

Stevensville Town Council Meeting Minutes for  
Thursday, September 24, 2020

1. Call to Order and Roll Call

Mayor Dewey called the meeting to order. Councilmembers Devlin, Holcomb, Michalson, and Vick were all present.

2. Pledge of Allegiance

3. Public Comments

Jeff Motley: Door expansion funded, thank you to the Mayor and Robert for getting that funded through the CARES grant.

Charles Jordet: Lives in South Kootenai Creek area, I was speaking with the town clerk that maybe there would be a way to have a speaker system outside so that we can listen. You don't have a real public interchange. There are a lot of things that should be addressed. Out of the normal life. Mr. Jordet continued to give his feedback on the fraud that is taking place and that he is and has not been able to participate in the meetings. If people are afraid to speak out like so many people are. The other thing with 6 feet is that they cannot be identified. Get a loud speaker outside.

Ben Lewis: I have a question; can I ask a question?

Mayor Dewey: public comment is not necessarily for public answer but you can state a question and then it is in the record and we can get you an answer.

Ben Lewis: the question or statement is regarding this town from what I understand you ran on transparency and I am concerned you are not living on that transparency; you don't make your budget available to the community you don't even make it available to the council prior to making decisions. So, number one is I feel that you should put that on your agenda and make that transparent and publicly available to our community. Number two is I think we need to have the water rights looked into for the town of Stevensville. From what I understand we don't have water rights in the town of Stevensville it has lapsed. How do we, I fully recommend that especially if you are going to bring in a new development that is going to require a lot of water, thanks.

Mayor Dewey: can you please sign the sign in sheet so that the clerk can spell your name right for the record. Any further public comment? Nobody on the telephone tonight and no public comment in the email.

4. Approval of Minutes

- a. June 17, 2020 Public Hearing
- b. June 25, 2020 Minutes
- c. June 30, 2020 Meeting

Mayor Dewey: introduced the approval of minute.

Councilmember Michalson: made a motion to approve the minutes from June 17<sup>th</sup>, June 25<sup>th</sup> and June 30<sup>th</sup>, 2020.

Councilmember Vick: I 2<sup>nd</sup> that.

Mayor Dewey: it has been moved by Mr. Michalson and 2<sup>nd</sup> by Mr. Vick. Council comments? Public Comment on the minutes?

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes.

## 5. Approval of Bi-Weekly Claims

Mayor Dewey: introduced the approval of claims. You have received the claims via email from the finance department. We have noticed that the claims have been absent of the town council packet recently we have put in place a procedure this afternoon. The biggest challenge with claims is the billing cycle and depending one where your first meeting and your second meeting lies it is different on each month's calendar. This month Mr. Underwood was on vacation and forgot to ask for permission to pay them out of cycle. So, what we will do the Tuesday prior to your Thursday meeting the packet will be updated and you will receive an email from the clerk's office that the packet has been updated. Your packet with still come out on Thursday and will be updated on Tuesday. At least within 48 hours.

Councilmember Holcomb: I will make a motion.

Councilmember Michalson: 2<sup>nd</sup>.

Mayor Dewey: it has been moved by Ms. Holcomb and 2<sup>nd</sup> by Mr. Michalson to approve the bi-weekly claims. Questions from council?

Councilmember Michalson: I would like to state that the claims haven't been available to the public it has just been available to the public. I know with the pandemic we haven't been able to put it up on the screen but there should be a way to put it up on the website so the public can look at the claims, it is their money too.

Mayor Dewey: that was just addressed.

Councilmember Michalson: also, on claim number 16239 on the high bar traffic services. The painting of the crosswalks. Was that budgeted for?

Mayor Dewey: yes, out of our gas tax fund.

Councilmember Michalson: and one more thing I noticed that we got a flyer on the scarecrow festival and I noticed that the fees are 25.00 dollars and that needs to come back to council for approval.

Mayor Dewey: that is not an item under the claims, but I can address that in the executive report for you.

Councilmember Michalson: thank you.

Mayor Dewey: Any other questions from council on the claims? Is there any public comment on the claims? Just a reminder we will re-post the claims for public view in the town council packet on Tuesdays prior to the Thursday council meeting and then from that juncture if people want to request those claims they are welcome to request those claims.

Chief Motley: if I heard right, I heard Mr. Michalson say about the paying of the painting and the signs and the response back on that was it was paid with gas tax money, but you really did not say that it was budgeted.

Mayor Dewey: my response was that it was budgeted and that it came from the gas tax fund. Is there any other public comment? Hearing none I will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: the motion passes unanimously.

## 6. Administrative Reports

None.

## 7. Guests

None.

## 8. Correspondence

None.

## 9. Public Hearings

None.

## 10. Unfinished Business

### a. Discussion/Decision: Resolution No. 387E, amending Town Council Rules

Mayor Dewey: introduced unfinished business item (a), this item comes from Mr. Vick. It was originally proposed as a time limit on public comment so due to certain circumstances rather than extend a time limit, we incorporated it into the town council rules for ease of reference. The changes are adopted by resolution. 387 B.

Councilmember Vick: I have heard a lot of comment outside of this and general consensus of the public would be for us to set some rules and what not, however consensus of the rules is where it falls on the chair to ask how many people are going to give public comment at a time. And then give us that time line of how long that public comment can take place. Say the chair would do (unclear recording, unable to understand) Mayor or whoever is sitting in that seat would ask how many people are interested in giving public comment (unclear recording, unable to understand) let's say that 20 people want to give public comment and then he can say we will give 30 minutes for public comment. And if that is favor or those that are against.

Councilmember Devlin: how do you monitor that?

Councilmember Vick: egg timer.

Councilmember Devlin: well, what if one person wants to take 30 minutes to discuss it?

Councilmember Vick: than the rest of, then what you do is have the people walk up and say that they are in favor of this or I oppose this.

Councilmember Devlin: then they are not getting public comment, that is the problem and the challenge with that.

Councilmember Vick: I am just presenting what was presented to me as an alternative to what I presented in the packet.

Mayor Dewey: as the chair and the person running the meeting, I have an appreciation for the alternative I can see certain settings where that could be very beneficial. However, I think for consistency sake between meetings we need to be consistent I would encourage the council to set a standard in its council rules for that reason and I think that it is important that the town, it is the town council meeting it should be a time limit established by the town council I feel regardless of who the mayor would be if that person was to set a time limit that person could come under fire for less-than-ideal issues. Right? You are easily blamed for limiting public comment one way or the other if it is a statement of policy and it is across the board this is what it is. I also think that it is important that people understand what they can expect when they come to a meeting as well if the council were to adopt a time limit that would be in the guide lines of the agenda so that everyone would know the expectation of public comment. I don't see a reason why if the council wanted to adopt an alternative such as what Mr. Vick suggested as listed by meeting, we could suspend council rules and enact that but I think as a general rule of thumb or a general rule of doing business the original time that was proposed are appropriate and meet (unclear recording, unable to understand).

Councilmember Vick: does anyone else have any recommendation for it or can we go ahead with a motion to approve or not approve.

Mayor Dewey: Mr. Michalson?

