

The regular meeting of the City Council was held on January 3, 2017 at 7:00 P.M. The meeting was called to order by Mayor Julian Theriault with the following members present:

1st Ward-----Mike Eby
George Kirkwood
2nd Ward-----Sara Driemeyer

Mayor Julian Theriault asked council if there is a motion to accept or reject the minutes from the last meetings. George Kirkwood motioned to accept the regular minutes as presented. Mike Eby and Sara Driemeyer seconded the motion. All said Aye. Motion carried and passed.

Public Discussion -The Mayor asked if there were any public discussion.

Sheriff's Report - Jon Lopp asked if anyone had any questions or concerns on the COMM Report. Jon Lopp brought up the ordinance 10.02.110 on the no parking on Main Street between 2:00-5:00 am. The State guy is having a hard time removing the snow with the snowplow. Putting up no parking between 2:00 and 5:00 am on street signs would help with the maintenance of the snow removal. Susan Wordal ask if Jon Lopp had discussed the procedures on crime victim notifications with the County Attorney. Jon Lopp said we have not. Susan Wordal said that some of the laws have changed on the constitutional initiative victim rights that they will have to have conservations about on. Mike Eby handed out sheets to the Council and Mayor pertaining to the property taxes. Mike Eby had worked with the County Treasurer to get the information on the collection of the property taxes and how the Sheriff's Office Budget was funded within the County's General Fund. The numbers stated that the percent of the taxes money being paid to the Sheriff's Office Budget from the City was 57% and the County was 43%. Jon Lopp thanked the City.

City Fire Report - Fire Chief, Otto Ohlson, said that the City of White Sulphur's fire classification, fire protection, has been upgraded from an ISO class 6 to 5 of which will lower property owner's insurance in the City and the rural property owners. Otto Ohlson said that he attributes this in the ability to work, mutual aide, with the fire department and the county fire department. Otto Ohlson said that they were able to get the training needed and also have the records in order. The Mayor would like to see the fire department keep the City informed on the money being given to the fire department. Otto Ohlson will be filing an annual report to the State and when it is complete Otto Ohlson will be officially reporting this on the next City Council meeting. Otto Ohlson appreciates the City contributing the funds on the fire retirement. The Mayor said that the City will be looking into increasing the fire retirement funding the next budget. Otto Ohlson said that a Town Pump Grant will be available that he intends to apply for.

Meetings-dropping mid Council meeting - The Mayor said that the mid Council meeting will be dropped for a few months until it picks up. George Kirkwood motioned to have the meeting on the mid meetings be deferred until construction starts back again in March-April. Mike Eby and Sara Driemeyer seconded the motion. All said Aye. Motion carried and passed.

Sewer Project - The Mayor said that he received a letter from Michele Marsh on the lining of the sewer lagoons asking why they were only using one sewer pond. The Mayor talked with Brad Koenig about the sewer ponds and that the weather and starting late on the sewer ponds effected the lining of the sewer pond.

The Mayor said that the gravel that was dug up from the sewer lagoon was put in a pile is good gravel that could be reused. The Mayor said that there is a question on the ownership of the gravel of whether it is the DNRC or the City's gravel. The Mayor said the City removed the gravel from the lagoon and stored the gravel. If the DNRC wants the gravel then they need to pay the City for storage and removing the gravel.

Local Option Tax - City/County - Susan Wordal is looking into the Local Option Tax-City/County. Susan Wordal said that the County is not communicating with her.

Personnel Policy Manual - The Mayor said that MMIA updated the Personnel Policy Manual. The City adopted the Personnel Policy Manual on April 2008. The Mayor wants the Council to review the MMIA updates and compare with the City's April 2008 Personnel Policy Manual. Susan Wordal said that the City need to follow the Federal Laws, but it is basically an update on the MMIA to follow.

Memorandum of Understanding - The City Attorney is working the draft of the Memorandum of Understanding. Mike Eby talked with the County Treasurer and come up with a percent. The Sheriff's department is funded from the County's General fund and the General fund is made up of different monies. Part of this money is the City/County resident's property taxes. City percentage attributed to the Law Enforcement 57% and is an amount of \$146,721.61 and the County percentage attributed to the Law Enforcement is 43% is an amount of \$110,684.72. Susan Wordal said that according to the 1977 documents when the City/County combined police forces the Special Police Levy included the property taxes to enhance the services in the City. Susan Wordal said that enforcing the law beyond the City Ordinances was already supposed to have been done by the Sheriff's Office. If the Sheriff's department is needing more money they should increase the mills and put it up to a levy vote County wide. The County Commissioners and County Attorney would like simple. The City Attorney is working the draft of the Memorandum of Understanding still. Susan Wordal will provide the City Council and County Commissioners the memorandum of understanding.

Resolutions and Ordinances - Susan Wordal is working on the Resolutions and Ordinances.

Growth Policy/Planning Board - The Planning Board there is no change.


Future Business - The Mayor asked if there were any future business.

Mayor Comments - The Mayor asked about the Tenderfoot Motel. Susan Wordal said that they had come up with an agreement and the defendant has agreed to pay \$1,000 on the fee occurred on the City Attorney plus the survey cost to be the penalty. Susan Wordal said that Dean Anderson will also need to submit the variance and have it approved from the City Council. Any other additional survey needed to obtain the

variance will need to be paid also. The Mayor said that the ordinance states that he has to pay a fine for breaking the law on the City Ordinance. Sara Driemeyer said that she remembers that if as long as the City could re coop the loss. Thought that all of the Council agreed on this that as long as we could get the Attorney and the survey paid that it would be better than losing and costing the City more. The Mayor thought that it was brought up that if they had to that the City would take him to Court. George Kirkwood said that it had to do with the needing the variance and the criminal conduct being brought up in court. Susan Wordal said that it was all included in the agreement already for the costs. Mike Eby said that he understood it as the ordinance was written that it was not enforceable that the ordinance needed to be re written. Mike Eby did not know how the Tenderfoot could have changed ownership without the variance being done. The Mayor said that it was up to the Council but it will bring up other problems.

Pay the Bills - Mayor Julian Theriault asked the Council if there is a motion to pay the bills. George Kirkwood motioned to pay the bills as presented. Mike Eby and Sara Driemeyer seconded the motion. All said Aye. Motion carried and passed.

Mayor Julian Theriault asked council if there is a motion to adjourn the meeting. George Kirkwood motioned to adjourn the meeting. Mike Eby and Sara Driemeyer seconded the motion. All said Aye. Meeting adjourned at 8:24 pm.


Michelle Stidham - Clerk-Treasurer


Julian A. Theriault - Mayor