

City of White Sulphur Springs

The regular session meeting of the City Council was held on January 18, 2022 at 6:00 P.M. Mayor Rick Nelson called the meeting to order with the following members present:

Pattie Berg
Ron Coleman
Stacy Menard - via Zoom
Rick Ellison

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. New Business- Items for Discussion and/or Actions

1. Meet our prospective On-Call City Engineer/Planner from Great West Engineering

Representatives from Great West Engineering, Project Manager Collette Anderson, PE and Senior Planner Jerry Grebenc, CFM, will be here to discuss the On-Call contract, what they do, what their rates are, and how they plan to pick up the projects in White Sulphur moving forward.

The Mayor and Council had invited Great West Engineering to speak and introduce themselves this evening and answer any questions that they might have. Collette Anderson is the Project Manager of Great West Engineering from Helena. Jerry Grebenc is the Great Falls Engineering Senior Planner from Helena, that also does Annexation, Subdivision, Addressing, Parks, Trails, and Floodplain. Craig Erickson is the Senior Grant Specialist of Great West Engineering from Helena. The Mayor said that the City currently has four projects going on. One is the Water Main Replacement Transmission Phase III that is about 1100 ft, the City already has the funding to do the project, Innovative Engineering will finish this project out and the project will start in May 2022. The second project is the ARPA funding application that has been submitted earlier this month. The third project is the Water Main Replacement Transmission Phase IV that is about 3300 ft, that will go from the water tank to the new water main line transmission and the only thing that has been done is the preliminary survey. The fourth project is an update Water System PER, that is still needed. The Parks Advisory Committee is very interested in obtaining grants and funding for parks and trails. Great West Engineering does have three grant writers on staff. Having a good master plan and having the community involvement is going to make the difference in being able to be competitive and get the very limited funds. The Mayor said that the City has been working on the Land Use Ordinance (Zoning) for over a year now, we went from a 60 page document to a 23 page document. The Mayor asked if Great West Engineering has had any Land Use Ordinance experience background on the process of this document. Jerry Grebenc said that he has reviewed the City's Interim Land Use Ordinance. Jerry Grebenc said that Land Use Regulations are difficult in any community. Start with the least controversy items first, and then identify and work on what is the most important issue in the City and take it bit by bit and

then build on it. Revisit it again and use a Survey Monkey. The White Sulphur Springs Land Use Ordinance needs to be a simple code and simply focus on the major main issues. Its easy to make a code, but it is very hard to enforce the code if it is complex. There was a discussion on street funding. Streets are deemed not crucial, like water and sewer. It was suggested to form a SID (Special Improvement District) and couple/incorporate it into the water or sewer project. Include the streets in the City's CIP document. It was suggested to talk with Jeremiah Theys the streets, sidewalks, and stormwater Project PE specialist. Susan Wordal will talk with Great West Engineering and come up with an agreeable contract/agreement. The Mayor and Council said that it is so refreshing to have Great West Engineering say that there are more funding options for the City and having the knowledge on how to obtain it. It was mentioned that the Parks Advisory Committee will be having a meeting on funding sources/fundraising ideas and if someone from Great West Engineering is interested could participate in person at the library or via zoom on January 20th.

2. Resolution #636 –Water System Replacement Project Phase 3 Bond Resolution

Consider Resolution 636: Provides for the issuance of revenue bonds through the DNRC Drinking Water State Revolving Loan Program to complete Water System Replacement Project Phase 3 from 5th Ave S.E. to 4th Ave. S.E. on Lincoln and then from Lincoln and 4th north to Main Street East. This is a continuation of Resolution #554 from Sept. 4, 2012 and Resolution #563 from October 7, 2013, and Resolution #574 dated Dec. 1, 2014 involving the City's water system and replacement of water main and related work. The amounts involve a \$267,000 Series 2022A bond and a \$267,000 Series 2021B bond, for a total project cost of \$534,000.00. The resulting bond issuance will not change the water rates and combines repayment with loan forgiveness. *Possible Motion: Move to adopt Resolution #636 authorizing a Bond issuance for the Water System Replacement Project Phase 3.*

The Mayor, Council, and City Attorney Susan Wordal reviewed the 43 pages of Resolution #636 about the Water System Replacement Project Phase 3 from Bond Counsel. No rate increase is needed. There was a discussion on the parks and the water sprinkling and not being metered. On page 34 the word Serie 2022 should be changed to Series 2022. Pattie Berg motioned to adopt Resolution #636 authorizing a Bond issuance for the Water system Replacement Project Phase 3 as amended. Ron Coleman seconded the motion. All said Aye. Motion carried and passed.