Councilmember Michalson: I would like state that this all came about with a Mr. Raymond Smith earlier this year when he got up the podium and talk for 24 minutes. That was way way over time and I think that it was an embarrassing moment for all of us. Mayor Dewey I think you are doing a very good job as to limiting the people as to when they drag on to periods of time. You seem to be getting better at stepping up I am in agreement; I don't think that we need to set a time limit I think that takes away the public's right to speak putting on a time limit you are basically putting them on a clock and I don't think that any of the public should be put on a clock. It is their due process to speak this is there meeting. So, with that I inform Mr. Vick if he wants to go with an option but I don't think we should go with a time limit. Thank you.

Councilmember Vick: I am defiantly for I think it is best to put in a time limit for contentious issues I personally think that would be better route to go.

Mayor Dewey: so, you decide, if you decide a time limit, we enforce a time limit if you decide no time limit, I am fine with that as long as you don't come back on me because somebody droned on for 25 minutes. As long as that is clear no if it is me or any other mayor or the chair running the meeting be the council president or the mayor. I think that is part of the issue is someone drones on, frankly if they are on topic there is nothing that the chair can do. As long as they are on topic and are following the guide lines they can talk as long as they want. They can talk on for a couple of hours, it is excessive and what happens is we get into a bind and say that person talks to long and now we need to institute a time limit. You can't do that in a middle of a meeting then you are treating people unfairly, and we don't want to do that. It is either time limit or no time limit per meeting. So, this if there is a consensus subject it is my expectation of the town council would be right off the bat as a matter of housekeeping as we open the agenda that the two council puts a time limit. Ms. Devlin?

Councilmember Devlin: so, we are speaking to an agenda item and imposing a time limit on those. What are you proposing for the agenda item, that is what you spoke about with Mr. Smith that was just public comment, right? So, we have two different issues if you will two different commenting times. I feel that it is extremally important that when we have an agenda item that people are allowed to speak to that. I don't necessarily feel that there should be a time limit put on that, but public comment to come to the podium and state, there are two options through the month where that is allowed, you can come during the month and state over and over your opinion in different ways. Five minutes is a long time to talk we have experienced 25 minutes and that feels like we are here for three days. Five minutes is a long time we can extend that to eight minutes if that is a good compromise but to keep the meeting going, I think that public comment in the moment of public comment with nothing on the agenda I think that there should be a time limit on it whatever that looks like but I do think we need to limit that again so we are not caught in a moment of hearing everything that is wrong with Stevensville for 25 minutes or three hours. I don't know it that would be a good compromise for everyone here. Yes, public comment is extremally important especially on agenda items.

Mayor Dewey: so how that policy reads now, public comments on non-agenda items should be limited to five minutes comments on agenda items should be limited to eight minutes. Mr. Michalson?

Councilmember Michalson: it has been brought to my attention by former councils that this is not new. When Mr. Lou Barnet and the council back in 2009 and 2010 was very contentious times they in fact put time limits just as we are doing tonight and they also set up a where agenda items were going on and people were taking more than one bite of the apple so to speak, where they were coming up back and forth back and forth the same person. Mr. Vick we might want to discuss that as well maybe put how many times or put one time. I have seen it before where I will get up in an agenda item and say what I want to say and then Ms. Barker will say what she wanted to say and then something will get into my brain and then I will get up again. So, I am saying to move the meeting along some people get up two or three times maybe we should discuss that down the road. Thank you.

Councilmember Vick: I think that it is best since this has to do with council rules, I move to refer this to a cow meeting.

Mayor Dewey: is there a 2<sup>nd</sup>?

Councilmember Holcomb: I will 2<sup>nd</sup> it.

Mayor Dewey: it has been moved by Mr. Vick and 2<sup>nd</sup> by Ms. Holcomb to refer this item to a cow meeting. Council discussion on the motion? Public comment on the motion? Okay, the motion on the floor is to refer this to take and refer this to a cow meeting. Ms. Berthoud would you call for the vote?

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes unanimously. We will get that on the calendar.

b. Discussion/Decision: Council Rules. (Council Member Michalson)

Mayor Dewey: introduced unfinished business item (b). Mr. Michalson go ahead.

Councilmember Michalson: in pursuit to the last meeting, I was able to reach out to Scott he sent me an email. Bob read the email out loud from city attorney Scott Owens in response to a vacancy of a councilmember. A vacating councilmember may vote for their replacement, I spoke to Scott today about this we can keep that part in there let's say that Mr. Vick was going to Pennsylvania tomorrow and he says that he leaving in two months and he would like to stay behind and participate in the selection of my successor according to the rules that is fine but like I told Scott, let's say that he is going down to Pennsylvania and in two months before he is ready to leave we have picked his successor his job back fires and he wants to stay on the council and

we have a problem so with that, and I am sure that this is rarely ever used but I still feel that a vacating councilmember can vote for their replacement. That is all that I wanted removed in the first place. And I will reiterate what Scott said, I am fine with this being there and Clark is fine with it being there. It will probably never come up but if it did come up a council member wants to vacate and pick its predecessor and that back fires and Scott agreed that could put the town into a litigation. I will leave it up to you guys to vote on that.

Councilmember Holcomb: seeing that we are already tabling the council rules why don't we add it into the cow meeting so that we can discuss all of them.

Councilmember Michalson: I agree.

Councilmember Vick: I make a motion to refer to a cow meeting.

Mayor Dewey: is there a second?

Councilmember Holcomb: I will 2<sup>nd</sup> it.

Mayor Dewey: it has been moved by Mr. Vick and 2<sup>nd</sup> by Ms. Holcomb to refer this item to a cow meeting. Council discussion/ public comment?

Someone in the audience: what is a cow meeting?

Mayor Dewey: answered the question, it is a special council meeting. It is just a meeting where they will discuss the issues and then bring them in front of a town council meeting for discussion.

Someone in the audience: is a cow meeting open to the public?

Mayor Dewey: yes, all town council meetings are open to the public. Any further public comment hearing none Ms. Berthoud would you call for the vote.

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: we got that settled.

## 11. New Business

a. Discussion/Decision: Resolution No. 482, declaring certain property as surplus and authorizing its disposal

Mayor Dewey: introduced new item (a), you are all well versed in this process by now this is the last piece we believe hiding under a rock that we need to dispose of is a Suburban from the fire department that is being replaced through the budget we also have some office furniture that has been replaced as we moved the police department around and such with some updated

equipment, we have a heap of chairs that need to be disposed of and the Suburban as well. And then we should be ready to pull the trigger on this surplus sale. This is the last piece and we will get this stuff sold off and make some room.

Councilmember Vick: I make a motion.

Councilmember Holcomb: I 2<sup>nd</sup> it.

Mayor Dewey: it has been moved by Mr. Vick and 2<sup>nd</sup> by Ms. Holcomb to approve Resolution 482. Discussion from council? Mr. Michalson?

Councilmember Michalson: as far as the office equipment Brandon is that just current stuff or is that all of the stuff in the evidence room that is piled up to the ceiling.

Mayor Dewey: I am not sure what you are referring to in the evidence room but this is at least one or two old desks and maybe a dozen office chairs that have been replaced over the years what has typically happened is when the main office staff gets a new chair the old chair goes to the police department and an old chair goes to the public works department and we end up rotating chairs for about 30 years and then finally they die and we have to get rid of them and this is the process of getting rid of the them. We have a hand full of chairs that need to go away.

