

City of White Sulphur Springs

The regular meeting of the City Council was held on July 05, 2022 at 7:00 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.

Steve Hicks let the Council know about his disappointment in the new business license requirement. He felt bad coming forward but thought he needed to. He thinks he will get zero back from the fee and that the city is simply just raising extra revenue. He has never made \$5,000 or sometimes even \$400, so he thinks the \$25 is a significant charge.

E. Read & Approve - Accept or Reject Minutes

1. May 2nd Meeting – Regular Session

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

Councilperson Lee Blanchard motioned to accept the meeting minutes as presented and Councilperson Ron Coleman seconded

2. June 6th Meeting – Regular Session and Work Session

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

Councilperson Rick Ellison motioned to accept the minutes as presented and Councilperson Pattie Berg seconded

F. Receive/Accept Reports

1. Sheriff's Report – Sheriff Jon Lopp
2. City Court Report – City Judge Lori Sorenson
3. Fire Department Report - City Fire Chief Sam Peeler
4. City Engineer's Report – Great West Casualty
5. Public Work's Report - City Public Works Supervisor Rocky Vinton
6. Animal Control Report – Marc Pryor

Animals are being received and retrieved in less than 24 hours. There is a new hatch at the pound to open so that animals can go in and out at will. Councilperson Berg asked about skunks, but no skunks have been reported thus far.

7. Parks Committee Report – Pattie Berg

Jennifer Frazer would like to meet with Mayor Nelson and Councilperson Berg about the tennis court so everyone is on the same page and because they cannot figure out how the parking lot is configured. She also would like to discuss what is going on at Bair Park since no bids were received for the work that was being advertised. Mayor Nelson said they can extend their bid process so that the person who wanted to, can. The Parks Committee will have to decide to extend this and then bring it back to the Council to let them know what they decide. 2 Parks seats expired July 1, 2022, and they have not filled the one vacant position. Current members may reapply. An Ad will run in the paper for these openings.

8. Library Report – Rachel Wahlstrom

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

1. Cemetery Board Request

Discussion and/or Action

Continued from June 6th meeting. Cemetery Board is requesting assistance from the city road crew to help clean up the cemetery. Discuss request and receive input as to present ability of City Road crew to assist with this project.

Accept Public Comment

Possible Motion: Move to authorize City Road crew to assist in clean-up of cemetery; OR, Move to defer request until after priority projects are completed.

Penny Plachy, Cemetery Board Member, Angie Egeler, Board Member and Amanda Clayton, Sexton presented. They noted that Jeremy spoke with Rocky regarding cutting some tree limbs down. They also would like to have the roads done but the gentleman wanting this done is afraid to damage his equipment. Mayor Nelson stated that the county has the same equipment that the city does. Mayor Nelson also stated that the city crew couldn't get to this until November, at the earliest, due to the water project and street repairs. The County is agreeable to whatever it takes to receive help from the city and what the city can do with the trees. Councilperson Ellison asked if some community service could be done at the Cemetery and the committee stated yes.

2. Task Order #2 for Great West: Water System PER

Discussion and/or Action

Continued from May 2nd and June 21st meeting: Agreement for performing work on PER (Preliminary Engineering Report) which is an update and is needed approximately every 5 years as a means of evaluating the City's needs regarding water projects and to qualify for various grants and loans for the work. Discuss any changes recommended by City Attorney.

Accept Public Comment

Possible Motion: Move to Approve/Ratify Task Order #2, the Agreement, for services to prepare a Water System PER for the City; OR, move to authorize Mayor to sign when agreement issues are resolved.

Great West and City Attorney Wordal went through the PER together. They cleaned up language and cleared up some responsibilities and redefined some liability caps. This allows us to sign the contract with Great West and now that the items are adjusted the contract is ready to go. The contract will now have an add-on since Collette pre-signed everything. Councilperson

Lee Blanchard motioned to approve Task Order #2 for Great West Water System PER and Councilperson Pattie Berg seconded. Motion passed.

3. Hospital Annexation

Discussion and/or Action

There is an on-going issue pending before City/County Planning Board. Acknowledge receipt of amended petition, provide comments regarding the amended petition for consideration by the Planning Board, and refer to Planning Board for further consideration according to the City's Annexation Policy.