F. Motion/Vote to Adjourn Regular Meeting

The Mayor asked the Council if there is a motion to adjourn the meeting. Ron Coleman motioned to adjourn the meeting. Pattie Berg seconded the motion. All said Aye. Meeting adjourned at 7:18 pm.

Work Session, 7:30 P.M. – 9:00 P.M. (Starts Directly After Regular Session)

A. Call Work Session Meeting to Order

B. Council Discussion: Codification Project

Review Codification Draft, propose changes to Draft WSS Municipal Code based on Memo from Commissioner Berg and Memo from City Attorney Wordal. Schedule 1st Public Hearing on either February 7, 2022, or February 15, 2022, or at a date to be determined.

The Mayor, Council, and City Attorney Susan Wordal went thru sections of the Ordinance Codification Code Book draft and earlier memo review notes from 02/04/2020 and 9/16/2021 from Pattie Berg to the Council. The Mayor suggested to the Council to pass and adopt the code book as it is minus any minor changes and then go through, address certain sections to update or change one at a time, have work sessions, and then pass as going along. The Codification will be done periodically for the Code Book online and it will say that Ordinances listed have been passed, but have not been incorporated in the actual code. Susan Wordal will visit with Great West Engineering with the Subdivision Ordinance so that it can be submitted to the Codifiers. Susan Wordal will set up the newspaper ad for the Public Hearing, it will run for two weeks starting February 2nd and end the week of February 9th, for the Public Hearing on February 15th, to discuss and consider a proposed Ordinance adopting the Codification of the revised City Code. The revised and reorganized City Code, together with the proposed Ordinance and additional proposed changes, as well as a Memorandum explaining the changes incorporated into the reorganized City Code will be available for review on the City website and this will be a 1st reading. Susan Wordal will visit with the codification company, American Legal Publishing Company (formally Sterling Codifiers) and ask to have a revised and updated contract.

C. Comments/Discussion

1. Future Business
2. Mayor's Comments—Rick Nelson

The Mayor said that the Great West Engineering presentation was good, he learned a lot and with all of their in house resources the City should start to see great things happening in the future.

3. Council Comments/Discussion

a. President of the Council—Pattie Berg

Pattie Berg said that she will be traveling on February 7th so she will not be there for the Council meeting but would be zooming on the February 15th Council meeting. There will be a Parks Advisory Committee meeting on January 20th to do a planning session and then another one on February 2nd. Pattie Berg asked if Stacy Menard would be available to attend the February 23rd and take her place at the meeting at 4:15 pm.

b. Council Member—Ron Coleman

Nothing else.

c. Council Member—Stacy Menard

Stacy Menard asked that the street by the school is sanded well because it has been so icy.

d. Council Member—Rick Ellison

Nothing else.

D. Motion/Vote to Adjourn the Work Session Meeting

The Mayor asked the Council if there is a motion to adjourn the meeting. Ron Coleman motioned to adjourn the meeting. Pattie Berg seconded the motion. All said Aye. Meeting adjourned at 7:50 pm.



Michelle Stidham—Clerk-Treasurer



Mayor – Rick Nelson

City of White Sulphur Springs

The regular meeting of the City Council was held on December 6, 2021, at 7:00 P.M. Mayor Rick Nelson called the meeting to order with the following members present:

Pattie Berg
Ron Coleman
Stacy Menard
Lee Blanchard

A. Call Regular Meeting to Order

B. Roll Call

C. Pledge of Allegiance to Flag

D. Read & Approve - Accept or Reject Minutes

The Mayor said that the minutes will be tabled until the January 3rd meeting.