Councilmember Michalson: are you looking at the public works department and all of their vehicles and all the stuff in the buildings back there are they going to be up for surplus.

Mayor Dewey: you have already declared some of it surplus, anything that we are going to get rid of in the next year has been declared surplus and this is the last of it.

Councilmember Michalson: okay, thank you.

Mayor Dewey: Welcome, any further comment? Ms. Barker step to the podium please.

Stacie Barker: are you going to have a list of those items somewhere? Are you putting them on a bid?

Mayor Dewey: they will be in a competitive bid process.

Stacie Barker: where will that be located at? At town hall

Mayor Dewey: it will be widely advertised. Any further public comment on the surplus items. With that the motion on the floor is to approve Resolution 482, Ms. Berthoud will you please call for the vote.

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: the motion passes unanimously.



b. Discussion/Decision: Contract for Building Inspections Services with Construct Montana, LLC

Mayor Dewey: introduced new item (b), to bring you up to speed as I mentioned last council meeting under administrative reports, we spoke to the fact that Mr. Netzly our building inspector had chosen to resign from the town in doing so we didn't have an inspector that is certified in all that Mr. Netzly is certified in. We have one other inspector is certified residential only but is not certified in commercial that are required by our building department and those requirements come from the department of labor and industry that manage our building codes program. In order for us to retain compliance and to avoid a situation where we would have to refund building code fees and permits and turn the entire system back over to the state of Montana, we need to contract with someone on a temporary basis until we get an inspector or inspectors on board who are certified in all disciplines. We are communicating with Josh to see what it would take to get him certified in all disciplines but in the interim, we have to have someone completing these inspections so that we don't stall out on projects. That is where the contract comes before you tonight and of course it is a contract, a temporary contract it may be renewed and I would imagine that we would bring that back before the town council for your consideration. I can tell you that the building code enforcement fund will support contract this year there is ample funding to do so we see we are projecting a savings in the building code fund any ways so the contract should not adversely affect the budget. We can be a budget amendment before you. With that the contract is in your packet. I will open the floor to a motion or questions. Mr. Michalson?

Councilmember Michalson: before I make a motion to approve, I would like to read an email from Mr. Scott Owens regarding this subject, if I am allowed to do so.

Mayor Dewey: I would not object that I assume that the whole council received that email. It just depends on whether they want to hear you read it.

Councilmember Michalson: I was going to read it to the public. Mr. Michalson read to the email from Scoot Owens about the possibilities of ethics violation. So, with that I have to state, do you Robert and Brandon.

Mayor Dewey: I did have an opportunity to review this with the town attorney. If you continue to read his email, he has stated that Mr. Netzly has not demonstrated that he has excluded anyone else from a contract and so he believes that this would not be a violation. So, we explained to him in depth, given the opportunity exactly how we came to the conclusion that this contract was absolutely necessary as I explained to you tonight Mr. Netzly ended his employment with his and Robert and I conferenced and realized that we had inspections and so we immediately reached out to him for a contract. Because he is the guy in the market that is available to help the town of Stevensville. So, I understand that Mr. Underwood reached out to other agencies with inspectors including the city of Missoula and they have no one to spare in fact they are finding themselves in a similar position that we are in. Hamilton has already found themselves in this position and have secured a contract with Mr. Netzly as well. Mr. Michalson?

Councilmember Michalson: I would like to add that Scott talk to you today, because when we talked today we were in agreement as far as this contract is legit but could be the perception because we have an employee of the town who resigned getting twenty some dollars an hour and then he goes and signs a contract for fifty dollars an hour and that leaves a perception to the public even though we know that there is nothing going on. Scott did not have a problem but to just guard us from litigation if we would just put it up for bid RFP, like we did the IT bid and bring it back before the council and Scott was in agreement with that.

Mayor Dewey: if I could respond to that real quick. I did address that subject with Mr. Owens and he did not say that is something that we have to do, he is not saying that it is something that is absolutely necessary. What I will caution you on is that there is really not any time to advertise this for two weeks in the newspaper and do an RFP. We can't afford to let these contracts and these projects hang for two weeks while we decide who is going to put a bid in on a very thin market in the first place, I can only imagine how this would impact the school specifically. They are already on a tight time line; they already receive inspections three times a week if that was to stop while we RFP that would nearly be catastrophic to them and they would have reason to litigate the town of Stevensville and ask for their fees back. I would encourage the council to not delay this process due to the research that Robert has done and the market I will be frank with you, I am not pleased with the situation that we are in when an employee severs his employment with us and then find himself in quick, I agree with your philosophy, but Mr. Underwood can attest to my discuss in that situation and it is what it is. We have to address this; it is our job we have to slap a band aid on this. That is why this is a temporary contract while we get trained people in this position. We want people under our umbrella, we don't want to necessarily have a contract situation. Mr. Michalson?

Councilmember Michalson: and also, I was looking at the last budget and we did budget that at twenty something an hour.

Mayor Dewey: yes, all salaries were budgeted as if we weren't going to see any resignations.

Councilmember Michalson: what I am saying is if we are paying fifty dollars an hour will we have to make a budget amendment?

Mayor Dewey: I addressed that previously in our conversation where I think we will see savings in the building code enforcement fund where we will not require a budget amendment. We are going to evaluate this as we go. Our hope is to get somebody trained and make this a temporary contract. If this contract turns into long term then yes, a budget amendment may be.

Councilmember Michalson: are you going to continue to advertise on the town website?

Mayor Dewey: yes, we are, Ms. Devlin?

Councilmember Devlin: who contacted who? Did he contact us after he quit to do this contract? Or did we contact him to see if he could help us out?

Mayor Dewey: it was a conversation with him resigning and then he saw the looks on Robert's and my faces of oh crap what do we do and he proposed it as an option. Because he proposed it to us, we circumvented that. We spoke to other municipalities about these services and it is not

uncommon with other municipalities across the nation to contract these but this was not something that we wanted to propose as a permanent solution.

Councilmember Devlin: so, to piggy back on that what happens if we don't have somebody in this capacity example the school and if they are not able to move forward because there are no inspections happening does that fall back on us?

Mayor Dewey: yes, it does.

Councilmember Devlin: and how does that fall back on us?

Mayor Dewey: we would be obligated to refund a portion of the fees on all building permits that we were not able to inspect for which would be a serious hit to the building code enforcement fund. And that of course has ripple effects through the rest of the organization. The building code enforcement fund pays a portion of Roberts salary because he handles the financial portion and that would go away. So, and the rest of the organization would have to pick up the tab on the lost revenue. And frankly that would fall back into water and sewer and the general fund. You would be looking at a tax issue the state of Montana would then revoke our building code enforcement program and we would have to turn inspections over to the state and those contractors would have to coordinate with the state on that process with their project.

Councilmember Devlin: thank you.

Councilmember Vick: the way it sounds to me is and I am sure most people agree with this, what you just said was he resigned asked what are you going to do and he said that he would continue to do the same job for fifty bucks an hour to me that sounds like that is something that he intended to do from the get go.

