

City of White Sulphur Springs

The regular meeting of the City Council was held on May 3, 2021 at 7:00 P.M. Mayor Rick Nelson called the meeting to order with the following members present:

Pattie Berg
Ron Coleman
Michele Walker
Stacy Menard

Mayor Rick Nelson asked the Council if there is a motion to accept or reject the minutes from the April 5th meeting. Ron Coleman motioned to accept the April 5th minutes as presented. Michele Walker seconded the motion. It was suggested to remove the duplicated sentences on paying the bills on the last page. Pattie Berg motioned to approve the amended minutes. Michele Walker seconded the motion. All said Aye. Motion carried and passed. Mayor Rick Nelson asked the Council if there was a motion to accept or reject the minutes from the April 20th Regular Session meeting. Pattie Berg motioned to accept the April 20th Work Session minutes as presented. Michele Walker seconded the motion. All said Aye. Motion carried and passed.

Public Comment – The Mayor asked if there were any Public Comment and stated that this is the time for individuals to comment on matters falling within the purview of the Council. Please approach the podium, and state your name and address for the record. There will also be an opportunity in conjunction with each agenda item for comments pertaining to that item. Please limit your comments to three minutes. Please refrain from any conversation amongst yourselves.

Mitch Simon, 16 8th Ave SW, said that he recently requested from the City Clerk-Treasurer a couple of months of printouts with the vendors check list, on who is being paid, a description of what is being paid, and the amount on what the Council is presented and was presented with copies of such but had to pay for the copies of which he did not have a problem doing but it should be available, as they are public records. Mitch Simon suggested that the Council consider putting this information on the City's website to have it available like other towns do.

Marcy Joyce said that she would like to note that she has requested several times to have her properties at, 605 4th Ave Street E, 109 2nd Ave NE, and 304 Lincoln Street E, be listed on the zoning map as commercial.

Chief of the Police Jon Lopp – Sheriff's Report – None. The COMM Report document was presented to the Council for their review.

City Fire Chief Sam Peeler – Fire Report – None.

City Engineer Terry Threlkeld – Report- Terry Threlkeld said that DEQ received comments on the Water Main Replacement Project on Lincoln Street and should be ready to go out for bid soon. Terry Threlkeld said that the Council should start to review the street grid with the layout of water mains and see if there is a need for some change or not to see what the advantages would be to change the layout of streets with subdivisions and a few annexation

requests lately. The CEO Rob Brandt of the Mountainview Medical Center Hospital applied to Annex to the City a section of property that was newly purchased over by NE Garfield Street. The Council will review the application and discuss it at the next meeting May 17th.

City Public Works Supervisor Rocky Vinton – Public Work’s Report – Rocky Vinton said that the City Crew are busy working on Spring maintenance on equipment. Rocky Vinton said that he received three fire hydrants and will be scheduling the replacement of the 1-2 hydrants May 24th or so. Rocky Vinton said that Roger Skogen from Rural Water will be coming up to review and detect leaks on South down 4th, to Maginnis, to 6th and then all the way down 6th all the way. Rocky Vinton said that he will plan on replacing two hydrants every year. The City Crew will be working on getting the street sweeper into the City Shop to fix it. There a few of sink holes in the streets that they will be repairing. Marc Pryor replaced 48 water meters last month and there are about 145 more meters to be replaced still. Rocky Vinton said that Dan Kramer does not work for Rural Water anymore he works for Advanced Pump & Equipment, Inc., but he might still do some educational training if asked to. The State millings project for the City streets’ projects is set to start on June 1st.

Animal Control Report – Marc Pryor – Marc Pryor said that he had six reported disturbances since last time. One was a skunk, a couple of dogs loose, dog droppings, and one dog in pound until the owner could be located. Marc Pryor said that he typically spends about 2 hours a day scoping the streets with the trouble areas. The Spay & Neuter Clinic will have to be moved to July 17th. Marc Pryor will speak to the Spa Motel and ask if it the motel rooms would still be available at that time. The 40 volunteers for the July 17th clinic will have to be gathered up.

