

## City of White Sulphur Springs

The regular meeting of the City Council was held on September 19, 2023 at 6:00 P.M. Mayor Rick Nelson called the meeting to order with the following members present:

Ron Coleman  
Lee Blanchard- Absent  
Pattie Berg  
Rick Ellison

### A. Call 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.

## REGULAR SESSION

### E. New Business – Items for Discussion and/or Action

#### 1. Contract with County on Voter Technology

Discussion and/or Action

In compliance with §13-3-208 MCA, consider Contract for use of Expressvote(s), the County's disability voter technology to provide access for disabled electors for 2023 Municipal General Election – Mail Ballot Election and 2024 Study Commission Election – Mail Ballot Election.

Accept Public Comment

*Possible Motion: Move to Approve the Expressvote(s) contract as proposed or as amended.*

Susan explained that there is a requirement that each county make available a voting machine that can accommodate all kinds of disabilities. County uses the Expressvote machine. A thumb drive is needed for each election which is sent off for programming once programmed it is sealed and shipped back to the county. Per Liv West this machine must be available even if the elections are mail ballot. The cost of this machine is \$555.00. A resolution will have to be made for each election. If the election is a joint election the county may not charge the city the full amount.

Pattie Berg made a motion to approve the Expressvote contract as proposed, Ron Coleman seconded.

### F. Unfinished Business - Items for Discussion and/or Action

#### 1. Gt. West Task Order 2 Amendment 1

Discussion and/or Action

Consider Amendment 1 of Task Order 2 regarding design and construction of the water transmission main, as original Task Order 2 contemplated only preparation of water PER.

Accept Public Comment

*Possible Motion: Move to Approve Amendment 1 of Task Order 2 as proposed or as amended. OR, Move to continue this to another meeting.*

The total cost for this project is now \$308,900.00. This amends the original preparation PER that was \$60,000.00. The final design phase adds \$248,900.00. We have the ARPA Mag fund currently which totals about \$306,000.00. We do not have the SRF loan/forgiveness yet. The SRF

Loan could be used for construction and the ARPA money could be used for engineering. These are reimbursement programs.

Ron Coleman made a motion to approve Amendment 1 of Task Order 2 as proposed, Pattie Berg seconded.

## **WORK SESSION**

### **G. Council Discussion**

#### **1. Ordinance Code Book – Ordinance revisions and Fee Schedule updates.**

Discussion: Proposed Parks ordinance revisions and adjustments to current fee schedule.

Additional discussion if time as to other revisions to Code Book.

Pattie Berg, Carol Berg, Jen Frazer, and Kelly Huffield were at the meeting to represent the parks committee. Carol Berg presented the Parks Code draft. A form and possible deposit for user reservations. The City waive fees for non-profit. Park hours 5:00am-Midnight every day, but this is not set. Other time options 8:00am-10:00pm or sunrise-sunset. The Park fee schedule would be like the other fees that the city has. Overnight camping in city parks is a prohibited act had incidents where people were sleeping at the band shell. The Mayor advised that the time should be 8:00am-10:00pm daily unless a special time is requested for a special event. There is a user application and fee for the baseball field but is it approved or not. Event insurance was more, for example a concert not for a birthday party. For profit organizations could use the city park a fee would apply. Regarding damage deposit, who is going to do the pre and post inspections? Is a city employee going to be required to do the inspections? If so, this will be running into overtime and the \$20.00 deposit fee is not going to cover the overtime costs. Maybe pictures are to be taken for vandalism over the weekend use. Have three levels of users on the application. Application fee can be graduated on the size of group, then eliminate the damage fee. There are two different types of insurances standard business and event. Lots of insurance carriers have event insurance. Before finalizing the document should be sent to MMIA for review. Smoking and/or vaping in designated areas of public parks, this is supposed to be a place of health. Violations who are going to be responsible for enforcing Park Personnel or Sheriff's Department? If food is sold in city parks need to follow sanitation guidelines. Park may be able to adopt some of the same rules that the county has for the Farmer's Market regarding food vendors. Regarding fire pits, this should only be limited to a portable propane pit or barbeque cooking units. Using propane, the gas can be controlled. User agreements are to be made up for more than one-time use, for example weekly use. The organization hosting the event at the park would pay the fees but the vendors that are set up for the event would need a city business or vendor license. The next step is to have the parks committee make the changes then give to Susan for review and make a draft. A Resolution is less enforceable versus an Ordinance. An Ordinance is encouraged, going through a formal public hearing on the 1<sup>st</sup> read so that folks that have an interest in the matter can voice their opinion. Fee Schedule Resolution 2022-7 needs to be clarified that the tap in fee for water and sewer be residential cost versus commercial. Commercial fee is actual cost of the tap in. Ordinances for this may have to be changed as well, Susan will look into this. Building sewer permit fees have never been collected in the last 6 years, this section may need to be deleted. Alcohol business license fee may want to increase. Garbage license contract fee may need to be looked at as well. The Land Use Permit may be changed to a graduate fee.

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

#### **1. Future Business**

#### **2. Mayor's Comments—Rick Nelson**

The shop is basically complete, we need to make a resolution for bids, but if the council is ok with it the Mayor will get the Call for Bids published in the newspaper then at the next meeting October 2<sup>nd</sup> do the Resolution. This is for both heating and electricity. Property east of town the homeowner has an

application for sewer and water tap this will be on the next agenda. There is a sewer tap already but needs to be rerouted to the house, the question is does the council want to waive the sewer tap for the rerouting. The city would expose the line, the rest would be the homeowner's responsibility. Meeting today with Commissioners and DA Davidson on housing they explained funding scenarios on how the City and County could be investors. The next meeting is October 17<sup>th</sup> at 1:00pm at the County Courthouse.

3. Council Comments/Discussion

a. President of the Council—Ron Coleman

Running out of time for the streets. The recycler was full of water, this had to be drained then filled with diesel let it sit over the weekend. The diesel was then drained, put in gear oil, and has since started. The maintenance of the equipment needs to be improved. Each piece of equipment needs to have a maintenance schedule, this should be on paper. The supervisor needs to get the crew lined up with jobs daily. The State is exempt from OSHA, but the State has a Safety and Health Bureau that adopts the OSHA guidelines. Hard hats are needed to be worn. The City crew needs training. Pick-up maintenance is logged into a book. The old water tank and pillars that have been abandoned need to be removed.

b. Council Member—Lee Blanchard

Absent

c. Council Member—Pattie Berg

None

d. Council Member—Rick Ellison

Willow Creek Reservoir, important to be proactive on the hand piling. The District Ranger was very good to deal with, she may try to get more involved. We need to concentrate on getting the catwalk done, fixed, and rebuilt so that the reservoir can be flushed out.

**K. Motion/Vote to Adjourn the Meeting**


The Mayor asked the Council if there is a motion to adjourn the meeting. Pattie Berg motioned to adjourn the meeting. Rick Ellison seconded the motion. All said Aye. Meeting adjourned at 8:00 pm.



Michelle Stidham—Clerk-Treasurer



Mayor – Rick Nelson



Anita West-Assistant City Clerk