Mayor Dewey: I can't speak to what his intentions were or not, but I can tell you that when he did resign he had a contract set up with Hamilton already so I think that we could get into those details on what his intent was but frankly I don't think that it matters were are up a creek without a paddle we need to provide services we need to take care of this in a professional way that is not detrimental to the organization or to the community and I think that any alternative that would be the result I think if there is a way to get someone trained and take that on ourselves before the contract expires we would look at terminating the contract I don't want to see us spending fifty dollars an hour for these services I would rather be paying an employee less than that. This is isn't the only reason that I am advocating for this contract folks is because we are in an impossible situation of anyone doing these inspections for us. That is the reality of the situation we have done our homework we have tried to avoid this situation all together it is going to happen.

Councilmember Vick: how long do you think it would take to recruit somebody?

Mayor Dewey: I can't speak to that; Robert spends some time on this on a daily basis trying to resolve this.

Robert: so, from the time that Tim left we have advertised for a building inspector we have a

Had about 4-5 people interests two applied for applications and none of them have qualifications to be the building inspector at all. Looking into the schooling space to get to where Tim is at right now it is a long process we are talking years, so the only way we are going to fill this is finding somebody who is qualified like Tim is and coming into to do this or go contract I recommendation, we are up the creek without a paddle would be to approve a short term contract with a continue to look for a permeant person with an alternative of possible advertising for another in the local area in western Montana who can lower the price if we can't find a person who can fill the bill. They need a lot of time in the industry it is not like you hit the books and you are good to go. It takes about two years of testing. I called Missoula and they just laughed.

Councilmember Holcomb: so, does Tim is he agreeing that this is a short contract and that if we find somebody that this could be phased out early.

Mayor Dewey: to the terms stated in the contract and if the contract ends and we don't have someone we will come back to council and put the monkey on your back and ask for a solution we would ask for a proposal and then we are maybe negotiating that rate. Maybe we extend the contract or maybe here is an employee and everything is fine. We are going to keep you up to speed at each council meeting as we continue to move forward and as we come to the close of the contract. When Denise retired, we had the same problem we were running out of time with Denise and then Tim fell out of the sky. Maybe we find someone to do inspections and when there are more specialized inspections, we use Tim. The school is a specialized. Mayor Dewey spoke to his role in zoning. This is a part time gig. We are looking at this being a part time person.

Councilmember Michalson: is there a possibility that Tim would lower the prince down to like thirty or thirty-five. Going from twenty to fifty and then coming to that.

Mayor Dewey: I think that Robert can speak to that, while we are paying fifty dollars an hour, we are also not paying pers benefits.

Robert: like the mayor says. It looks like a lot at fifty dollars an hour but he picks up a lot of the cost now, phone costs, no pers costs. The gap looks a lot smaller. He is already full time in Hamilton so asking him to take a cut won't happen.

Mayor Dewey: any further questions from council?

Councilmember Vick: I will make a motion to approve the contract.

Councilmember Devlin: I will 2<sup>nd</sup> it.

Mayor Dewey: it was moved by Mr. Vick and 2<sup>nd</sup> by Ms. Devlin. Further council discussion? Public comment?

Stacie Barker: my question is saying it could happen and gets fully engaged in Hamilton and he can't come.

Phone Comment: Jim Crews, I have a couple of concerns I understand that the town needs a building inspector. When he resigned why didn't we think about this. Was the council informed.

Mayor Dewey: any further public comment. Hearing none I will have Ms. Berthoud call for the vote.

Councilmember Devlin: aye.

Councilmember Holcomb: no.

Councilmember Michalson: no.

Councilmember Vick: aye.

Mayor Dewey: we have a tie vote and I vote in favor of the vote so the motion passes.

c. Discussion/Decision: Council's retention of an attorney to provide counsel in regard to an upcoming trial by Council on conduct of Council Member Michalson (Council Member Devlin)

Mayor Dewey: introduced new business item (c).

Councilmember Devlin: I used the term retain and my intent was to meet with an attorney ask questions, that does not cost any money. If you read Roberts rules, we don't get to have an attorney during the trial so my intent was to not spend any money my intent was to have the opportunity to advise the council. I think it would protect the town a little bit to have some direction.

Councilmember Vick: I do have something to speak on this especially most of the packet was me. It was never my intent to have a trial but that being said I am going to look at you from the entire town of Stevensville. The things that you said about me, they hurt. It is something that I don't think people get to say a lot especially those of us that are getting fingers pointed at us and I forgive you for that. My question to the council and to everybody else in the town and everyone else's question is the history of this town how many times are we going to lose clerks, mayors, councilmembers how many times are we going to (audio unclear, unable to determine words spoken) off of our body we continue to bleed until we absolutely do nothing but stop and do what we should have done from the beginning which is talk. That is what we should be doing, trying to figure out what we are doing the thing is that if we sit down and talk, we can embrace the one thing that makes us all the same is that we are givers that for this meeting I am going to propose from this meeting forward that we are going to take this trial and (audio unclear, unable to determine words spoken) and put something in front of us and talk this out get this figured out. So, I am going to make a motion to where we discuss the allegations discuss the issues try and get things figured out at a COW meeting which the proposed date, I would suggest is the date that was proposed.

Mayor Dewey: your motion is to... what exactly, I am sorry.

Councilmember Vick: my motion is instead of doing the trial we can do what we discussed back in March which was to have a COW meeting and talk this out and work this out. One thing we can do with that is set in our code of conduct rules where all four of us can have an agreement on when you do this; this is going to happen because according the Montana Code Annotated, we can't enforce our council rules because we don't have a law set to enforce our council rules the list of things that a councilmember can be removed for. It does not say code of conduct,

Mayor Dewey: I have to cut you off, your motion is to move Mr. Michalson conduct to a COW Meeting. Is there a 2<sup>nd</sup> to that?

Councilmember Holcomb: I 2<sup>nd</sup> that.

Mayor Dewey: it has been moved by Mr. Vick and 2<sup>nd</sup> by Ms. Holcomb. Council discussion? Mr. Michalson?

Councilmember Michalson: I would just like to add one more thing to that, I am in support of it I would like to say if there is one thing that we could put in the COW meeting I would like to put the code of conduct into that meeting. The reason that there is one stipulation that I am being charged on that (audio unclear, unable to determine words spoken) every time that I email Robert about the budget or whatever, and it is in the code of conduct that I have to have permission from the mayor it is there and I believe that it should be moved, it is restricting me or any other councilmember or in years past to get permission and I think that there should be a trust value so that any councilmember should be able to reach out to any employee of the town without any repercussion to the employee or a councilmember there has to be an honor system there and I would like to discuss that and kind of move that item with the other item from the towns code of conduct and put it on the COW meeting, I would appreciate that , thank you.

Mayor Dewey: Ms. Devlin?

Councilmember Devlin: there are two parts to what I have to say, we have public people, people of the public that brought this to our attention that you are speaking for instance in their instance they are not having, I think that they have the right to comment if we move this to a COW meeting because it is about them it is not necessarily about you but it is part of that. The second part to my statement, my question is Mayor Dewey reached out to you months ago on my behalf if you would be willing to sit down with me to work through some of these to come to an agreement, to a realization of your behavior there was no response from you on that so in the near future I reach out to you in an email ask you a suggestion on a project that you and I can work on together to try and repair that relationship was my intention and you have never replied to me on that email so why now would you be willing, you have an attorney, that I have heard through other resources that has advised you to work things out with us why now? Is this based on your attorney or that you really want to work things out? Because your past hasn't shown that up to the near. We just also received a very hostile email yesterday from a person a citizen of the town of the same thing that we are speaking of, I know that you replied to her I replied to her and I heard back from her this morning at some point it is not about the four of us it is about the public that we serve that are being treated and speaking up to a manner in which that is not satisfactory, and back to my question I know that this is not a time for this but why are you willing now, why?