Parks Committee – Pattie Berg – Pattie Berg said that the Parks Advisory Committee next meeting will be May 12th. The Fencing and Tennis Court Surface prep call for bids will go out to the newspaper. There has been interest on possibly installing a skate park over by the City Hall behind the horseshoe pits by the baseball field. The Mayor said that after they burn off the BMX area then they will spray for weeds. Marcy Joyce, 304 E Lincoln, asked if anyone has researched to see if the spray is safe for bees. The Mayor said that he would look into it. Marcy Joyce, as a taxpayer of multiple properties, wanted it noted that she adamantly opposes allocating funds to repair the tennis court when there are other areas in need of public facility funds, like the City Shop, that would benefit everyone.

Unfinished Business - Items for Discussion and/or Actions

Formal Public Hearing: Community Capital Improvements Plan (Terry Threlkeld) Continuation of formal public hearing as to Community Capital Improvements Plan (CCIP).

CCIP is a formal but short-range plan, generally anywhere from 1.5 years to 10 years, which identifies any major improvements to City facilities and infrastructure (such as street projects or equipment purchases) and provides a schedule for planning and financing options. Draft Document is available on the website, including a proposed priority list of projects with estimated costs and/or financing options.

Possible Motion: Move to Approve CCIP (with or without alterations) or Move to continue to another Agenda.

Terry Threlkeld said that the newest CCIP document was updated in March. The Mayor asked if there was any public comment.

Mitch Simons said that the City Shop building (\$225,000) and saving \$45,000 a year until 2026 is rated on 8 on the priority list and it should rate higher on the list. It was suggested to build a smaller heated shop (\$60,000) for now to work on equipment like the loader, plow truck, jetter, and backhoe and then add more space later. It was suggested to put out bid costs for two options, one for adding to the current building and applying for a waiver from DEQ of the 100ft concerning the wells and another NE area in the City Yard further from the wells with a new building. Stacy Menard motioned to move number 8 to number 2 on the priority list and accept the CCIP document as amended. Pattie Berg seconded the motion. All said Aye. Motion carried and passed.

New Business – Items for Discussion and/or Action

Resolution #627 – City/County Airport

Discussion and/or Action on Formal Resolution to accept the offered loan amount of \$22,250. The Montana Aeronautics Board considered an application for project funding by the Airport Authority at a meeting on December 30, 2020, and approved the following funding:

- a Grant of \$750.00 for rehabilitation of the taxiway;
- a Grant of \$1,250.00 for Rehabilitation of the Apron;
- a Grant of \$8,250.00 and a loan of \$8,250.00 for Identification and Removal of Obstructions;
- a Grant of \$14,000.00 and a Loan of \$14,000.00 for Rehabilitation of the Runway; and
- a Grant of \$40,000.00 to install Weather Reporting Equipment (eg: AWOS).

The above amounts were delineated in 3 letters to the Airport Authority.

Loan and documentation originated from the State of Montana and the Aeronautics Division of the Department of Transportation, and is being jointly considered by the Meagher County Commission as a co-sponsor for the Airport.

Possible Motion: Move to Approve Resolution #627 or Move to continue to another Agenda.

The Mayor said that the City/County Airport resolution is just a formality for accepting the grant money and loan. Stacy Menard motioned to approve Resolution #627. Ron Coleman seconded the motion. All said Aye. Motion carried and passed.

Resolution #630 - Donation of lots from Spike Short

Discussion and/or Action regarding Resolution to accept donation from Spike Short family of identified certain lots to the City for use as outdoor recreation/scenic walking areas by the City. Items needed: Deed from Short family to City or survey which creates the tract to be transferred

be provided by Short Family with details of conditions for donation and requested language as to reversion to family in certain events.

Discussion of proposed Donation Agreement.

Possible Motion: Motion to schedule formal vote for either April 20, 2021 or May 3, 2021.

Susan Wordal has been working with the Spike Short Family land donation proposed paperwork. Susan Wordal said that eventually there will be a need for some fencing. The Mayor asked if there was any public comment.

Mitch Simon asked if the City had done any research in whether the property had been inspected for subsurface issues costs for the donated properties along the river. The Mayor said that just a visual review on the donated properties has been done.

Marcy Joyce asked if the City had researched to see how much it would increase taxes in insurance for the properties.