The original petition was for 9 Acres to be annexed in and the city is allowing the change, then it goes straight over to the city planning board. Bachelor lane is a 60 wide street with public access, and utility easement. There is limited access. We don't know where their access is going to be. Mayor Nelson says that once it's paved the city will be maintaining it. In the annexation everything must be followed. They pave it, and we maintain it because it then becomes a city street. This is a proposed utility and public access route. City Attorney, Wordal says that the planning board might change the location of the road. Councilperson Blanchard asked if they have decided on the main entrance yet, but Mayor Nelson said that the main entrance is still undecided. Councilperson Berg stated that they would take their assisted living with them and that possibly one area could be turned into Memory Care. Mayor Nelson explained that the Planning board makes their recommendations and if the city sees a problem, then the city doesn't have to allow annexation. (it is a back and forth thing between city and board) This item of business had to be on the agenda to acknowledge the receipt of the amended application to take in 15 acres instead of 9. Councilperson Berg asked what the city has sent to the planning board. Mayor Nelson stated that all that went over was the original application for annexation. The Council mentioned a concern about the access issue on Garfield Street being used due to narrow streets and bad corners. Susan Wordal will draft a letter addressing the concerns. Mayor Nelson stated 80 apartments are going in and the hospital will have a straight access in from the apartments since it's a straight shot. They would like to annex in. Mayor Nelson stated that the board does need to be aware that the city doesn't like the idea of Garfield being used because it would need to be made a street. It would cost quite a bit to make it a visible 2 lanes of traffic with parking; so, folks can get out of the way for emergency. It's also a 60 ft right away. City Attorney, Wordal stated that a letter should be composed and sent to the Planning Board regarding these issues.

4. 2022-2023 Budget

Discussion and/or Action

Continued from Work Session of June 21st. Discussion as to schedule for work and hearings, with Resolution for adoption of the budget to be held no later than September 6, 2022 in accordance with state law. (per §7-6-4024: budget to be finally approved and adopted by resolution by the later of the first Thursday after the first Tuesday in September or within 30 calendar days of receiving certified taxable values from DOR; and §7-6-4021: a preliminary hearing on the budget is to be held with appropriate notice prior to passage of such resolution)

Mayor opted to skip this item and go straight into the RFP

Accept Public Comment

Possible Motion: Move to schedule budget hearings as discussed for approval of the 2022-2023 Budget on or before September 6, 2022.

H. New Business- Items for Discussion and/or Actions

1. Authorization for Mayor to Issue RFP/RFQ for Auditor

Discussion and/or Action

Authorize the Mayor to issue an RFP/RFQ for Auditor for the City for a 2 - 4-year period. This is a standard solicitation and occurs periodically. The current firm has submitted its proposed fee for the next audit period.

An Ad will need to be placed in Billings, Bozeman, Helena and WSS for this opening since an RFP must be advertised. It must be put in at least 2 locations with a large circulation. We have received a list of State approved Auditors. A councilperson can re-appoint the same Auditor if they want to.

Accept Public Comment

Possible Motion: Motion to authorize the Mayor to issue an RFP/RFQ for Auditor for the City for a 2 - 4 year contract period.

Councilperson Lee Blanchard motioned to issue an RFP/RFQ for an Auditor and Councilperson Ron Coleman seconded. Motion passed.

I. Comments/Discussion

1. Future Business

Mayor Nelson stated that it will be important to go through the code book and receive clarification on exactly what businesses are required to purchase licenses. We need better definitions, and the town of Ennis is a great example. Around our community there's been some good comments but also some push back about licensing. This was a resolution that the council passed in April and went into effect in May. Licensing is set up to expire and renew at the Fiscal Year. The mayor spent time stopping into businesses letting them know and mentioned that Curt at Conestoga felt that the City Council is discouraging employment, since there's a higher charge for more employees. It was noted that if you purchase a liquor license it trumps the business license since the liquor license is \$160.00. The mayor also stated that he was asked what the plans are for the money from the licenses was going toward. He let people know that it will go into the general fund but would like feedback from the Council. It was noted in the old and new ordinance that businesses are required to pay an annual license fee set by a schedule, set by the City Council. By Resolution, a fee schedule was put into place in April, adopted and put into effect in May. The mayor read the wording Ennis uses as to what is covered under the licensing. Other small Montana towns use the funds to go toward flags, traffic control, highway patrol to work overtime and various items that make money for the people paying the businesses. The mayor noted that we do not have an application for a business license. Councilperson Berg stated that we need one. A couple businesses asked if we mailed anything out and were a bit upset that we didn't.

It was noted that we received the \$118,000 ARPA grant for the Genset.

Mayor Nelson also spoke about the water project that started today. The only hiccup was when they dug to where we are tapping into the main on the East end of Lincoln. They found a bunch of concrete poured over pipe which made a funny zigzag across the road. The concrete was left in the ground. The line now runs diagonal across the street. The former engineer was here looking over the project since it's his job to inspect and he will be back Friday. Everyone has water, and the temporary lines are working and pulling from the hydrant. We should be back on the tank by Friday. Hydrants might leak due to the pressure valves needing relief from build up so if we see any spouting, let others know not to worry.

