

City of White Sulphur Springs

The regular meeting of the City Council was held on November 15, 2022 at 6:00 P.M. Mayor Rick Nelson called the meeting to order with the following members present:

Pattie Berg
Ron Coleman
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. Unfinished Business - Items for Discussion and/or Action

1. Variance Request – J. Settlemire– Sewer Main Tap

Discussion and/or Action

Continued from October 3rd and November 7th. 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 the alley was surveyed and the garage does encroach on the alley by about 12 inches (so with the 3 ft setback it would be encroaching about 4 ft). The Mayor, Susan Wordal, and Council discussed the variance request to turn the garage into an extra dwelling for family. Pattie Berg motioned to allow the 1ft variance plus the 3ft setback to turn the garage into a living dwelling. Susan Wordal said that by remodeling the garage and changing it into a dwelling the owner had lost the grandfathering status of the building in the right-of-away. The Council agreed if you do this variance for one then you would have to do this with others. This could pose a problem as the Hospital is looking at using Garfield Street for an access route to the New Hospital. A motion to allow the variance died for the lack of a second. Ron Coleman motioned to not approve the variance request. Lee Blanchard seconded the motion. All said Aye. Motion carried and passed.

2. Alley/1st SW Garfield - Impassible (items in the alley)

Discussion and/or Action

Continued from October 3rd and November 8th. The alley located in or near 1st 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. Survey should be available for meeting.

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 was surveyed and the fences along the alley are right in line with where they should be at. The propane tank is about one inch in the right-of-away. The tree and the Triangle Telephone fiber vault are in the right-of-away. The Mayor said that the next step would be to notify the property owners to have them clear out their property that is blocking the City alley. The Mayor has already been talking to Triangle Telephone Communications about moving the vault, they would be able to get this done at springtime. Pattie Berg motioned to take the necessary action to clear the City alley if not cleared by residents and either the City to absorb the cost, or property owners to be billed a share of costs. Ron Coleman seconded the motion. All said Aye. Motion carried and passed.

F. New Business- Items for Discussion and/or Action

1. Christmas Stroll 2022 – Street Closure/Alcohol Waiver

Discussion and/or Action

Consider a request to shut down Main Street from 6:00 to 9:30 p.m. on December 2nd for Christmas Stroll 2022. Also, whether to grant an alcohol/open container waiver for the period of the Stroll

Accept Public Comment

Possible Motion: Move to allow Main Street to be closed from 6-9:30 p.m. on December 2nd for Christmas Stroll 2022. Separate Motion: Move to grant an alcohol/open container waiver for the Christmas Stroll.

Secretary of Meagher County Chamber, Patty Campbell, approached the Council to consider a request to close down the whole length of Main Street (from the Bank of the Rockies to Jesse Pepper's Smoke Shack) from 6:00-9:30 pm on December 2nd for the Christmas Stroll and to grant the alcohol open container waiver during that time. They have all of their permits, safety plan, and traffic plan/route, ready. There will be several vendors along Main Street with a hayride at stops. The Mayor said that there would be a possible problem of semitruck traffic fueling at Town Pump and then not being able to get back out. The Mayor said that the closure should run up to 3rd Avenue instead. Lee Blanchard motioned to approve the December 2nd street closure with the traffic route adjustments from 6:00-9:00 pm and waive the alcohol. Ron Coleman seconded the motion. All said Aye. Motion carried and passed.

2. Vacancy in Parks Advisory Committee

Consideration of vacancy on the committee, proffer of Jordan Kibbee to serve as replacement.

*Possible Motions: Motion to appoint **Jordan Kibbee** to fill the vacant Committee position, or in the alternative, a motion to extend the period for submission of applications/letters of interest until December 2, 2022 and appoint replacement at the meeting on December 5, 2022.*

The Mayor said that the Parks Advisory Committee recommended Jordan Kibbee to fill the vacant committee position and he feels that is appropriate. The Council agreed.

G. Council Review of Financials

H. Claims Signing/Motion to Approve the Bills

Pay the Bills

Accounting Claim Check #'s 18841- 18863 October 19, 2022 thru October 31, 2022 for \$81,551.12

Accounting Journal Vouchers October 1 thru October 31, 2022 – not until November 15, 2022

Payroll Check #'s 9236-9255 October 16-31 for \$13,194.53

Payroll Electronic Checks October 16-31 for \$1,578.01

Utility Billing System Adjustments Journal Vouchers \$520.96 October 1, 2022 thru October 31, 2022

Received a copy Budget Expenditure/Revenue October 2022 – not until November 15, 2022

October 19, 2022 thru October 31, 2022 were presented for Council's approval last meeting. The Mayor and Council received the Pay the Bills. The Mayor asked if there is a motion to pay the bills. Lee Blanchard motioned to pay the bills as presented from the last meeting. Ron Coleman seconded the motion. All said Aye. Motion carried and passed.

Pay the Bills

Accounting Claim Check #'s 18864- 18891 November 1, 2022 thru November 15, 2022 for \$286,020.49

Accounting Journal Vouchers #2354-2378 October 1 thru October 31, 2022 for \$4,598.77

Payroll Check #'s 9256-9265 November 1-15 for \$13,194.53

Payroll Electronic Checks November 1-15 for \$1,747.62

Utility Billing System Adjustments Journal Vouchers – nothing until December 5, 2022

Received a copy Budget Expenditure/Revenue October 2022

November 1, 2022 thru November 15, 2022 were presented for Council's approval. The Mayor and Council received the Pay the Bills. The Mayor asked if there is a motion to pay the bills. Lee Blanchard motioned to pay the current bills as presented. Ron Coleman seconded the motion. All said Aye. Motion carried and passed.

