

## 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 3<sup>rd</sup> Meeting – Regular Session

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

Pattie Berg motioned to accept the October 3<sup>rd</sup> 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 18<sup>th</sup> Meeting – Regular Session and Work Session

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

Rick Ellison motioned to accept the October 18<sup>th</sup> 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 1<sup>st</sup>/2<sup>nd</sup> /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 4<sup>th</sup> and will email the Council the notes from all three meetings a brochure summarizing the process. The next meeting will be Thursday November 10<sup>th</sup>.

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 3<sup>rd</sup>. 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 15<sup>th</sup>.

### **3. Alley/1<sup>st</sup> SW Garfield - Impassible (items in the alley)**

#### Discussion and/or Action

Continued from October 3<sup>rd</sup>. The alley located in or near 1<sup>st</sup> 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 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 15<sup>th</sup>.

## **H. New Business- Items for Discussion and/or Action**

### **1. 2 Bassett Brewery – Barry Hedrich**

#### Discussion and/or Action

Renewed request from 2 Bassett Brewery for extension of awning/pedlet enclosure variance owing to continued distancing issues due to COVID subject to conditions as imposed for October 2022 to May 2023.

#### Accept Public Comment

*Possible Motion: Motion to authorize extension of awning/pedlet enclosure variance from October \_\_\_\_, 2022 to May 1, 2023 subject to conditions.*

Barry Hedrich from 2 Bassett Brewery, presented the Council to request an extension variance of the awning/pedlet enclosure for the winter. Barry Hedrich said that the new building is slowly being worked on and expects to have it open by this time next year. Rick Ellison motioned to authorize the extension of the awning/pellet enclosure variance until May 1, 2023. Ron Coleman seconded the motion. Rick Ellison said Aye. Ron Coleman said Aye. Pattie Berg said Nay. Motion carried and passed.

## **I. Comments/Discussion**

### **1. Future Business**

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

The Mayor said that the next work session meeting will be November 15<sup>th</sup> and the Council will go through the Ordinance Code book Title 6, 7, 8. The Mayor asked if the Council reviewed the September 2022 Mountainview Medical Center Relocation Project Traffic Impact Study. The Mayor said that if there were any questions or concerns that Rob Brandt would arrange a meeting with the engineering firm that prepared the document. The Mayor said that there will be an EBAC/Gateway Economic Development meeting with Jennifer Anderson Wednesday from 1-4 pm at Bar 47. The Mayor said that the City's decorative light poles are not on because the Haugen Express building blew over and wiped out one of the light poles.

### **3. Council Comments/Discussion**

#### **a. President of the Council—Pattie Berg**

**b. Council Member—Ron Coleman – attended via Zoom.**

**c. Council Member—Rick Ellison**

**d. Council Member—Lee Blanchard – not in attendance.**

**J. Council Review of Financials**

**K. Claims Signing/Motion to Approve the Bills**

The Mayor said that the bills would not be able to be approved as there was only two Council Members in person. The October 19, 2022 thru October 31, 2022 bills will be presented for Council's approval on November 15<sup>th</sup>.

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

The Mayor asked the Council if there is a motion to adjourn the meeting. Rick Ellison motioned to adjourn the meeting. Pattie Berg seconded the motion. Rick Ellison, Pattie Berg, and Ron Coleman said Aye. Meeting adjourned at 8:10 pm.



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Michelle Stidham—Clerk-Treasurer



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Mayor – Rick Nelson