Councilmember Michalson: because it further divides the town and this town is bleeding for us to come back together the whole town want us to, the last time that a municipality in the state of Montana had an actual town council trial was in 1913 in Conrad Montana and it was the two two hung jury. I will go on the record now and say that email that received you received I would like to say what was said, on record Mrs. Barker brought up Nicole Court and in that event that person said I would like to know what the charges are against that mayor my exact words were

“he signed a contract without authority thus the recall election in November and second he was found guilty of (unable to understand word said) finance laws last Friday” and that was it. A code of conduct violation? I am sorry. If I am being put up on code of conduct violations on that email for stating the facts and did not chastise him, I didn’t say anything wrong it was just the facts. And in my opinion, I did nothing wrong Jaime. Number two it got so toxic between you and I (unable to understand what was said) Mr. Vick I felt that it wouldn’t do any good to reach out earlier because you guys have been trying to chase me six times, six times to get me. I will go on the record to say that it will probably go two to two it is probably going to go to a two two trial, that is what they say in congress, that is what they say in the senate. They put the carts before the horse and put it to a vote trial whatever you want to call it and waste all of our times when at the end of the day it is going to end up two two. We all know from Mr. Holmes opinion; Mayor Dewey cannot break the tie it has to be two thirds majority. So, I am in the interest now if we call all move together and go to a COW meeting (unable to understand what was said) sooner or later we are going to have to and I will be realistic Mayor Dewey (unable to understand what was said) of this town the four of us are going to have to get together and pick a mayor we are going to have to show the town that we are working together and if we are going to have to go through this whole trial and come in with a two two and be deep in the division of us everybody chooses a side in this town we all know it and I think it is a time that we heal and we just work together and I will admit I made some mistakes but I did it in the greatest interest of the town a lot of those things that I am being charged with are Robert, emails to Robert it is highlighted and I would just like to say that I will do a better job for the constitutes of this town, thank you.

Mayor Dewey: Ms. Devlin?

Councilmember Devlin: I want to make something extremely clear you and I don’t have a relationship positive or negative we have no relationship there is no damage to our relationship because we do not have one. The charges that I brought, let me finish, the charges that I brought forward where not about me they are not about an agenda on my behalf, they are about you and your behavior that other people brought to my attention I did not search Facebook I did not search emails I did not do that to bring you to trial. I brought that to be a voice of the people of Stevensville, it is not about me and my agenda and there is a big misconception about that with you and with the public and I did reach out to you. I reached out to you and you did not reply months ago so please do not put this back on me. How about an apology to these people how about an apology a simple apology, it was asked months ago? Apologize for that, let me finish please, okay? It isn’t about me they aren’t my actions so please don’t confuse that. I am not out to get you, I don’t know you we have had two conversations since January outside of this table, two of them. That is it so please don’t confuse that, this isn’t about me.

Mayor Dewey: Mr. Michalson?

Councilmember Michalson: I would like to state that since you as you say the public told you the actions instead of doing bringing it forward or doing a sensor my question is why is it full bore removal. Number two, you have had actions yourself Jaime, you have an ethic violation before you I could have brought that, but I did not. When you put on Facebook that you accepted gifts,

you accepted flowers you accepted scented candles, that is a direct violation of Montana law you can't except a gift.

Mayor Dewey: I don't think we are here to discuss any ethic violations against Ms. Devlin.

Councilmember Michalson: I will say right now that I apologize to each and every one of my constituents in this town it is a hard fell. It is not hard to do I am a man about it if my actions were wrong to you people I apologize and I will do my best to be a better man to be a better councilmember. If that means working with you Jaime, I am willing to do it I am willing to (unable to understand the word that was said) I am willing to anytime I would propose it I would propose working together tonight and move forward because we are going to have to do it sooner or later.

Mayor Dewey: I have a question; this curiosity has gotten the best of me and against my better judgement why start tonight why didn't you start yesterday when you came to town hall and interrogated Robert about several items on tonight's agenda I was sitting in my office and you did so cause a situation where another employee didn't feel comfortable coming in through that entrance so they come in through an alternative entrance to avoid you. So why are we starting tonight why didn't we start that last time you apologized or the time before that when you apologized what is special about tonight?

Councilmember Michalson: because mayor you have made it so toxic for me in there that I don't feel comfortable going in there.

Mayor Dewey: don't blame this on me.

Councilmember Michalson: it is on you.

Mayor Dewey: no, this is not on me this is not about me and my conduct. My conduct is documented and so is yours. Yours is documented in the report that we gave to council it is there is black and white, why yes, your interactions with Mr. Underwood are included in that there are plenty of other interactions that are unbecoming. I guess my question is rhetorical sir, I don't know as if there is an answer as to why we should start out on a fresh foot tonight when January 1<sup>st</sup> we started on a fresh foot and prior to when a councilmember came and went. I am not going to apologize but I am not buying what you are selling. It is not up to me it is up to the council, one other thing that I will clarify is I don't believe the trial as it has been presented to me this trial is not about removing you from office but it is about holding you accountable for your actions and the only way that council felt or councilmembers felt they could address those actions was through a disciplinary action they didn't have any other options towards discipline. So, to make that clear, as it was presented to me and to Mr. Owens a trial was to determine what discipline came out of the actions if you were found guilty of those actions and with that I will defer to council. Mr. Vick has made a motion and Ms. Holcomb 2<sup>nd</sup> it that this motion should be referred to a committee of a whole meeting.

Councilmember Vick: I actually want to amend that motion as well simply because we are adding to this COW meeting. We also need to establish a social media policy for us councilmembers so that we can work through this in the future. A majority of the stack came from the public was from Facebook.



Mayor Dewey: I will discourage you from adding to this COW meeting agenda because frankly the COW meeting agenda we are looking at a couples of COW meetings. We are looking at one COW meeting for council rules, and now we are looking at one for Mr. Michalson's conduct.

Councilmember Vick: so, I think anything that has to do with conduct that would be the social media policy needs to be the first COW meeting. And that is my motion.

Councilmember Holcomb: I will 2<sup>nd</sup> it.

Mayor Dewey: it has been moved by Mr. Vick and 2<sup>nd</sup> by Ms. Holcomb to amend the motion creating policies regarding conduct. Is that a fair analysis of your motion?

Councilmember Vick: aye.

Mayor Dewey: any discussion from council on the amendment? Public comment on the amendment? The motion on the floor is to amend the motion to refer to a COW meeting the amendment states that the COW meeting will include any policies relevant to conduct. With that I will ask Ms. Berthoud to call for the vote.

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: okay, motion passes. The motion on the floor is to refer the topic of Mr. Michalson conduct as well as any policies related to conduct to a COW meeting. Council discussion? Public comment? Hearing none I will ask for Ms. Berthoud to call for the vote.

