible Motion: Move to Accept Minutes as presented or as amended*

Pattie Berg motioned to accept the July 5<sup>th</sup> minutes as amended. Rick Ellison seconded the motion. All said Aye. Motion carried and passed.

#### **3. August 1<sup>st</sup> Meeting- Regular Session**

*Possible Motion: Move to Accept Minutes as presented or as amended*

Part of the Council did not have the drafted minutes to review for the meeting on August 1<sup>st</sup> from the August 23<sup>rd</sup> meeting. The minutes will be discussed next meeting.

#### **4. August 16<sup>th</sup> Meeting- Regular Session and Work Session**

*Possible Motion: Move to Accept Minutes as presented or as amended.*

Part of the Council did not have the drafted minutes to review for the meeting on August 16<sup>th</sup> from the August 23<sup>rd</sup> meeting.

There was a discussion about a request made from Rob Brandt, Hospital CEO, to the City office, on September 9<sup>th</sup> to get a copy of the minutes from the City Council meeting that they presented on August 16<sup>th</sup>. On September 12<sup>th</sup> City Clerk-Treasurer sent Rob Brandt the drafted minutes of August 16<sup>th</sup> but let him know that they should be approved on the September 19<sup>th</sup>. The Clerk-Treasurer let Rob Brandt know that the Council meeting did not occur as there was not a quorum.

There was a discussion that the minutes did not reflect a statement that a council member made about the road responsibilities. Susan Wordal said that the minutes do not have to include everything that is discussed.

The minutes will be discussed next meeting.

5. September 6<sup>th</sup> Meeting - Regular Session

*Possible Motion: Move to Accept Minutes as presented or as amended*

The section on the RFP for an Auditor Appointment there was a motion to approve the Mayor's appointment of Strom & Associates as City Auditor for a 3-year term but it was not seconded. Clerk-Treasurer will listen to the minutes to see who seconded the motion. This will be tabled until the next meeting.

**F. Receive/Accept Reports**

1. Sheriffs Report - Sheriff Jon Lopp

The Council reviewed the Meagher County Sheriffs Office complaint report for the month of September.

2. City Court Report - City Judge Lori Sorenson

Judge Sorenson handed out the White Sulphur Springs City Court Monthly Activity for September Citations (issued/disposed) and Case Statistics. Judge Sorenson said that is was not as busy as August was. As of September 15 there are 108 old cases pending and as of October 15<sup>th</sup> there are 109 old cases pending. Judge Sorenson will be attending the District 5 MMA meeting on October 6<sup>th</sup> at the Petroleum County Courthouse in Winnett.

3. Fire Department Report - City Fire Chief Sam Peeler - none.

4. City Engineer's Report

5. Public Work's Report - City Public Works Supervisor Rocky Vinton

Public Work's Supervisor, Rocky Vinton, reported that the paving projects have been completed. The paving that was done on Fifth Ave, the edge is breaking up due to trucks, semis with cattle and heavy traffic to the Meagher County Rodeo Grounds and rain. Rocky Vinton will speak to the paving company to see if there is anything they can do for the road. Rocky Vinton received a few quotes (\$75,000 - \$100,000) for a 40X60 and 40X80 steel frame building for the City Shop that he handed out to the Council.

6. Animal Control Report - Marc Pryor

Marc Pryor, said that out of the gathered 16 dogs and 2 cats, from a deputy during an arrest since the August 21st, he just got clearance to begin adopting the 14 dogs out. Marc Pryor has posted an adoption of the border collies on Facebook and has a few people interested so far. The Council asked if the costs could be recouped. Susan Wordal said that some costs could be put into the final plea bargain agreement that is being worked on now. Marc Pryor said that it would be ideal to do an addition to the animal control facilities, to roof the kennel and shelter the area from the sun, rain, and colder time to provide heat in the future. Marc Pryor said that the food costs so far was about \$86.90 (costs were low due to people donating food), vet care costs so far was about \$4,470, about 82.5 overtime hours of care from the City \$1,796, impound fees were approximately \$18,945, and impound fees that have incurred since releasing ownership are approximately so far as of today \$810. The Mayor said that there are concerns that the City has accumulated approximately \$6,500 from the City animal control budget from the 18 animals and 4 animals that were given back to the owner with \$0 funding brought back into the City budget. Susan Wordal is working on the final plea bargain agreement that will be finalized through the City Court on November 7 trial court date. Connie Mangas as a discussed setting up a fund raiser/donations to help with the animal control kennel shelter area. Judy Berg, with the Meagher County Community Foundation, said that the City could apply for grant funding to help with the animal control facility improvements.