TJ Paulsen said that it is a gracious donation from the Spike Short family to be used for residents to have a place to enjoy the parks with their families and kids to go and play as they had been doing for years.

Montana 406 Enterprises LLC- Amy Schmechel

Discussion regarding situation at Montana 406 Enterprises (Man camp) as to sand in the water lines. Consideration of request by owner to waive fees and/or otherwise offset the remainder of the agreement (\$324.94). Agreement called for paying \$3,024.94 in water/sewer installation requirements over 20 months at rate of \$150.00 per month. The last two full payments of \$150.00 are due March 30 and April 30 respectively, and the \$24.94 is due the end of May.

Possible Motion: Motion to grant request of Montana 406 Enterprises to waive \$324.94 on payment agreement due to unforeseen circumstances.

The Mayor said that Amy Schmechel is not in attendance. The Council discussed waiving the fees. It was said that numerous residents have come before the Council asking consideration of forgiveness of fees and have not been granted. It was mentioned that it is essentially considered a loan to be paid in full. Pattie Berg motioned to grant the request of Montana 406 Enterprises to waive \$324.94 on the payment agreement due to unforeseen circumstances. There was not a second on the motion. Motion failed due to no second to the motion.

Discussion/Review regarding Council and Staff Job Descriptions (budget prep discussion)

- a) Mayor: Job Duties re: Enforcement of ordinances/Required Hours/Compensation
- b) Council: Job Duties/Required Hours/Compensation–
- c) Employees – Job Descriptions/Pay Schedule

Possible Motion: Motion to authorize additional duties for Mayor with adjustment in hours/compensation; Motion to authorize alterations to Council job duties/hours/compensation; Motion to revise employee job descriptions and pay schedule.

The Mayor asked when the Council received the documents on the job descriptions. The Council said that they just received them and have not had enough time to review the documents. The Mayor said that discussions on the job duties, required hours, compensation, pay schedule, enforcement of ordinances, required hours, and compensation will be on the June 7th meeting.

Skate Park – Wes Stidham

Discussion on Skate Park.

The Mayor said that Wes Stidham talked to him last week and would not be able to attend the meeting tonight. Wes Stidham said that he had been approached from a group of kids to speak in their behalf about a 100' X 100' suitable area to locate a skate park in town. It was discussed to possibly use the area behind the Ambulance building or behind the horseshoe area. This discussion will be continued on the June 7th meeting.

2 Bassett Brewery (Barry Hedrich)

Discussion and/or Action on awning/pedlet renewal of the patio space variance must be sought through written application and filed prior to May 1, 2021 for the benches to remain.

Possible Motion: Motion to extend or renew permit on awning/pedlet.

The Mayor and the Council discussed the 2 Bassett Brewery letter from April 10th that Barry Hedrich had written to the City to extend or renew the permit on the awning/pedlet.

April 10, 2021

**City of White Sulphur Springs
White Sulphur Springs, MT 59645**

Re: Patio Space

Dear City Council:

We would first like to extend our thanks to the Council for allowing us to enclose our patio space for the winter. The extra space was utilized frequently during the winter months and were it not for that space, we would have had to turn people away. Even though capacity restrictions were lifted, we felt that we should remain at 75% capacity and it is our intention to continue operating with a lesser capacity to maintain a safer environment.

We are hereby requesting renewal of our original March 2019 variance to continue use of the sidewalk to the west of the building for outdoor seating from May 2021 through October 2021, with the inclusion of the pedlet for pedestrian access.

We are on track to have the temporary walls removed by May 1, 2021. Even though the original intent of the winter variance was to allow for additional seating due to pandemic restrictions, it is our intent to request an additional renewal of the winter variance later this fall as we know that the more you can spread out, the better for public health and safety.

We are beginning the renovation process of the former Edwards Grocery building which will eventually house the brewery. The plans for the new facility include a patio space within the footprint of the existing building, thus eliminating the need for any variance.

We hope that the City will continue to look favorably on our requests until we can relocate the brewery, which is expected to be in late 2022 or early 2023.

Thank you for your consideration.

