



Stevensville Special Town Council Meeting Minutes
THURSDAY, MARCH 20, 2019
7:00 PM

Council for the Town of Stevensville came together in the Council Chambers, this being the time set for the special 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, Phillips and Michalson were all present. Staff and members of the public were also present.

2. Public Comments

Raymond Smith, 326 Valley View, commented that he is wondering who would we talk to about the responsibility to repair the gutters and sidewalks along his street and the flower beds that were damaged in the snow removal. Mr. Smith indicated that he was speaking for a neighbor that is out of town and has already contacted Town Hall three times and really hasn't received a response. Wondering if the whole block would have to make a complaint to George?

Michael Sharkey, 203 St. Mary's Drive, thanked Council and the Mayor for taking the initiative to remove the snow. Mr. Sharkey indicated that he lives on a street that has no sidewalks, children use the streets to get to school and home from school. Children play in the street, on a day like this, he observed two young girls with a blanket in the middle of the street having a picnic today, celebrating the first day of spring. Also, there were piles of snow so high that it was difficult to see around corners when you entered intersections, for instance College from 7th Street; it was very important that you did what you did and it is appreciated.

Lew Barnett, 419 College Street, thanked the Mayor for answering his questions, he knows he was busy. It cleared up a lot of the things for him. Main Street is a State highway and by ordinance, Main Street stores have to get the snow off the sidewalks by 9 am. That was done in a great manner. Then they cleared, 3rd and 5th Street because of the schools, those are priorities. They removed the snow from the streets that are paved from curb to curb because the water has no where to go except storm drains. For the rest of the Town, like College Street, Pine, Spring, and Church, that have dirt that can absorb the water. He lives on a corner of 5th and College, when they plow 5th Street, he gets the berm at his back door. When they plow College Street, you can't park in the front or back and we don't plow the alleys, so he can't get his truck out of his garage. If something goes wrong, emergency services are going to have a hard time getting to him. He has great neighbors. In

heavy snow, Pete McKinnely is out with his four-wheel making him a place so he can pull in and park. That is his concern, at some point we have to get access to our parking spots and to garages. He thinks with the good weather over the past days, crews could have cleared some of the berms away.

Craig Thomas, Airport Board Chair, commented that he could not call a special meeting on the short notice. As a citizen he would go to the Airport Board, as they have a small fund of money at the Airport that could possibly be loaned to the Town of Stevensville to get out of this predicament here or whatever they can do to help. He can't say that as a citizen, he has to take it the Board. If this is something that would be of benefit in the interest of paying the contractors who operated in good faith, he would do the best he could to make a recommendation to the Board to make a loan with funding available to the Airport.

3. Approval of Bi-Weekly Claims

a. Approval of snow removal claims

Mayor Dewey introduced the item and discussed what he experienced and learned from the snow event.

Councilmember Holcomb moved that we approve the bi-weekly claims. Seconded by Councilmember Phillips.

Council commented that if the Town is considering taking these expenditures from the Gas Tax funds, and questioned if the Town can legally do this as the funds were already set aside for a different project.

Mayor Dewey responded that with the approval of these claims, Council can change the direction of that project and what is available for that project and indicated that additional gas tax funding is coming available.

Council expressed concern as the Gas Tax funds are not yet budgeted into the next budget.

April VanTassel, Finance Officer provided an explanation of the Gas Tax funds.

Mayor Dewey explained that this is the original Gas Tax funds which allows for the maintenance of streets. The intent was to reserve that for the 3rd Street project, this project isn't going to start before June 30th and we do have the spending authority in that fund and the administration can seek other ways to make up that \$26,000 difference.

BARSA money can be used on the 3rd Street project.

Council believes that more of the Gas Tax funds may be needed as 3rd Street is coming apart as is Spring Street. The snow fall has gotten under the roads. They are literally coming apart.

Finance Officer VanTassel commented that she is looking at several granting opportunities to help contribute to the 3rd Street project.

Mayor Dewey indicated that 3rd and Spring Streets have been designated as priority routes to repair because of the conditions they have been in the last couple of years.

Fire Chief, Jeff Motley, 318 9th Street, seems like we would use these Gas Tax funds to take care of the claim at hand. However it impacts the 3rd Street project, is how it impacts it. That is a project that we are trying to put together. This is something we need to take care of tonight. It would behoove us to act quickly and swiftly as the contractors did with the removal of the snow. It was a call, and they were here, and they were working, and it was great work. Since we have the funds available, thinks that we would reciprocate and take care of the claims that we do owe.

Loey Knapp, 526 E. 3rd Street, she understands that the intersections were tough to see an oncoming car. The decision tonight is pretty easy. The other decision that you could have been making is what do we do because the Mayor did not make that decision. That there was no snow removal and you were in an accident, you were killed in an accident in an intersection, now are you going to take responsibility for that? That would be the hard decision. At that point you would have to tell the Mayor that he has a dereliction of duty. So, the decision you are facing is money, its not life, is not injury, its nothing.

Raymond Smith, to be honest he did not ever see it being an issue that the contractors would not and could not be paid by the Town of Stevensville. That is not the issue as he sees it. As an ex-Councilmember, he sees the overstepping of the Manorial role and there are roles that we play. Council has a role and the Mayor has a role. You want to sit and chastise the Council for lack of communication, but yet, again, the situation of communication has been tarnished by the way you communicate and lack of communication. So, we get down to the laws, realistically by law, we have to pay this claim, no if ands or buts. But, realistically under law, there are repercussions to regain or remunerate the community for your failure to follow the law that is set out in both our state and local laws. If you read your local law, you would understand, as Councilmembers, as the Mayor, you are responsible, if you make a decision against the Town that causes the Town money. So, you can be sued to get that money back. The issue is what is Council going to do for these actions that should have never been taken. We have had more severe snow storms than this and never called out forces like this. Who consulted with the Maintenance Department? Only you, supposedly. Again, you consulted with yourself again, instead of consulting with Council, an email is fine, but a phone call is even better. We have to follow the laws as Councilmembers and as the Mayor. There are laws that govern this situation and he expects it to be done.

Joe Moore, 514 Central, clarified it is his understanding, as a result of being at the last meeting, that the Council in fact took this issue of not approving the claims on themselves, blaming the Mayor. In fact, at that meeting he complimented the Council for their swift actions taking care of the streets. And, there were about 4 or 5 letters that came in under general comment where

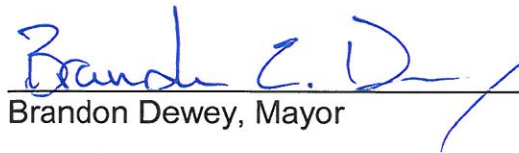
people were thanking you all for your efforts. At that meeting you spent a lot of time blaming the Mayor because he hadn't called a special meeting to get their approval, the night we got 26 inches dumped on us.

The vote was called and all voted "aye". Motion passes 4-0.

14. Adjournment


Mayor Dewey adjourned the meeting at approximately 7:22 pm.

APPROVE:



Brandon Dewey, Mayor

ATTEST:



Audree Tribbensee, Town Clerk