1. October 4th Meeting – Regular Session

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

2. October 19th Meeting – Regular Session

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

3. November 1st Meeting – Regular Session

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

4. November 16th Meeting – Regular Session

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

5. November 16th Meeting – Work Session

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

E. 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.

F. Receive/Accept Reports

1. Sheriff's Report – Sheriff Jon Lopp

Sheriff, Jon Lopp asked if the Council received the COMM Report and if there were any questions or concerns. Jon Lopp said that November was an average month for the Sheriff Department. There was only two search and rescues that went for a while and no slide offs. Jon Lopp said that they did receive a grant and donations for a drug K-9 dog so it will not cost the taxpayers anything. The K-9 dog will go thru 12 weeks of training in March and then will be ready to go to work after that. They also received a grant for a kennel to go in the back of the vehicle, donations for food supplies, concrete and kennel and vet services. There are nine people going thru for the Ambulance training. Deputy John Gearheart graduates the academy later this

month and will be back to work in Meagher County on the 17th. There is currently no Highway Patrol Officer for the County but periodically there is a neighboring District Highway Patrol Officer that stops by the office about once a week. It was asked if Jon Lopp had reviewed the Marijuana Ordinance yet, Jon Lopp said that he has not yet. It was asked if there were any marijuana dispensaries in town. Jon Lopp said that there are not currently any.

2. City Court Report – City Judge Lori Sorenson

The Mayor asked if the Council received the City Court for citation activity report citations issued for November. The Council looked over the handout.

3. Fire Department Report - City Fire Chief Sam Peeler

Sam Peeler said that the fire calls have gone down to what they normally are. There was a flowerpot fire, a couple of businesses having a kitchen grease fire this summer all with minimal damage. The Fire Marshall investigated both cases. Sam Peeler said that they received a grant that was applied for last springtime for the second half of the battery extrication equipment. After all of the fires last year there were a couple of people interested in training to be a volunteer firefighter, so they have been busy training them up. There was a discussion on writing grants and needing help to apply for them. There is a grant that is available, but it would have to be filled out and applied by the December 17th deadline. Pattie Berg said that she would be available to help if needed. It was asked if there will be a firework show in January for the New Year celebration. Sam Peeler said that the fireworks are being stored with the dealer now until they were needed. There is some concern that there would not be enough volunteers to help set up and light the fireworks, and it would depend on the weather in January, the fireworks can't get wet.

4. Library Report – Jessica Ketola

There was not a library report available.

5. City Engineer's Report – City Engineer Terry Threlkeld

The City Engineer is on vacation.

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

Rocky Vinton reported that the City Crew did get some of the patching done before the snow came. The City Crew did get some of the hydrant parts but are still waiting on more parts for the hydrant on the corner of 2nd Ave NE by Mark McDaniel's home. Rocky Vinton said that when you put a load on the service trailer, like the Sewer Jetter, the transmission has started to slip once in a while. Rocky Vinton said that he did find two 20 ft containers for storage of equipment like the lawn mower, but they are expensive, about \$5800 per. Rocky Vinton said that they are hard to locate but he will try to find some cheaper ones. Rocky Vinton said that so far the lagoons are doing good and within the allowed limits. Rocky Vinton said that he has his CDL driving part setup to take on January 20th in Lewistown. Marc Pryor and Jake Gregory are scheduled to have their physical on December 23rd. Marc Pryor and Jake Gregory are studying to take the written test by February 7th to have a learner's permit. If they wait until after February 7th then they will be required to take classes. Rocky Vinton said that he is looking for a generator and switch. Rocky Vinton said that it took about 7 years to get lights in the shop and they work really well. The tennis court paneling was brought up in how long it has been since asked (December 2020) to schedule this pick up with Tom Wyatt, go up to Bozeman, and pick up the paneling and bring it back to White Sulphur Springs. The current City Crew trucks are not reliable enough and Ron Coleman has been looking for a dually dump truck that could haul a trailer, but they are hard to find. The Parks Committee is planning on having the tennis court up and running by Memorial Day in May. There was a discussion on having a shipping company

pick it up and bring it back to White Sulphur Springs in the City yard. Rocky Vinton said that he should know how the Willow Creek turbidity is doing by tomorrow.

7. Animal Control Report – Marc Pryor

Marc Pryor said that there had not been as many calls as there had been. Marc Pryor said that there was a call today having to do with animal neglect that he will have to do some investigating on. There was a discussion on the kennel license ordinance.

8. Deer Management Plan – JD Walker

The Mayor said that JD Walker will be back next week to start the deer management plan. Last year the plan was a permit for 50 deer and the plan has been cut in half to 25 deer. Last year the City trapped 23 deer. The problem deer and aggressive deer are not included in that permit. There is an ongoing deer list for people interested in receiving the meat.

9. Parks Committee Report – Pattie Berg

Pattie Berg said that there will be a Parks Advisory Committee meeting on Wednesday at 4:00 pm. On December 13th and 14th there will be two State/Federal funding workshop trainings for the tennis court project and for the Happy Trails project.