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: okay, motion passes.

d. Discussion/Decision: Alcohol use permit for the Scarecrow Brewfest

Mayor Dewey: introduced new business item (d) referred to the permit in the council packet. The have modified their application to close east 3<sup>rd</sup> street. They are asking for a full activity permit.

Councilmember Vick: I make a motion to approve the Scarecrow Brewfest.

Councilmember Devlin: I will 2<sup>nd</sup> it.

Mayor Dewey: it has been moved by Mr. Vick and 2<sup>nd</sup> by Ms. Devlin. Council discussion? Public comment? Ms. Barker the fee that you were talking about did they just pay \$25.00 for that permit?

Mayor Dewey: they paid for the full...

Councilmember Vick: I think what she is trying to say is that some people are getting this confused with the scarecrow festival and I believe that they are separate events.

Mayor Dewey: they are separate events. And they paid full event fees. Any further public comment? Ms. Berthoud I will refer to you for the vote.

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

e. Planning/zoning Board (Council Member Michalson)

Mayor Dewey: introduced new business item (e) brought forth by Mr. Michalson. but wanted to clarify something, I don't know what the full intent of Mr. Michalson's submittal was, it states in the submittal please appoint Steve Gibson to the Planning and Zoning Board October 7<sup>th</sup>. So, I am curious if this is something that we talk through it is something that needs to be discussed. What was your intent? Was your intent to circumvent my appointment or just to make a motion to force me to appoint, I guess I am confused.

Councilmember Michalson: correct me if I am wrong Mr. Gibson? Mr. Gibson brought it forward, he wanted me to bring an agenda item to the effect of the Planning and Zoning Board, he said that he had talked to you about it and after discuss he wanted his item removed.

Mayor Dewey: okay I guess the reason that it is still on here when you asked the agenda was published. Number two, a reminder to the council our appointments that are made by the mayor with consulting with the council but the council doesn't get to make those appointments the mayor takes that process on. Just want to make sure that all councilmembers know what that process looks like. And that it is not appropriate, if it is a councilmembers intent, to circumvent the mayor's appointment process. Mr. Michalson?

Councilmember Michalson: Mayor Dewey I knew that going in and the reason that I mentioned it is that in council comments I mentioned that I would like you to consider Mr. Gibson for the Planning and Zoning Board I believe he called you a few times and didn't get an answer he wanted to talk to you and in the mean time during council comments I decided to put it on, he asked me to put it on the agenda I could have said that it is not my purview but I put it on there and then I will let him discuss what happened.

Mayor Dewey: well, I don't know as it is necessary to address the issue, he has withdrawn his application and I have stated my statement on the item, so we can move on.

Councilmember Michalson: okay.

Steve Gibson: I would really like to comment.

Mayor Dewey: we are not open to public comment, I am sorry.

Steve Gibson: it is on the agenda so are you going to open it to public comment?

Mayor Dewey: no there is no decision before the board tonight.

Steve Gibson: I am really confused; I withdrew my application I didn't take it off the agenda so I don't even know why it is a discussion.

Mayor Dewey: I just told you why, I left it on the agenda and now we are moving on.

f. Discussion/Decision: Installation of a speed warning sign on the 300 block of Park Avenue

Mayor Dewey: introduced new business item (f) we are proposing the first three of these sign issues are being proposed of the signs being in place the rest of them date back to as early as last week and as far back as 2011 were we found signs that were placed that were not approved by the town council. Mr. Michalson?

Councilmember Michalson: my discussion with Mr. Owens he wanted, did he mention to you Brandon that he wanted to create a sign board?

Mayor Dewey: no, he and I discussed other boards in the community and whether or not they existed in the community.

Councilmember Michalson: he thought I should bring a proposal to the council to propose a sign board and by a sign board it would be a board that would be enacted by councilmembers and members of the community because they are the ones driving and can see everything have Mr. Marble be on the board because he is the one that enforces those signs and the traffic and he thought it would be advantages to do that it would leave a cushion between us, because if we approve some of these signs the rest (unable to understand what was said) creating the board you go to the board discussed and then it comes into the board it leaves...

Mayor Dewey: Mr. Michalson in the interest of time I am going to interrupt you it sounds like you are advocating for a board which I am (unable to understand what was said) right now before you tonight is the installation of a speed warning sign on the 300 block of Park Ave. That is the item of discussion tonight not the board, Mr. Vick?

Councilmember Vick: besides the police commission is there a public safety board?

Mayor Dewey: no.

Councilmember Vick: would this be something that we could refer to the police commission for them to look at?

Mayor Dewey: no, the state law is explicated and unless otherwise stated by city ordinance it is the council's decision on traffic control devices, if the council would like to change that then they need to change their ordinance so someone else can make that decision, but for tonight it is soul in the council's hands tonight.

Councilmember Devlin: this has not been addressed for the past 9 years that we are now have to approve. What has happened in the past 9 years?

Mayor Dewey: I concur with that this was brought forth because 4 stop signs at 6<sup>th</sup> and college the administration took the entitative to place those signs we consulted with public works and the police department and we did so an uprising came from at least two members of the council that they were not involved in the decision process.

Councilmember Devlin: so, my question is why now? Why wasn't this addressed over the last 9 years were there was two different mayors making decisions and it was never addressed at that time why are we doing this now?

Mayor Dewey: I don't know I didn't realize the direction of traffic signs was such a contentious issue it is something that we would undertake through public works and the police department the department heads expertise occasionally we would need an engineer.

Councilmember Vick: so, which of these signs are not (audio is unclear, unable to understand what was said).

Mayor Dewey: so, we are asking in advance for f, g and h.

Councilmember Michalson: which ones?

Mayor Dewey: F, G, and H those three are not yet installed.

Councilmember Vick: where is the no outlet sign at?

Mayor Dewey: in Creekside

Councilmember Devlin: 8 approved without council permission?

Mayor Dewey: correct. I guess if council wants to have a more broad discussion about traffic signs in this community we can put it on a COW agenda and really get into traffic signs all of those things we have signs that need to be installed in advance and it appears that this administration and past administrations have implemented signage because this has been brought to our attention and before it was just slipping we frankly screwed up and we are now becoming an organization (audio is unclear, unable to understand what was said).

Councilmember Vick: my intention, I want consent from the council to group item (i) through (o) so we can go ahead and knock that out before we discuss the rest. I will make the motion.

Councilmember Devlin: I will 2<sup>nd</sup> that.

Mayor Dewey: it has been moved by Mr. Vick and 2<sup>nd</sup> by Ms. Devlin to group items (i) through (o) and do f, g and h separately. Council comments, public comments? Ms. Berthoud call for the vote.

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: introduced new business item (f) Discussion/Decision: Installation of a speed warning sign on the 300 block of Park Avenue.

Councilmember Devlin: I will make a motion.

Councilmember Michalson: 2<sup>nd</sup>.

Mayor Dewey: it has been moved by Ms. Devlin and 2<sup>nd</sup> by Mr. Michalson to approve installation of a speed warning sign on the 300 block of Park Ave. Council discussion? Mr. Michalson?

Councilmember Michalson: do these speed warning signs require (\*unable to understand what word was said) by Chief Marble?

