

City of White Sulphur Springs

The regular meeting of the City Council was held on April 19, 2022 at 6:00 P.M. Mayor Rick Nelson called the meeting to order with the following members present:

Pattie Berg
Ron Coleman
Rick Ellison
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.

BUSINESS SESSION

A. Call Business Session Meeting to Order

B. New Business

1. Hard Rock Mining funds - Nancy Schlepp and Jackson Rose

Discussion and/or Action

Receive report from Nancy Schlepp and Jackson Rose as to status of Hard Rock Mining funds and potential uses. Consider options based on status of funding.

Jackson Rose and Nancy Schlepp presented the Council with the 2022 Hard Rock Mining Impact Plan Annual Monitoring Report – Survey Data handout. Jackson Rose and Nancy Schlepp gave a report on the Hard Rock Mining Act Funds available to the City. Nancy Schlepp reported that Black Butte Copper project is moving forward despite the ruling against them and the DEQ. Nancy Schlepp said that they have met with their lawyers, the board of directors, investors, and they all want to move forward on the project. The Black Butte Copper mines' permit has not been pulled and they have 45 days to respond to the decision with remediation plans, they fully expect the case to go to the Montana Supreme Court, but they expect the whole process to set back the construction by about a year. The Mayor said that the City has about \$58,000 of funds available that they will request for by the end of fiscal year and use for planning.

2. HRDC Housing Study/Action Plan Phase 2 - Tracey Menez

Discussion and/or Action

- a) Discuss Housing Assessment results for White Sulphur Springs and Meagher County
- b) Review with HRDC the possible next steps re: housing solutions and action plan for White Sulphur Springs and Meagher County
- c) Discuss using Hard Rock Mining funds (\$7500) for pursuing Phase 2 as proposed

Accept Public Comment

Possible Motion: Move to direct City Attorney to prepare resolution to join Meagher County in Phase 2 of HRDC Housing Study/Action Plan.

Tracey Menuez discussed the Housing Study and creating an Action Plan Phase 2 for community housing over the next couple of months, (kick off meeting, housing tools, housing priorities, housing implementation) having the community engage on the draft housing action plan and complete in October. The County tabled this to see what the City's thought on this was. The Council asked for more information on other places that have had an Action Plan. Tracy Menuez said that she would send information on the Gardiner's Action Plan.

3. Van Oil location - Keith Howick

Presentation by new owner regarding rehabilitation/construction of Van Oil location and new White Sulphur Springs Hardware Store

The new owners of the old Van Oil property presented the Council with their plans to build a hardware store. They plan on demolishing the old Van Oil building and digging/pulling out the fuel tanks, possibly removing the 3-5 wells without any contamination and build a new hardware store with a covered lumber yard (13,000-14,000 sq ft). All of the parking will be off street parking off of Central Ave. The whole process will take approximately a year.

4. Freedom Days LLC street closure and waive open container request

Discussion and/or Action

- a) Update as to Freedom Day's street closure request for the 4th of July.
- b) Consider additional information presented.
- c) Consider approval of closure and Open Container Waiver.

Accept Public Comment

Possible Motion: Move to approve Freedom Day's street closure and Open Container Waiver July 4th

Amber & Cassie Coburn presented the Freedom Days LLC letter to the Council for discussion. In the letter:

FREEDOM DAYS LLC

CASSIDY COBURN
AMBER COBURN
KATE MARTIN
JOSHUA MANNING

281 MAIN ST.
P.O. BOX 757
WHITE SULPHUR SPRINGS, MT 59645

April 15, 2022

Mayor Rick Nelson
WHITE SULPHUR SPRINGS CITY COUNCIL
105 W. Hampton St.
White Sulphur Springs, MT 59645

RE: Freedom Days LLC and 4th of July Street Dance

Dear Mayor Nelson and Council Members:

The purpose of this letter is to clarify any confusion surrounding the structure of the Freedom Days LLC and the organization of a street dance planned for July 4, 2022. Freedom Days, LLC was formed by 4 private citizens (individual people, not businesses) for the purpose of organizing their events downtown, as they see fit, throughout the year without putting liability on those individual's establishments.

For some background information, the first year when we were filling out the application for street closure, we were asked to pick an entity that would be responsible for the event, it is not possible to choose more than one. We thought about this and in order to protect our businesses, we formed an LLC as individuals to close the street and bought separate event insurance that has nothing to do with any of our businesses.

With that being said, Freedom Days LLC made a conscious choice not to have catered liquor on the street at it's 4th of July Street Dance for which Freedom Days LLC is bearing complete responsibility and expense, including: planning, insurance, entertainment, clean-up and road closure. The decision not to have catered liquor on the street was not made to offend other bars or by any means "drive a wedge", but to limit liability and lower insurance cost. Freedom Days LLC is not a bar and is not owned by a liquor licensed entity. The patrons of the street dance will be purchasing their alcohol in licensed establishments who have adequate insurance, licensed servers, and we will feel confident that we will have controlled our situation to the best of our ability. At any rate, this is the situation we have chosen, and we are choosing not to allow other establishments to sell liquor on the street at our event and that is the way we have represented the situation to our insurance company and we, Freedom Days LLC, and no one else, has born the expense for this risk.