I. Motion/Vote to Adjourn the Regular Meeting

The Mayor asked the Council if there is a motion to adjourn the Regular Session meeting. Lee Blanchard motioned to adjourn the meeting. Ron Coleman seconded the motion. All said Aye. Meeting adjourned at 6:35 pm.

WORK SESSION (Starts directly after Business Meeting adjourns)

A. Call Work Session Meeting to Order @ 6:45 pm

B. Council Discussion:

1. City Code Review: Titles 6, 7, and 8

Resume discussion of identified chapters Title 6-8 with time permitting, suggest revisions, explore options as identified in discussion.

The Mayor, Susan Wordal, and Council discussed Title 6, 7, and 8.

Title 6: Motor Vehicles and Traffic, Chapter 1: Traffic Regulations, Operation of Vehicles, Licenses and License Plates, Parking Regulations, Snowmobiles, and Bicycles. There was a discussion on Self Governing Power Provisions and General Government Power Provisions community. There was a discussion on the DUI section T. 6 page 34. (H) and it is State code. The City is not a Self Governing Government Community, so much of Driving Under the Influence Prohibited; penalty had to be stricken out. There was a discussion on T. 6 page 12, (K) Play Street. The Council agreed to remove (K) totally. There should be a few street signs for watch out for children and slower speeds in certain area zones. T. 6 page 20, 6.1.10 – 6.1.27 about parking, this should be in the designated section of all of the parking. There is a bus parking section that needs to be removed. There was a discussion about 6.1.19, vehicles being on private property that are not authorized to be there and the Sheriff Department being authorized to remove the vehicle and impounded at the County graveyard, if they don't pick up their vehicle in 60 days the City could sell it, but the City would keep the funds separately in case it fell through. There was a discussion on 6.4.4 Parallel Parking, parallel with the edge of the street headed in the direction of traffic. There was a discussion on 6.5.1 (A) about snowmobiles and Third Ave Southwest, (that is the State Highway 89).

Title 7: Public Ways and Property, Chapter 1: Sidewalks, Removal of Snow and Ice, Sidewalk Obstructions, and Trees. There was a discussion about sidewalk width, grade, ADA Compliance, and obstructions. There was a discussion about 7.3.2 Enforcement; Permits, the streets and alleys committee of the Council shall have supervision of all streets, including sidewalk areas, and shall be charged with the enforcement of this chapter. It was agreed to have the enforcer, the Mayor be responsible to supervise all streets/alleys. There was a discussion on Chapter 4: Trees and it was asked if the City currently has an active tree board and tree planner tree survey document. The City Clerk-Treasurer will research and find the file folders documents. Jennifer Frazer, from the Forest Service, will look into what all she can find about the tree board, tree planning, tree pruning/removal, an Arborists License and Bond, and the Tree City USA status and maintaining it. It was mentioned that more information will be needed to research the tree section. It was suggested to look at what Harlowton, Ennis, or Townsend towns have done in their codes.

Title 8: Public Utilities, Water Use and Regulations, Water Wells, Sewer Regulations, Wastewater System Service Charges, Wastewater Haulers, and Contractors. There was a discussion on the 8.1.10 City Not Responsible for section. Susan Wordal will include the necessary language in the code book.

J. Comments/Discussion

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

The Mayor said that at the next Work Session they will revisit the tree section, sidewalk section, cover Title 9 and possibly 10, and that will get the Ordinance code book reviewed. The Mayor said that Rocky Vinton is still working on gathering up the City Shop quotes. Jake Gregory is studying for the water exam test. Matt Swett is busy working on the GIS Mapping for the City water/sewer/curb stops with Diamond Maps and will be talking with Triangle Communications. Matt Swett will be working on studying for a water test after the GIS Mapping is done. Jake Gregory will be working on his CDL also. The City's decorative streetlights are not on because during the wind storm the Haugen Express' roof blew off, landed on, and destroyed the City's decorative light pole so the City Crew turned the switch off, and their insurance company will be there tomorrow. The Mayor said that Jake Gregory will be attending an online water training the next couple of days.

3. Council Comments/Discussion

- a. President of the Council—Pattie Berg

Pattie Berg requested a meeting with Jen Frazer, the Mayor, and herself on Thursday at 1:00 pm. Ron Coleman, asked about the boxes by the Tennis Court. It was said that with the break of weather the Parks Advisory Committee will be assembling the ordered equipment by the Tennis Court. It was suggested by Ron Coleman, to close and lock the gate when no one is using the court.

- b. Council Member—Ron Coleman

It was asked how far along is Rocky Vinton from getting his CDL. The Mayor said that he will be taking his written test again because the aloud period has now expired. The Mayor said that Rocky Vinton does the snow plowing with the loader and nice plow (that does not require a CDL license). The snowplow is not on the dump truck it has been being used for sanding the streets.


- c. Council Member—Rick Ellison - none

- d. Council Member—Lee Blanchard

It was mentioned that some residents have requested a few slow down children at play signs.

K. Motion/Vote 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 9:00 pm.


Michelle Stidham—Clerk-Treasurer


Mayor – Rick Nelson