

City of White Sulphur Springs

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

Pattie Berg
Ron Coleman – 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. Read & Approve - Accept or Reject Minutes

1. October 3rd Meeting – Regular Session

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

Pattie Berg motioned to accept the October 3rd regular session minutes as presented. Rick Ellison seconded the motion. Ron Coleman, Pattie Berg, and Rick Ellison all said Aye. Motion carried and passed.

2. October 18th Meeting – Regular Session and Work Session

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

Rick Ellison motioned to accept the October 18th regular session minutes as presented. Ron Coleman seconded the motion. Rick Ellison and Ron Coleman said Aye. Motion carried and passed.

F. Receive/Accept Reports

1. Sheriff's Report – Sheriff Jon Lopp

The Council reviewed the Meagher County Sheriff's Office Complaint Report for October 2022. Sheriff Jon Lopp asked the Council if there were any questions or concerns.

2. City Court Report – City Judge Lori Sorenson

The Council reviewed the White Sulphur Springs City Court Activity Reports.

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

4. City Engineer's Report

Great West Engineering Project Engineer, Jessica Salo, reported that they are working on the backup generators (one for the lift station and one for the well pump) design, the CIP document, and the water PER update document (finishing the PER by March 2023 and then being able to use this to help when applying from funding agencies later in the 2023 year).

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

City Crew-Public Works, Matt Swett, reported that the GPS/GIS Diamond Mapping is ready to go with the iPad. The City Crew had tried to place marking flags for curb stops, but some residents removed them. The City Crew found out that the sewer line in the alley between South and 1st/2nd /Garfield had been capped. The City Crew removed the old cap and found out that it was full of roots, so they removed the roots and it is good now. The City Crew have been busy doing the maintenance

on equipment and winterizing them. The City Yard has been cleaned up and organized. There was a question about the status on a City Crew Employee obtaining a CDL so that someone would be able to drive the commercial truck to plow the streets. The Mayor said that the City Crew and Ron Coleman are still working on when they can try again to pass the driving part of the CDL license.

6. Animal Control Report – Marc Pryor

Marc Pryor reported that things have been quiet since the dogs have been adopted out. Marc Pryor drew up a plan for the animal control facility that would be able to having separate areas for cleaning and housing. Marc Pryor said that there was one skunk that died and a black cat that was run over on Main Street that was removed. Marc Pryor said that said that he is working on the Deer Management Plan Process and the traps are ready to go and start in December again.

7. Parks Committee Report – Pattie Berg

The Parks Committee had their third CORR Process meeting on October 4th and will email the Council the notes from all three meetings a brochure summarizing the process. The next meeting will be Thursday November 10th.

8. Library Report – Rachel Wahlstrom – handed out via email.

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

1. Reconsider City Shop Building Contract Award

Discussion and/or Action

Brought back from October 3 and 18 Council meetings, Mayor to address issued with VOD contract and negotiations. Reconsider other bidders and re-award contract or republish bid solicitation.

Accept Public Comment

*Possible Motion Options: Move to re-award contract to XXX for their bid of \$XXX,XXX.
OR, Move to republish bid solicitation (with or without revisions).*

The Mayor said that the City received the new shop building contract but there were concerns about the Canadian based company requiring most of the payment before the building was even delivered. Susan Wordal said that the contract did not have a choice of law clause, no mention of required Montana law, and they seemed unwilling to change it. Susan Wordal said that the Council is not required to accept the contract because they chose the awarded company's bid, if the Council doesn't agree to the terms, the Council may reject the contract and find another contractor. Pattie Berg motioned to withdraw the awarded bid to VOD contract and find another contractor. Rick Ellison seconded the motion. Ron Coleman, Rick Ellison, and Pattie Berg said Aye. Motion carried and passed.

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

Discussion and/or Action

Continued from October 3rd. 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 surveyor was not able to complete the surveying of the alley before the meeting, due to an illness in his family, so this item will be tabled until the next meeting November 15th.