7. Parks Committee Report - Pattie Berg

Pattie Berg said that the next Parks Advisory Committee will be meeting October 13th.

8. Library Report - Rachel Wahlstrom - none.

**G. Unfinished Business - Items for Discussion and/or Action**

**1. Amended Resolution #2022-9: Final Budget Adoption**

Discussion and/or Action

Discuss adjustments in final budget numbers based on revisions to figures provided by County.

Consider and adopt Amended 2022-2023 Final Budget Resolution 2022-9.

Accept Public Comment

*Possible Motion: Move to Adopt the Amended 2022-2023 Final Budget Resolution 2022-9.*

The Mayor said that there was a typo on the Special Police District, the Meagher County Finance Officer Dayna Ogle had said originally it was 46.92 mills but was later adjusted to 46.87 mills. The original calculation of 46.92 mills X \$1,565.663 a mill= \$73,460.91, and \$75,000-\$73,460.91 for one deputy totaled the City to budget for \$1,539.09. After adjusting for the 46.87 mills X \$1,565.663 a mill= \$73,382.62, and \$75,000-\$73,382.62 for one deputy totaled the City to budget for \$1,617.38 (a difference of \$78) and decreasing the City Other Capital Projects from \$18,460 to \$18,382 (a difference of \$78). The Mayor asked if there was a motion to Adopt the Amended Final Budget. Ron Coleman motioned to Adopt the Amended 2022-2023 Final Budget Resolution 2022-9. Lee Blanchard seconded the motion. The Mayor asked any in favor. Ron Coleman said Aye. Lee Blanchard said Aye. Rick Ellison said Aye. The Mayor asked any opposed. Patti Berg said Aye. Motion carried and passed.

## **2. Call for Bids - City Shop**

Discussion and/or Action

Continued from September 6<sup>th</sup> meeting. Review Bid Specifications, refine as appropriate and authorize Mayor to proceed.

Accept Public Comment

*Possible Motion: Move to authorize Mayor to issue Call for Bids for expansion of City Shop building based on discussion.*

Lee Blanchard motioned to authorize the Mayor to issue the Call for Bids for expansion of the City Shop Building based on the discussion. Ron Coleman seconded the motion. The Mayor asked any in favor. Rick Ellison said Aye. Patti Berg said Aye. Ron said Aye. Lee Blanchard said Aye. The Mayor asked any opposed. No one opposed. Motion carried and passed.

## **Bair Park Improvements: French Drain -Bids**

Discussion and/or Action

Bids for Bair Park improvements, specifically installation of a French Drain, have not come in by the deadline. Discuss options for installation through local contractors or others.

Accept Public Comment

*Possible Motion: Move to authorize the Mayor to pursue installation of a French Drain at Bair Park through a licensed contractor.*

The Mayor said that due to the lack of bids for of a French Drain at the Bair Park he asked if there was a motion to have the Council vote to have the Mayor pursue finding a licensed contractor. The Mayor said that at this point it is unlikely to be finished until next spring. Patti Berg motioned to authorize the Mayor to pursue installation of a French Drain at Bair Park through a licensed contractor. Ron Coleman seconded the motion. All said Aye. Motion carried and passed.

## **G. New Business- Items for Discussion and/or Action**

### **1. PASER - Asphalt Study - CIP**

Discussion and/or Action

Discuss options for PASER study (evaluation of gravel/asphalt roadways) as it pertains to the current CIP application. Cost is estimated to be @\$7,500 and can be incorporated into the current CIP budget for that project, or it can be done separately by a member of staff.

Accept Public Comment

*Possible Motion: Move to include PASER Study in current CIP project budget; OR, Move to task staff with PASER study.*

The Mayor said that the CIP document project would probably come under and would be able to have the PASER-Asphalt Study be funded. Great West Engineering Project Engineer, Jessica

Salo, said that having a PASER survey done would be another analysis with the CIP to say how the streets are doing and the more proof that updates are needed always helps. Lee Blanchard motioned to include the PASER Study in the current CIP projects budget. Ron Coleman seconded the motion. The Mayor asked any in favor. All said Aye. Motion carried and passed.

