

STEVENSVILLE TOWN COUNCIL MINUTES
Thursday, March 24th, 2016
7:00 p.m.

Council for the Town of Stevensville came together at Council Chambers, this being the time set for the regular meeting of the Town Council. Mayor Ludington called the meeting to order at 7:00 p.m.

Roll call was taken and Councilmember's Barker, Holcomb, Michalson, and Crews were all present. There were several members of the public present also.

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

Approval of minutes from:

March 10th Town Council Meeting and March 17th Committee of the Whole meeting

Councilmember Holcomb made a motion to approve the minutes as presented. Councilmember Barker seconded the motion and all voted "aye". Motion carried 4-0.

Approval of bi-weekly claims:

Council reviewed the claims as presented.

Councilmember Holcomb made a motion to approve the claims as presented. Councilmember Crews seconded the motion. Council held discussion regarding recycling being picked up more than one time per week and requested the Mayor contact Ravalli County Recycling to reduce the number of pickups. The vote was called and all voted "aye". Motion carried 4-0.

Administrative Reports:

Airport

Airport Manager Bob Otte was not able to attend the meeting. Mayor Ludington read the Airport Manager's monthly report.

Police

Chief Marble reported on Officer Moles training, recent commercial burglaries, and department statistics posted on the police department website.

Kim French inquired if there is an update on her missing daughter. Chief Marble requested she come into the office to discuss the case and recommended she contact the County Attorney's office regarding any charges.

Finance Officer/Treasurer

Finance Officer April VanTassel presented her monthly financial report.

Item should be considered and called for a vote. Councilmember Barker voted “aye”, Councilmembers Holcomb, Michalson and Crews voted “nay”. Vote failed 3-1.

Councilmember Crews commented on Agenda Item B being a reconsideration item which can only be brought back by the prevailing party of the last vote and that the item was improperly placed on the agenda.

Mayor Ludington requested Councilmember Crews explain his reasoning for objecting. Councilmember Crews commented on the selection of the Judge was improper; the website has a general application which differs from the application supplied for the job and the Town should only have one job application; due to the qualifications of the Judge, there were more applicants who were qualified but not considered; if Council has to make a decision on a selection, they should look at everyone. He then referred to MCA 7-4-4103(3) stating the governing body determines whether the Judge is elected or appointed by ordinance and the Town does not have an ordinance addressing that. He has sent this as an agenda item to be considered at the next meeting. He further commented on the powers of the Mayor making the appointment, which he could not find and recommended re-opening the position and considering all candidates.

Mayor Ludington commented on his experience in hiring personnel and his review of all applicants including one applicant that is already a Judge with 6 years' experience and is currently certified by the Supreme Court. He further commented on his selection process and appointment Chee Burnside as the best qualified, noting that not interviewing more candidates was a mistake on his part, but he felt he would still have the same recommendation of Chee Burnside for the Judge. He then commented on the issues caused to the Court and Police Department by failure of appointing a Judge; referred to the Stevensville Municipal Code 2-114, elective and appointed officers; elimination of one of the 3 branches of our Town government due to failing to appoint a Judge; past history and practice of the Town to appoint not elect; the process of selection being flawed is his responsibility and the Council's action of not appointing a Judge is a very serious issue that Council should think carefully about; decision is irresponsible.

Further discussion ensued regarding the rules, authority to appoint/elect, and process in selecting a city judge.

Town Attorney Brian West commented on the power of authorities of Council and Mayor with regards to appointing a City Judge.

Discussion ensued regarding appointment of a Judge to serve temporarily until a decision is made on this issue and this not being on the agenda to decide on.

C. Discussion/decision – Resolution No. 386, A Resolution Setting Annual Fee for the Stevensville City Judge

stated he does not anticipate user fees to change. **The vote was called and all voted “aye”.** Motion carried 4-0.

B. Discussion/decision – Consent to Mayor’s Appointment of Terri Nickless to the TIFID/TEDD Board

Councilmember Holcomb made a motion to consent to Mayor’s appointment of Terri Nickless to the TIFID/TEDD Board. Councilmember Barker seconded the motion and all voted “aye”. Motion carried 4-0.

C. Discussion/decision – Approval to Proceed with Bid Solicitations for Park street Rebuild from 5th Street to 3rd Street

Streets Supervisor Ed Sutherlin informed Council of the need to rebuild Park Street and his request to move forward with bid solicitations.

Councilmember Crews made a motion to approve proceeding with bid solicitations for Park Street rebuild from 5th Street to 3rd Street. Councilmember Holcomb seconded the motion. Discussion was held regarding curbs and drainage. **The vote was called and all voted “aye”.** Motion carried 4-0.

D. Discussion/decision – Patty Johnson’s Request Regarding Denial of Utility Billing Reduced Rate Program Application

Mayor Ludington reviewed Ms. Johnson’s letter and request read in correspondence at the previous Council meeting.

Discussion was held regarding the requirements set for this program at the time of approval and the program being in a 90-day trial period.

Councilmember Crews made a motion to table this item until after the 90-day trial of the Reduced Rate Utility Billing Program. Councilmember Holcomb seconded the motion. Hattie Farrell, Charlos Street, commented in opposition to the Reduced Rate Utility Billing Program. **The vote was called and all voted “aye”.** Motion carried 4-0.

Executive Report:

Mayor Ludington reported on the following items:

- ✓ Mayor voluntary taking half-salary since beginning of his term
- ✓ Public hearing for Charter Communications franchise will be scheduled on April 14th
- ✓ Scheduled meeting with Airport Manager Bob Otte and Forest Service tomorrow; Councilmembers are welcome to attend
- ✓ Special Event Permit for Farmers Market opening on May 7 was approved
- ✓ Appraisal of River Park property has been completed; waiting for proposal from the Capps prior to bringing forward for further decision from Council and Public Hearing