Mayor Dewey: there is no requirement by code for that.

Councilmember Vick: they don't change the speed limit it is kind of

Mayor Dewey: it is the flashing sign that tells you, you are going too fast.

Councilmember Michalson: okay thank you.

Mayor Dewey: any further council discussion? Public Comment?

Charles Jordet: what is the cost of these signs? Are they in the budget?

Mayor Dewey: they are in the budget, right around \$2000.00.

Charles Jordet: that is ridicules.

Mayor Dewey: any further public comment? Hearing none I will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Holcomb: no.

Councilmember Michalson: may I ask a question first? Is the 300 block in front of the school?

Mayor Dewey: yes.

Councilmember Michalson: I vote aye.

Councilmember Vick: aye.

Mayor Dewey: the motion passes.

g. Discussion/Decision: Installation of a speed warning sign on the 600 block of Park Avenue

Mayor Dewey: introduced new business item (g) installation of a speed warning sign on the 600 block of Park Ave.

Councilmember Devlin: I will make the motion.

Councilmember Vick: I will 2<sup>nd</sup>.

Mayor Dewey: it has been moved by Ms. Devlin and 2<sup>nd</sup> by Mr. Vick. Council discussion? Same kind of sign, council discussion. Mr. Motley.

Mr. Motley: let me get this straight each sign cost \$2000.00? \$8000 total

Mayor Dewey: any further public comment?

Susan Devlin: I think that it is appalling that this is even up for discussion. It is by the school zone? To put up a warning sign for our town and the safety of our children I think it is appalling I live on 6<sup>th</sup> street by College and have almost been hit god knows how many times in the 15 years that I have lived here these are necessary for the safety of our community and there have been so many letters written and letters to the Bitterroot Star letters to the Town Council letters on email about the safety, these are necessary the town has grown enormously yes \$8000 chief Motley but what is the price of a kid being hit in a school zone, what is the price of a child's life. Thank you.

Stacie Barker: we have a police department why can't this police department be up there monitoring this? A sign does nothing those people look at that sign and they are still going to go right through it \$2000 personally is not going to put an end to that. I understand a child's safety but we also have officers that can make a point to ticket these people in the school zone.

Mayor Dewey: any further public comment?

Sharon Gee: I do think that the signs are necessary they are a constant reminder that they are there 24 hours a day. When people are passing through a zone with these signs and the sign is flashing and I have seen cars slow down, I know that they work. And I do think that it is necessary.

Mayor Dewey: any further public comment? Ms. Holcomb

Councilmember Holcomb: I understand about the signs, I drive through Corvallis every morning and they have a sign and every morning nobody slows down I slow down but you wouldn't believe how many pass through that school zone they don't slow down. I am agreement that we do now have three police officers on duty and we could have one of them up there. But I understand that they are important but a lot of people don't pay attention to them and that is a lot of money for certain amount of people to pay attention to.

Mayor Dewey: if I could just clarify and take this with a grain of salt, these signs are being purchased with gas tax funds which are the intent of those funds were are not allowing the fire department of the police department to pay for these signs we have installed two of them already and those signs are currently gathering traffic data and while that data has not yet approximated or collected the sign company says that they have to be up longer, from observation of the areas where those signs are put up is successful. Ms. Devlin.

Councilmember Devlin: I just wanted to point out that \$2000 is a one-time fee, onetime \$2000?

Mayor Dewey: correct.

Councilmember Devlin: We take an officer and place them five days a week 2 hours a day in the morning and 2 hours a day in the afternoon at their rate of pay, how soon do we come up with \$2000. It is a continued cost it doesn't end at \$2000. That is money that an officer should be out doing something different then watching for speeders in a school zone. Money spent should, we should monitor that, it is part of your job, but I am sure that you don't want to sit up there 4 hours a day 5 days a week. Watching for people speeding much rather you going out and covering a little bit of the town. \$2000 bang we are done, \$2000. Like you said we are gathering data that we can use print out a report once a month, how many speeding tickets were given out that month. I am having a hard time not justifying that one.

Mayor Dewey: Ms. Holcomb?

Councilmember Holcomb: to go back to this Corvallis I drive through there every morning and every evening I have seen more cars slow down when there is a cop parked in the parking lot by the track, I see more people slow down with that officer there then when they see that sign there. They never pay attention to the blinking words; slow down slow down they just fly through there. I have seen more vehicles slow down when there is a police officer in that parking spot then I do when that sign is blinking for them to slow down. I mean that is what I have seen and that is just Corvallis.

Mayor Dewey: and with that I think that we will call for the vote, Ms. Berthoud. Okay this is the last question of the night folks.

Vicki Motley: where will it be put on the 600 block?

Mayor Dewey: by the speed sign. The pole is already installed big grey pole, they will be solar powered. And with that there is no further public comment about the installation of the speed sign on the 600 block of Park. Okay Ms. Berthoud go ahead.

Councilmember Devlin: aye.

Councilmember Holcomb: no.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: the motion passes 3-1.

h. Discussion/Decision: Installation of stop signs at the intersection of College Street and E. 5th Street

Mayor Dewey: introduced new business item (h) what we are proposing tonight is two stop signs.

Councilmember Devlin: I make a motion to approve.

Councilmember Holcomb: I will 2<sup>nd</sup> it.

Mayor Dewey: it has been moved by Ms. Devlin and 2<sup>nd</sup> by Ms. Holcomb to install stop signs at College and E. 5<sup>th</sup> St. Note the signs, we already have the signs. Mr. Vick.

Councilmember Vick: I am trying to draw a map here where exactly the signs are at. So exactly where did you say the signs were going to be at?

Mayor Dewey: so, the signs will require you when you turn on to Main St on to E 5<sup>th</sup> stop at College St. and then if you were coming from the school west bound on to E 5<sup>th</sup> you would stop at College St, College St would be the through street.

Councilmember Vick: okay, so there wouldn't be a bottle neck between 5<sup>th</sup> and 6<sup>th</sup>?

Mayor Dewey: no bottle neck, no opportunity for traffic to stop and back up which is the rationale behind why where they are (audio is unclear and muffled unable to hear clearly what was said) public works. Public comment?

Jeff Motley: the stop sign on 5<sup>th</sup> and the yield sign at College would be removed?

Mayor Dewey: correct any other signage would be taken down.

Jeff Motley: so that big curve.

Mayor Dewey: yes, they will have to stop now, College will basically be through from 4<sup>th</sup> to 6<sup>th</sup>. Any further public comment on the place of the signs? And with that Ms. Berthoud will call for the vote.

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.

Councilmember Vick: aye.

Mayor Dewey: with that you are considering i-o as a combination as one is that your intent Mr. Vick?

Councilmember Vick: yes, I will go ahead and make the motion all of the work is already done before your administration, I will just go ahead and make the motion.

Councilmember Devlin: I will 2<sup>nd</sup> it.

Mayor Dewey: it has been moved by Mr. Vick and 2<sup>nd</sup> by Ms. Devlin, is there any further council discussion? Mr. Michalson.

Councilmember Michalson: I am all for this, but I would like to add if there is a possibility Brandon to see (audio is unclear and muffled) a mobile sign that can be moved around.