## **2. Variance - J. Settlemire-- Sewer Main Tap**

### Discussion and/or Action

Council to consider application to tap into sewer main as part of remodel/garage conversion. Issues include determining whether there is a need for waivers of setbacks as this is a corner lot, whether the conversion should be part of the main residence and linked to the main water line or a separate line should be required, whether the sewer tap should also be separate and run into the street, or attached to the residence line, whether the conversion can, therefore, be a full accessory unit with full kitchen/bathroom facilities or a limited unit with only bathroom facilities.

### Accept Public Comment

*Possible Motion: Move to grant Variance with specified conditions, OR, Move to continue discussion to next date.*

The Mayor said that Jeremy Settlemire is asking the Council to consider the his variance application to tap into the City water/sewer main as part of his garage conversion remodel for his mother-in-law residence. The building might protrude into the City right-of-way by 3-9 inches. Susan Wordal said that the ordinance code states that each individual dwelling unit will have its own water meter, water and sewer line. Susan Wordal said that the building could be classified as an accessory dwelling unit status and it would have to remain that way and could not be used later as a rental or even sold separately. The Council had some reservations about approving a variance until the property is surveyed. Jeremy Settlemire said that the survey is planned for November after Thanksgiving. The Mayor suggested to tabled the issue until the survey could be provided. Pattie Berg motioned to wait until the property could be surveyed. Ron Coleman seconded the motion. All said Aye. Motion carried and passed.

## **3. Alley/1<sup>st</sup> SW Garfield - Impassible (items in the alley)**

### Discussion and/or Action

The alley located in or near 1<sup>st</sup> Ave. SW and Garfield has become impassible for vehicular traffic. Presently, it is a garden with junk lining the edges. Consider noticing property owners bordering that alley that the alley needs to be cleared and if not cleared, then authorize clearing the alley by City staff or under contract and billing residents for a share of the cost.

### Accept Public Comment

*Possible Motion: Move to clear alley if not cleared by residents and either 1) City to absorb the cost, OR 2) property owners to be billed a share of costs.*

The Mayor said that the alley has been impassible for vehicular traffic and a resident has asked that it be cleared to be able to use the alley. The Mayor said that there is a tree growing in the alley along with the Triangle Communications fiber optic cables vault. The alley has not been surveyed. The Mayor suggested to survey the alley to see where the right-of-way definitely was before having the tree and fiber moved. Lee Blanchard motioned to proceed with having the alley surveyed to find out the actual boundaries. Rick Ellison seconded the motion. All said Aye. Motion carried and passed.

## **4. Approval for GIS of Water and Sewer Lines - Limit up to \$10,000**

### Discussion and/or Action

Discuss GIS (Geographic Information System Mapping) project for locating/identifying Water and Sewer Lines in the City limits through Diamond Maps. This is a cloud-based application based on Google Maps used by municipalities and rural utilities to plot/map their water/sewer infrastructure

and track maintenance.

Accept Public Comment

*Possible Motion: Move to pursue contract for GJS of Water/Sewer lines through Diamond Maps.*

The Mayor and Council had a discussion on the contract for GIS of Water/Sewer Lines through Diamond Maps. The Mayor said that he talked to Triangle Communications and they would be willing to provide the location data for the fiber optic lines. Public Works Crew, Matt Swett, will be training and working with the mapping of water/sewer lines. Pattie Berg motioned to pursue the contract for the GIS of Water/Sewer Lines through Diamond Maps limited up to the budgeted amount of \$10,000. Lee Blanchard seconded the motion. All said Aye. Motion carried and passed.

#### **5. Task Order No. 4 - Emergency Backup Generator Approval - Great West Engineering**

Discussion and/or Action

Carry over from April 19<sup>th</sup> and May 2<sup>nd</sup> meeting: Discuss Task Order #4 as to design of generator and other costs for project to obtain Emergency Backup Generator. (Refer to Resolution 2022-3 as to use of ARPA funds, Minimum Allocation Grant.)