Respectfully,



Barry Hedrich

Chris Hedrich

It was discussed that there were a few complaints about the amount of the parking lost due to the pedlet. It was suggested to table the request until the Council could review further the issues of parking and safety. Pattie Berg motioned to table this and extend 2 Bassett Brewery's waiver permit that expired on May 1st until the June 7th meeting. Michele Walker seconded the motion. All said Aye. Motion carried and passed.

Mayor Rick Nelson – Comments

The Mayor said that there has been a date change for the spay and neuter clinic from June 26th to July 17th. The Mayor said that he would like to thank the City Employees and Volunteers for all of their help in the dump-clean up day. The Mayor said that the City Judge resigned on April 29th so the City will be looking for a replacement but in the interim Justice of the Peace, John Lesofski, from the County has been sworn in the Oath of Office May 3rd and will be filling in until a new City Judge is appointed. The Mayor said that on May 17th there will be a regular Council meeting 6:00 pm to 7:00 pm, on two items that are time sensitive, Annexation Applications from Mountainview Medical Center and then Keith Howick, Townsend Hardware for 15 unit houses adding on to by the barn with a 60 foot exchange property over by 8th and Hampton possibly. Directly after the regular meeting will be a work session to be a continuation Council discussion on the Interim Land Use (Zoning) document.

Pattie Berg motioned to extend the meeting until 9:15 pm. Michele Walker seconded the motion. All said Aye. Motion carried and passed.

Montana 406 Enterprises LLC, Amy Schmechel and Ron Sorg, requested to speak about and explain the severe water issue situation with the water flowing issues, valve, meter blockages. They had sent in samples to Energy Labs for testing. Amy Schmechel said that Ron Sorg has torn apart all of the valves and meter numerous times. They are asking to waive the remaining payments of the agreement \$324.94 due to unforeseen circumstances. The City Crew reflashed the hydrant for 3-5 minutes and retested the samples and it came back fine, so it is not a City issue. The Conestoga Campground on the end of the water line has not had any issues. Ron Sorg

provided samples in a couple of jars that showed milky water with sediments and various impurities clogging the water flow passage. It was asked why the City had not been able to take a sample of the jars that were presented last month. Pattie Berg motioned to not waive the remaining payments. Stacy Menard seconded the motion. All said Aye. Motion carried and passed. Amy Schmechel said that you for your consideration and she will be contacting the City Office if the meter becomes clogged again or has low water pressure, and will have someone bring up the samples of jars for the Council to view.

President of the City Council – Pattie Berg

Pattie Berg said that said that there will be a Municipal Elected Officials Virtual Conference May 4-6. Pattie Berg asked what the status on the codification of the Ordinance book was. Susan Wordal will give them a call.

Council Member – Michele Walker

Michele Walker said that she is moving next weekend, decided not to annex into the City, so she will be out of the City limits, and will have to put in her resignation effective of now.

Council Member – Stacy Menard

Stacy Menard suggested next time that the 2 Bassett Brewery ask to Council permission before doing instead of requesting for forgiveness afterwards.

Council Member – Ron Coleman

Ron Coleman did not have anything additional.

Pay the Bills

Claim Check #'s 18087-18106 April 6, 2021 thru April 30, 2021 for \$30,844.64

Claim Check #'s 18107-18114 May 1, 2021 thru May 3, 2021 for \$21,521.31

Payroll Check #'s 8674-8694 for \$17,097.33

Direct Deposit Check #'s 89452-89457 for \$3,426.14

Electronic Check #'s 89459-89449 for \$7,424.32

Utility Billing (UB) Adjustment History #'s 30408-30492 for \$374.46

Journal Vouchers (JV's) #'s 1792-1806 for \$1,477.81

04-06-2021 thru 05-03-2021 were presented for Council's approval. The Mayor asked if there is a motion to pay the bills. Ron Coleman motioned to pay the bills. Stacy Menard seconded the motion. All said Aye. Motion carried and passed.

The Mayor asked the Council if there is a motion to adjourn the meeting. Ron Coleman motioned to adjourn the meeting. Stacy Menard seconded the motion. All said Aye. Meeting adjourned at 9:16 pm.


Michelle Stidham—Clerk-Treasurer


Mayor – Rick Nelson