F. Unfinished Business - Items for Discussion and/or Actions

G. New Business- Items for Discussion and/or Actions

1. Urban Forestry Program Development Grant - Jen Frazer

Discussion and review of DNRC Urban Forestry Program Development grant application to enhance and improve the City's urban forestry program and authorize the City, through the Mayor, to accept the federal grant and sign the subaward agreement. The terms of the grant require a dollar-for-dollar match of funds. The award request is for \$2,805.00 and the matching contributions total \$4,467.25 and the In-Kind match contributions total \$3,386.00 for a total budget for this project of \$10,658.25.

Possible Motion: Move to approve the grant application as submitted and authorize the Mayor to accept the federal funds, if awarded, and execute the subaward agreement on behalf of the City.

Jen Frazer reported on the DNRC Urban Forestry Program Development grant application that will help pay for trees in the McStravick Park around the tennis court as well as replacing a couple of dying trees in Rader Park. Stacy Menard motioned to approve the grant application as submitted and authorized the Mayor to accept the federal funds, if awarded, and execute the subaward agreement on behalf of the City. Lee Blanchard seconded the motion. All said Aye. Motion carried and passed.

2. Consideration of Ordinance 378: Amendments to Title 5 Ch. 22 re: Medical Marijuana provisions

Possible motion: Move to approve Ordinance ___ amending Title 5 Ch. 22 of the existing code to conform with current state law.

Consideration of Ordinance amending Title 5 Ch. 22 of the Current Code to modify the terms of the Medical Marijuana provisions in the City Ordinance in conformity with Initiative 190 and House Bill 701, which made changes in the manner in which licenses are issued and businesses are authorized. Meagher County is deemed to have opted out of legalization of marijuana generally, but the City has certain provisions which exist and must be modified to conform with existing law.

The Mayor, Council, and City Attorney, Susan Wordal, discussed the consideration of ordinance #378 amendments to title 5 chapter 22 Medical Marijuana. There was a discussion on the language in the ordinance, such as the definition of the word “former” and then the fee structure before approving the first reading of the ordinance. Changes in State law due to House Bill 701 would require them to put for a public vote. The Council discussed changing the fees from the initial \$1,000 to \$3,000 and changing the renewal but not less than \$50.00 to \$1000. Susan Wordal will make those changes. Stacy Menard motioned to accept Ordinance #378 as amended to Title 5 Chapter 22 of the existing code to conform with the current state law. Ron Coleman 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 flooring installation at City Hall is almost completed and he is waiting on the heating/cooling contractor to have the furnace system arrive. The Mayor said that the advertisements for the City Attorney and City Engineer/Planner will go out to Helena, Bozeman, MT Bar Association, League of Cities and Towns, and the local newspaper. The closing date will be December 28th with a discussion/decision on the January 3rd meeting.

3. Council Comments/Discussion

a. President of the Council—Pattie Berg

Pattie Berg said that the Park Advisory Committee is still working on obtaining the funding for the fencing at the tennis court. Pattie Berg said that the Park Advisory Committee received an additional donation \$500 for the tennis court from Dennis Espeland.

b. Council Member—Lee Blanchard

Nothing else.

c. Council Member—Ron Coleman

Nothing else.

d. Council Member—Stacy Menard

Nothing else.

The Mayor would like to thank Lee Blanchard for his service as Council Member and hopefully you stay involved.

I. Claims Signing/Motion to Approve the Bills

Pay the Bills

Claim Check #'s 18346-18390

November 2, 2021 thru December 6, 2021 for \$30,975.37

Journal Vouchers #'s Payroll Check #'s 8881-8904 for \$18,865.88

Electronic Check #'s 6,789.99


Utility Billing System Adjustments \$60.81

11-02-2021 thru 12-06-2021 were presented for Council's approval. The Mayor asked if there is a motion to pay the bills. Stacy Menard motioned to pay the bills as presented. Pattie Berg seconded the motion. All said Aye. Motion carried and passed.

J. Motion/Vote to Adjourn the Meeting

K. Motion/Vote to Adjourn the Meeting.

The Mayor asked the Council if there is a motion to adjourn the meeting. Stacy Menard motioned to adjourn the meeting. Ron Coleman seconded the motion. All said Aye. Meeting adjourned at 8:52 pm.



Michelle Stidham—Clerk-Treasurer



Mayor – Rick Nelson