2. Mayor's Comments—Rick Nelson

July 19th Budget Work Session, August 1-5 we will see the mills, August 16th, preliminary budget prepared. August 23rd, preliminary budget meeting if it's not complete, September 16 is the deadline and last chance to adopt budget by resolution.

The mayor spoke about starting a GIS in town and using planning money or grant money to do this. This technology allows them to come in and x-ray and see what's underground, and to map as they're doing this. Then when everything is built, and you go in to do any changes or additions, you go into the system and plug in all the information, and you know what's in the ground. Mayor Nelson asked the question; can we use the Tintina planning grant money since it's planning? There are more rounds of ARPA grant money according to Craig Erickson. It will be best to chat with Craig regarding the GIS.

3. Council Comments/Discussion

a. President of the Council—Pattie Berg

Code Enforcement: Councilperson Berg noted that even when we write an ordinance, people are still parking backwards on 4th. Ms. Berg doesn't think we are enforcing ordinances, that we only enforce animal control. Mayor Nelson stated that we are enforcing weed control and mowing. Ms. Berg thinks we should dedicate more time and money to do some code enforcing. Ms. Berg would like to know how we are doing with animals, fireworks, and various other things. Mayor Nelson stated that the 4th of July went amazing. It helped that the Sheriff, the City and Fire Dept posted the ordinance in many social places. Ms. Berg would like to see the city more proactive in enforcing ordinances that are set. The way the code is written, the mayor is the enforcer so if he were to be this person he would need a vehicle, insurance, benefits, cost of the wages and cost of vehicle. It was brought up that businesses are begging for help and getting no applicants – is it that no one wants to work, or people can't afford the pay? Can we hire someone for between 10-13 the hour? Councilperson Blanchard noted how high rent is going. The mayor thinks no one wants to work. An ordinance person would need to be a part-time employee. Councilperson Berg brought up Marc Pryor. There are many vehicles needing tagged up 4th and various streets in that area. These vehicles eventually end up in the County Graveyard. Ms. Berg would like to see the parking regulations updated which would prevent people from parking on the streets for long periods of time. She thinks that Marc would be good, but the mayor stated that Marc said no, plus he could end up being the new parks person. There could be potential for Matt with Public Works to enforce ordinances. Winter is coming and vehicles can be tagged, and the Sheriff's office can remove them, due to issues with snow. A junk vehicle means that its unlicensed, inoperable, and wrecked. Councilperson Berg asked what is a nuisance and what isn't? She says she's talking nuisances, not weeds. The mayor told Ms. Berg to bring a proposal for an ordinance officer. Right now, he's the ordinance officer and he would like to know what the pay is for a 6-month code enforcement officer. (1040 hours)

Lawn letters are getting ready to go out. There needs to be a deadline on when people must have their lawns trimmed by. Letters need to be dated at 30 days and then action can be taken.

Councilperson Berg was also wondering about the drug testing and the CDL. We aren't there yet. Ms. Berg let us know that the dare to lead training was amazing, there were 4 people from county, herself and Tintina folks. She stated the people coming into White Sulphur Springs are impressive.

Ms. Berg also wants to know about Willow Creek. Mayor Nelson noted that it is not going and there isn't intention of that until after the water project.

b. Council Member—Ron Coleman

c. Council Member—Rick Ellison

DA Davidson has not gotten back to him about bonding on housing. The gentleman he talked to is on vacation and will hopefully be back for meeting on the 12th.

d. Council Member—Lee Blanchard

Where are we on the pump for the aerating of the ponds? Mayor Nelson is not sure if results have come back from the testing that was done. The mayor will ask Rocky. Also, there is no pump available yet.

J. Claims Signing/Motion to Approve the Bills

Pay the Bills

Claim Check #'s 18653-18678 June 7, 2022, thru June 30, 2022, for \$42,361.75

Payroll Check #'s 9076-9113 for \$33,252.14

Electronic Checks for \$7,668.14

Utility Billing System Adjustments \$1,718.38

06-01-2022 thru 06-30-2022 were presented for Council's approval. The mayor asked if there is a motion to pay the bills. Pattie Berg motioned to pay the bills as presented. Lee Blanchard seconded the motion. All said Aye. Motion carried and passed.

K. Motion/Vote to Adjourn the Meeting

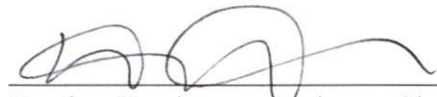
The Mayor asked the Council if there is a motion to adjourn the meeting. Ron Coleman motioned to adjourn the meeting. Rick Ellison seconded the motion. All said Aye. Meeting adjourned at 9:20 pm.



Michelle Stidham—Clerk-Treasurer



Mayor – Rick Nelson



Heather Harrington-Assistant Clerk