Accept Public Comment

*Possible Motion: Move to approve Task Order No. 4 regarding Emergency Backup Generator project.*

Jessica Salo discussed the Task Order No. 4, the emergency backup generator design services pertaining to the backup generator needed for the City's domestic water supply ground wells and wastewater lift station. Funding would come from ARPA and City. The cost for Task Order No. 4, is \$14,000. The total Backup Generator Project would be \$237,000 (\$118,000+\$118,000 ARPA funds and City water fund match \$1,000). Pattie Berg motioned to approve Task Order No. 4 regarding the Emergency Backup Generator Project. Ron Coleman seconded the motion. All said Aye. Motion carried and passed. Great West Engineering, Jessica Salo, and Public Works Supervisor, Rocky Vinton, will meet on Wednesday to review the City facilities at 1:00 pm to tour the area.

#### **6. Resolution #2022-10 - BaRSAA-Title 15, Ch. 70 Montana Code Gas Tax Money**

Discussion and/or Action

Requesting distribution of bridge and road safety and accountability program funds of \$41,163.83 and allocating 5% or \$2,058.19 of General Fund money as required match.

Accept Public Comment

*Possible Motion: Move to Approve Resolution 2022-10 requesting distribution of BaRSAA funds with corresponding allocation of General Fund money as required match.*

The Mayor asked if there was a motion to approve Resolution 2022-10 requesting distribution of BaRSAA funds for the 2022 HB 473 City Fuel Tax Allocations \$41,163.83 and allocating 5% \$2,058.19 of General funds as a required match by November 1. Rick Ellison motioned to approve Resolution 2022-10 requesting distribution of BaRSAA funds with allocation of General Fund money as required match. Lee Blanchard seconded the motion. All said Aye. Motion carried and passed.

### **H. Comments/Discussion**

1. Future Business

2. Mayor's Comments-Rick Nelson

The Mayor said that the paving project streets looks good, but the paving contractor recommended that next time instead of grinding up the street the City Crew should cover the street with gravel to fill the holes and then they would pave over that.

3. Council Comments/Discussion

a. President of the Council-Pattie Berg

The pickle ball clinic was a good hit. It was mentioned that there are now people using the court for tennis and pickle ball. It was mentioned that kids have been seen roller blading on the tennis court. The Parks Committee will come up with a sign to post soon saying that there will be no roller blading on the court as it could damage the surface. The next Parks Advisory Committee meeting will be on October 13<sup>th</sup> 4:30 pm to 5:45 pm at City Hall and via Zoom.

b. Council Member-Ron Coleman

None.

c. Council Member-Rick Ellison

It was brought up to have an Agenda discussion in November/December about coming up with funding sources for the dogs and kennels. It was mentioned that there were a couple of reports with people spraining their wrist due to stopping suddenly in the court surface. It was suggested to be wearing proper shoes that have a smooth sole and including a sign stating that.

d. Council Member-Lee Blanchard

He will have several appointments in November/December but will try and make all of the scheduled meetings.

### **I. Council Review of Financials**

The Mayor asked if there was any questions when reviewing the August financials and if there were to bring them to the next meeting.

### **J. Claims Signing/Motion to Approve the Bills**

Pay the Bills

Accounting Claim Check #'s 18773-18799 September 1, 2022 thru September 19, 2022 for \$30,429.62

Accounting Journal Vouchers 2265-2325 August 1, 2022 thru August 31, 2022 for \$1,428.44

Payroll Check #'s 9183-9204 for \$12,098.11

Payroll Electronic Checks for \$1,744.10

Received a copy of the Budget Expenditure/Revenue reports for August 2022.

Accounting Claim Check #'s 18800-18813 September 20, 2022 thru September 30, 2022 for \$6,720.82

Accounting Journal Vouchers 2326-2350 September 1, 2022 thru September 30, 2022 for \$1,318.77

Payroll Check #'s 9205-9226 for \$13,932.65

Payroll Electronic Checks for \$6716.14

Utility Billing System Adjustments \$-218.11 September 1, 2022 thru September 30, 2022

August 1, 2022 thru September 30, 2022 were presented for Council's approval. The Mayor and Council received the Pay the Bills and the monthly Budget Expenditures/Revenues. The Mayor asked if there is a motion to pay the bills. Pattie Berg motioned to pay the bills as presented. Lee Blanchard seconded the motion. All said Aye. Motion carried and passed.

### **K. Motion to Adjourn the Meeting**

The Mayor asked the Council if there is a motion to adjourn the meeting. Lee Blanchard motioned to adjourn the meeting. Ron Coleman seconded the motion. All said Aye. Meeting adjourned at 9:05 pm.

  
Michelle Stidham-Clerk-Treasurer

  
Mayor - Rick Nelson