



Stevensville Town Council Meeting Minutes
THURSDAY, APRIL 11, 2019
7:00 PM

Council for the Town of Stevensville came together in the Council Chambers, this being the time set for the regular meeting of the Town Council.

Mayor Dewey called the meeting to order at 7:00 p.m.

1. Call to Order and Roll Call

Roll Call: Mayor Dewey, Councilmembers Barker, Holcomb, and Phillips were present. Councilmember Michalson was excused. Staff and members of the public were also present.

2. The Council and all present rose, faced the flag and recited the Pledge of Allegiance

3. Approval of Minutes

- a. January 24, 2019 Council Meeting Minutes
- b. March 20, 2019 Special Council Meeting Minutes
- c. March 21, 2019 Committee of the Whole Meeting Minutes
- d. March 28, 2019 Council Meeting Minutes

Councilmember Holcomb moved to approve the January 24, 2019, March 21, 2019 Special Council Meeting Minutes, March 21, 2019 Committee of the Whole Meeting Minutes, and the March 28, 2019 Council Meeting Minutes. Seconded by Councilmember Barker. The vote was called and all voted "aye". Motion passes 3-0

4. Approval of Bi-Weekly Claims

- a. Claims #14814, 15081-15109 totaling \$41,910.34

Councilmember Holcomb moved to approve the Bi-Weekly claims #14814, 15081-15109 totaling \$41,910.34. Seconded by Councilmember Phillips.

Council asked several questions about the claims.

Fire Chief Jeff Motley asked about other snow removal expenses.

The vote was called and all voted "aye". Motion passes 3-0.

5. Administrative Reports

a. Airport Report

Paul O'Bagy presented the airport report

Council asked Mr. O'Bagy about the painting at the airport.

b. Building Department Report – none

c. Finance Report

Finance Officer, April VanTassel presented the finance report

Council asked questions about the operating line items and if the Town was going to do a budget amendment for the line item transfer.

Councilmember Holcomb read into the record information from the expenditure control policy regarding line item expenditures and budget amendment requirements and asked additional questions about the need for a budget amendment.

Finance Officer and Mayor Dewey explained why a budget amendment was not necessary.

d. Fire Department Report

Fire Chief Jeff Motley presented the fire report

e. Police Department Report

Police Chief James Marble presented the police report

f. Public Works Report

Public Works Supervisor, George Thomas presented the public works report

Council asked about a time table for the repair at the reservoir and when the Town will begin to fix the potholes.

6. Guests – None

7. Correspondence

Mayor Dewey read into the record a correspondence from Heather Thurs thanking the Town for its snow removal efforts during the recent storm event.

8. Public Comment

Jeff Motley, Fire Chief, commented that sandbags are available at Town Hall and the Fire District.

9. Unfinished Business – None

10. New Business

a. Discussion/decision to approve a Stevensville Airport Land Lease for Lot #5, Block 5

Mayor Dewey introduced the item.

Councilmember Phillips moved to approve the Stevensville Airport Land Lease for Lot #5, Block 5. Seconded by Councilmember Holcomb. The vote was called and all voted “aye”. Motion passes 3-0.

b. Discussion/Decision regarding Employee Health Care Benefits for Fiscal Year 2020

April VanTassel, Finance Officer presented an overview of the item.

Council asked questions about the benefit costs and employee costs.

Mayor Dewey provided history of health insurance costs sharing between the Town and employees.

Councilmember Holcomb moved to accept the proposed employee healthcare benefits package for fiscal year 2020. Seconded by Councilmember Phillips.

Council asked additional questions about the healthcare package, percentage and contributions.

Fire Chief Motley asked what percent of the 8% increase is the Town covering?

The vote was called and all voted “aye”. Motion passes 3-0.

c. Discussion/decision to approve a Stevensville Airport Land Lease for Lot #15, Block 1
Mayor Dewey

Councilmember Holcomb moved to approve the Stevensville Airport Land Lease for Lot #15, Block 1. Seconded by Councilmember Barker.

Councilmember Phillips commented that he attended the Airport Board meeting and learned that the FAA may make changes to the land leases.

The vote was called and all voted “aye”. Motion passes 3-0.

d. Discussion/decision to hold a Committee of the Whole Meeting for the purpose of discussing the Mayor’s Employee Reorganization Plan and its implementation

Mayor Dewey introduced the item and suggested two Thursday meeting dates as possibilities.

Councilmember Holcomb commented that with everything Council has found, she is going to make a motion to rescind the Mayor’s Reorganization Plan. Councilmember Holcomb explained that the reason is all of the duties that the Mayor did, the Council didn’t approve, the job descriptions and salaries. According to the Stevensville Code of Ordinance, the Council has the power to fix compensation and to prescribe the duties of all officers and employees of the Town. The Council shall by ordinance or resolution determine the salaries and compensation of elected and appointed municipal officers and all municipal employees. All of what the Mayor did was out of protocol. The Mayor did not follow the Town’s ordinance or the Town’s policies. Councilmember stated that she cannot accept the Plan at this time.

Councilmember Holcomb made a motion that we rescind this.

Mayor Dewey responded that Councilmember Holcomb’s motion is to some degree out of order. The item on the agenda is to hold a Committee of the Whole meeting for the purpose of discussing the reorganization plan. For the public’s disclosure, what they expect is that you are going to set a date, not rescind an entire plan.

Councilmember Barker commented that she does not see a reason to, if Council has found the facts on this, to go to a Committee of the Whole meeting.