Mayor Dewey: I can see what can be done. Any further council discussion? Any public comment on i-o and with that Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Holcomb: aye.

Councilmember Michalson: aye.



Councilmember Vick: aye.

Mayor Dewey: okay, the motion passes unanimously thank you for indulging those signs are obviously up and the signs will be installed.

i. Discussion/Decision: Installation of portable crosswalk warning signs on Park Avenue

j. Discussion/Decision: Installation of portable crosswalk warning signs on College Street

k. Discussion/Decision: Installation of stop signs at the intersection of College Street and E. 6th Street

l. Discussion/Decision: Installation of a speed warning sign on the 600 block of College Street

m. Discussion/Decision: Installation of a speed warning sign on the 200 block of W. 2nd Street

n. Discussion/Decision: Installation of no outlet sign on Mission Street at W. 2nd Street

o. Discussion/Decision: Installation of no outlet sign on Creekside Drive

## 12. Executive Report

Mayor Dewey: the administrative reports are due at the beginning of the month the next packet is due out at the first of October for the October 8<sup>th</sup> meeting that is to close so basically for the staff that would be awful, so we will ask that they have those reports to us by 6<sup>th</sup> of October you will have your agenda packet published with the agenda items on it on the 1<sup>st</sup> and then you will see an amended packet with the administrative reports. You will see the admin on the agenda and then we you get the amended packet you will see the reports along with the claims in the packet on Tuesday. Department heads will be updated in the morning that they have some time. On the executive report I am going to address some of the things that were brought up this evening. In regards to the speaker outdoors that is something that we are working on when time is available it is frankly not a tremendous priority, I am not saying that it is not a priority it is just not a tremendous priority it is because we have other means for listening and engaging with us. We will eventually get something out there for you folks but bear with us we are trying to work with the library it is working for us as a meeting space but structural changes like putting a speaker outside have to be embedded. We are trying to address that. the other thing that I heard was the expectations on the board, this was passed by the board not a third party. We are trying to work through this. In terms of transparency our budget is on line, the final budget is in its final stages. The preliminary budget is on line the budgets for the past 5 years are on line if you don't see one call us and we will do our best. The water rights issues that you have heard me explain to the council, water rights is a slow slow process, the last two water rights attorneys have died and we are on our third, that is the reality of it. We continue to work through it and are making some really good head way. Contracts will be coming back to the council, the town as a whole is in the place of use with the exception of Creekside Meadows, I keep hearing that we can't add anymore development, we can't add anymore development to the town it is impossible without having the water rights issue fixed. That is not necessarily the case I can tell you that Burnt Fork Estates for example is going to give us the water rights associated with that property that was not something done with Creekside Meadows Twin Creeks which they may submit subdivision application there are already in place of use. Twin Creeks had their own

place of use before they divided. If you have questions about the water rights feel free to email me, I can get those over. Please don't ask in a way that implicates that I may be hiding something I have no interest in the water rights it is just a necessity I have no interest in hiding water rights from you I want water rights. Scarecrow Festival, yes, Mr. Michalson it would be preferred that we would bring a resolution forward to adopt these fees and we can do that though we wanted to get the program on line because it wasn't slated to happen and there wasn't money for that so to offset the cost to the tax payer, we are charging a fee there will be zero cost to the tax payer. So that the program can support itself. It wasn't slated as a parks program this year but they happily took that on. We will bring a resolution to you next council meeting. Any question from council I don't think that I left anything out, Chief Motley and Robert updated you on the fire door. CARES is about the same, we will continue to update you. Last thing is letters have gone out to past due accounts and that balances need to be paid in full by October 1<sup>st</sup>.

### 13. Town Council Comments

Councilmember Vick: first off, I want to thank everyone that did see my post on Facebook about my friend that is in the hospital in Orlando for over two months battling COVID he finally woke up last week he was able to see his new born son for the first time, he was born while he was in the hospital. Monday, he had to go into surgery, yesterday he made it through, from myself and the family I want to thank you for your thoughts and prayers. There are different beliefs about his pandemic, some people believe that it is a plan demic everyone on this council, the mayor the current clerk and Robert knows back in April I went down to Arizona and I was there for 21 days I watched members of the Navaho nation walk in one day look like they are perfectly fine find out that they have corona virus only to become infected and dead the next day there may be some misinformation out there but this is a very real virus I have siren it first hand and what it can do. And also, not to go off of the coronis virus track, I got a phone call yesterday about a flag pole that has been damaged at Father Ravalli Park he would like to see if there is any way to get that replaced so that the American flag can fly over Ravalli Park again.

Mayor Dewey: I will quickly address that, the replacement flag poles for Father Ravalli, Veterans Park and for Town hall are all been ordered. I believe that the individual that you are speaking of has spoken to parks and rec.

Councilmember Vick: that is all that I got, since I have this kind of microphone it has been a long time since I have said this "get your pets spade and neutered".

Councilmember Michalson: I would like to say that I concur with the gentleman that was talking about the publics rights to these meetings I know that we are in (unclear muffled word) a speak out there. Do we want out citizens out there in the cold in the rain in the snow waiting to come in an speak their mind on, this is not fair to our town I think that it would be relevant to look at other options, and Mr. Mayor I would like you to reach out to the superintended like I did he said that it is open to town council meetings in the multipurpose room, they have all of the capabilities that we need like the Zoom there is room for 75 or more people to social distance, why can't we do that? It is fair use it I ask that we reach out and move up there so that we can all participate not being out in the cold not being out with a speaker it is a big difference in being in here and being out there I wouldn't want to be out there it would make me even madder to come in here to speak, so with that thank you.

Councilmember Holcomb: I just want to say thank you again Robert I sent the email I just want to say thank you for helping this town save some money great job.

Councilmember Devlin: there is a lot of motion going on in our town over recall and no matter what side you are we have a recall, right? So much resistance so much emotion, so much hatred, so much anger in winning a recall. I guess I am asking everybody that is sitting here and everybody that is listening think about what that means to you. What are you winning? What are you wanting to win? Because whether you win the recall in that our mayor stays on you have to go home to your neighbors you have to go home to your family and we all still have to participate as one in this community as it stands now if behaviors in our community do not stop and we do not come together we don't chose to see differences we do not have options to embrace one another for who we are Stevensville as we know it or as we preach that we love of willing to fight for will no longer be, behaviors in this community are killing Stevensville. Whether you want to realize that or don't it is killing Stevensville. Sometimes our passion gets in our way, sometimes our passion and our beliefs get in our way, we end up making more destruction than we create benefits, right. We have to stop that be passionate about what you think and remember that there's other people here too. This town is not just about you and your opinion it is about all of us, so voice it but be careful because we are killing a really great thing, we are killing the very thing we live here for we are changing that, a recall is not changing that, please what are you winning, Stevensville we still be here no matter what and how is that going to look.


14. Board Reports

No Board reports.

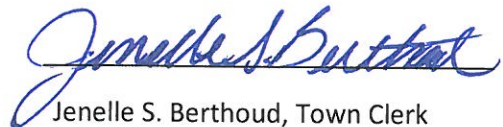
15. Adjournment

APPROVE:

ATTEST:



Brandon E. Dewey, Mayor



Jenelle S. Berthoud, Town Clerk