Mayor Dewey asked Councilmember Holcomb if her motion stands.

Councilmember Holcomb responded that her motion stands.

Councilmember Barker seconded the motion.

Councilmember Phillips expressed concern because part of the reorganization plan that was talked about has already been implemented. People have been hired. What do we do?

Councilmember Holcomb responded that Council asked for this to be put on hold until Council had a COW meeting and unfortunately, the Mayor continued to make changes and Council did not approve any of these changes. We asked for this to be put on hold until we actually had the COW meeting. Councilmember Holcomb stated that she does not know.

Mayor Dewey responded that the Town's legal counsel expressed, that if Council moves forward with rescinding the plan, he expects that there will be legal ramifications for doing so.

Councilmember Phillips asked where do we stand on legal, because some of the individuals, as part of the reorganization plan have been hired.

Councilmember Holcomb stated that she thinks the Mayor needs to figure that out because Council did not approve the salaries. Council did not approve any of these job descriptions. Council did not approve any of these changes. Council asked that it be put on hold until we had the COW meeting. This is not on Council; this is on the Mayor to figure this out. Council asked for it to be put on hold and it wasn't put on hold. This has nothing to do with the new hires, we didn't even know we had a new court clerk that has been working for 4 weeks until a couple of days ago. We didn't even know we had a new police officer until we got the email that he was being sworn in. This is the stuff we deal with on a daily basis. Councilmember Holcomb stated that she is sorry, she cannot approve this. It was done irrationally and it was done out of ordinance. We have ordinances that we need to follow; we have policies we need to follow.

Mayor Dewey commented that what is troubling is that Council did approve it. Council consented to the Plan and then what was relayed back to him by the Council President was that some folks did not read the plan in its entirety before consenting to it and now Council wants to backtrack.

Councilmember Holcomb responded that was before anybody was hired.

Mayor Dewey commented that he moved forward with the plan, with the understanding that Council had consented to it. Council consented and the Mayor moved forward with the authority that Council consented to the plan. No other decision was made from that point by the Council, so we carried on. Mayor Dewey commented that he does not think it is necessarily fair to expect the administration to sit on its hands when Council approved something, Council consented to something, and then peddle back after doing that. That is a significant delay in administering the affairs of the organization.

Councilmember Barker stated that Council was also asked at Council's COW meeting last week to go home and do our homework on different aspects of it and we have, what the job duties are, of what the executive can and cannot do, along with the clerk. We have done that. You can't, you don't have the power to set up job descriptions and set wages. That is where she is going with her decision tonight on this particular reorganization.

Mayor Dewey explained that was all effectively done through the reorganization consent.

Councilmember Barker responded that Council has laws that have to be followed and at that time, Council did not realize those laws, we cannot ignore those laws and the Mayor does not have that power.

Mayor Dewey responded that was all effectively accomplished through the reorganization plan.

The reorganization plan included changes to job duties and it included wages for the positions effected and you consented to that plan.

Councilmember Holcomb stated just because the wages were written into the reorganization, you still have to have a budget amendment for those new salaries. You did not do that and you argued with her last Wednesday about it, saying we don't have to, but you do, because you had a new hire, those salaries were not budgeted in to our budget year. You have to have a budget amendment. Council did one back in, Resolution 282, where we did a budget amendment to include wages and training for the new treasurers position.

Mayor Dewey responded that the reason that was done was because they were exceeding appropriations.

Councilmember Holcomb replied but we are exceeding appropriations for two new hires in our budget.

Mayor Dewey responded that Council is not changing the bottom line of the general fund.

Martha Phillips, Mission Street, asked when the reorganization plan was approved.

Mayor Dewey responded January 10, 2019.

Councilmember Holcomb explained that yes it was but the Council really started looking at it and we came back and asked him to hold off on it until we had a COW meeting to look at it. He decided to go further and just start doing this. The Town Clerk declined the building official position and that was approved when we first did it. Now, we get this thing saying since then, the Town Clerk has assumed all duties of the zoning administrator. Then he was doing the GSC was going to be the deputy clerk but now he changed it to be renamed as administrative assistant. There are ordinances, there are rules and there are policies, we asked him to hold off on this until we had a COW meeting. He, the Mayor, decided to move forward on it. We did ask, when we brought it forward, to rescind it or put it on hold, was there anybody hired or any consideration and we were told no.

The vote was called and all voted "aye". The motion passes 3-0.

11. Executive Report

Mayor Dewey provided an overview of governmental powers and duties of the executive and legislative branches.

Mayor Dewey provided an overview of two handouts he provided Council:

- Stevensville Town Code, Powers
- Brian West, Attorney Memorandum regarding

12. Town Council Comments

Councilmember Phillips commented that he researched the codes and came to the same conclusion as Councilmembers Holcomb and Barker. He expressed concern that the Mayor went ahead and hired these individuals and is concerned about the legal ramifications for the Town of Stevensville. He was hoping that the Council would have a Committee of the Whole meeting to discuss this and not have it come to a screeching halt.

Councilmember Phillips commented that he talked to surveyors who were working on Main Street.

13. Board Report - none

14. Adjournment

Councilmember Holcomb moved to adjourned. Councilmember Barker said "aye".

Mayor Dewey adjourned the meeting at approximately 8:08 pm.

APPROVE:

ATTEST:

Brandon Dewey, Mayor

Audree Tribbensee, Town Clerk

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Laura Miller, Deputy Clerk