

**Stevensville Town Council Meeting Minutes for
THURSDAY, APRIL 22, 2021**

1. Call to Order and Roll Call

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

2. Pledge of Allegiance

3. Public Comments (Public comment from citizens on items that are not on the agenda)

Bob Michalson: 222 Turner Street. I would like to say how shocked I was and appalled that there were two other contracts or service agreements that Mayor Dewey calls them weren't brought before the town. I have to say Brandon this is a new one it really is sir to have two contracts come before after what this town went through last summer is I don't know if you just wanted something so bad that you did it again or if you just don't care about the policies and the procedures of the town of Stevensville.

Councilmember Devlin: point of order we can't be attacking anyone.

Bob Michalson: I am not attacking anyone.

Councilmember Devlin, that is not true information that is being stated.

Mayor Dewey: Mr. Michalson if I may you will probably receive answers to the two claims in the claims section of tonight's agenda.

Bb Michalson: okay thank you I do have one more thing, I will say that the \$69,000 three-year contracts for mysidewalks is something that the whole town is upset about they don't think that it is something that we need, if you guys want to be heroes if you want to show really class to the town you would take that \$69,000 take some of the savings that we have and pay off our water and sewer bonds and lower our rate for the hard working citizens of the town that are suffering, you could all be heroes if you did this instead of doing a \$69,000 contract, thank you.

Leanna Rodabaugh: 208 Ravalli Street. It baffles me that we can't say anything to any of you because I have been down to town hall twice now and have been screamed at once by the mayor and once by Laura who told me I am a horrible angry old woman she wanted Robert to have me evicted and he looked at her like what, I am going to read something that you may not want to hear, and I don't think you can make a point of order about it. Leanna read a letter that she posted on Facebook.

Councilmember Devlin: this is point of order, this is unsupported allegations

Leanna Rodabaugh: this is not unsupported and please don't interrupt me, Jaime.

Councilmember Devlin: these are untrue, in our guidelines for public comment no attacks, you cannot have unsupported allegations.

Mayor Dewey: Ms. Rodabaugh.

Councilmember Devlin: Stevensville does not have a....

Mayor Dewey: Ms. Rodabaugh I am going to ask for you to step away from the podium if you can't...

Leanna Rodabaugh: you don't have that authority.

Mayor Dewey: yes, I do, Ms. Rodabaugh if you cannot maintain your decorum

Leanna Rodabaugh: if you would not interrupt me, I would have been done.

Mayor Dewey: is there any other public comment on items not on tonight's agenda.

From the audience Leanna Rodabaugh stated that "Jaime is an ass".

Councilmember Devlin: can we address that? I am not going to sit here and be spoken to or about like that.

Mayor Dewey: Ms. Rodabaugh I am at the end of my rope and I am being extremely patient I have been more than patient with you so if you cannot retain your composure in this meeting you will be asked to leave, we will adjourn and you will leave, that is how this will work you are not here to attack this council you are not here to attack me and you are not here to attack staff that is not what we do here. Thank you for listening to us and abiding to the ground rules that the council has set on the back of their agenda. We will move on.

4. Approval of Minutes

a. March 11, 2021, Meeting Minutes

Mayor Dewey: introduced the minutes.

Councilmember Devlin: made the motion.

Councilmember Shourd: 2nd.

Mayor Dewey: it has been moved by Ms. Devlin and 2nd by Mr. Shourd to approve March 11th meeting minutes. Council discussion? Public Comment? Hearing none, Ms. Berthoud would you please call for the vote.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

5. Approval of Bi-Weekly Claims

a. Claims #16534-#16716

Councilmember Vick: I want to make a motion to separate out claim #16697 to discuss separately.

Mayor Dewey: is there a 2nd

Councilmember Shourd: 2nd.

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Shourd to separate claim #16697 and consider separately. Any council discussion on the motion? Any public comment on the motion? Hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: okay motion passes. So, what we need at the very least is a motion to approve claims #16534-#16716 omitting #16697.

Councilmember Vick: so, moved

Councilmember Devlin: 2nd.

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Ms. Devlin to approve #16534-#16716 excluding #16697. Council discussion on the claims? Any public comments? Hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: you have before you claim #16697.

Councilmember Vick: I just have a whole lot of questions about mysidewalk thing I know that it was brought up at the last meeting I know I said that it sounded like a good idea and what not at the time, I am just trying to wrap my head around it, is this a contract is this a service agreement what is this? Because it is a lot of money even before it came on the claims it should have come before the council for approval rather than how do people feel about it.

Mayor Dewey: so, the services offered are essentially approved through a scope of services, so we solicited a scope of services from mysidewalk and that lists out exactly what we get and don't get that scope of services initiates an agreement with that organization that they provide us services on a subscription basis annually. Where the annual pricing comes in is we can give them an idea of how long we want to commit, and they will address the pricing accordingly, so the subscription comes due every year it is not, you pay for it this year and we are committed for three years. The invoice that you are approving tonight is essentially is what is called, even though we have had preliminary meetings with mysidewalk about the next steps forward we have not committed the funding so, in accordance with our purchasing policy, you would want to look at section 8 that talks about approval, what it says is payment for any goods or services by the town must be approved by the council with in the bi weekly claims process the following must appear on each claim to the treasurer I have those files with us tonight I have all of that together. So, you are doing that process currently where you are approving the invoice you are approving the purchase of those services on an annual basis.

Councilmember Devlin: please correct me if I am wrong, but under our purchasing agreement the mayor no matter who the mayor is has approval up to \$25,000 to spend without council approval for certain items and this would fall under this category correct?

Mayor Dewey: yes, Mr. Owens, you all received an email from his today explaining both this issue of the mysidewalk bill as well as the monthly billing outsourcing that we are doing. So yes, we proceeded with getting an invoice on the services provide before the council knowing that we were in the budgetary limits

of the purchasing policy and your approval tonight would give us the green light to further proceed in the project. (Chatter in the audience) folks if you don't mind. Thank you.

Councilmember Vick: I think that it is a lot of money for us to send halfway across the country. I understand that there are few and far between companies that do this I understand that if we used programs like tablet, we could do this on our own, I guess what I am getting at is I don't understand why we are not keeping the money in Montana, in the northern Rockies or at least with in the pacific northwest.

Mayor Dewey: we did a search for another organization that can provide this service and there is more to it than a performance dashboard so there is the ability to access and ascertain and evaluate or interpret other data sets besides our own. We really don't have a good way right now for us to access census data right now, outside of this website we don't have a way to pull that together and put it to any use for our community, this organization gives us that ability. So, there is a performance dashboard piece, right there is that metric piece of the website and then there is that back-end system, staff particularly our community development staff in my opinion I can see it extremely helpful when you come to a rewrite of the policy because a lot of those statistics and that data in our growth policy we are currently out sourcing to another firm to collect that data. We would be able to do that in house ourselves if we had the data, you are talking in that case a growth policy revision that we did in 2016 was \$50,000. So, that was a huge benefit to us, and we couldn't find another organization that could provide that benefit to us. We send money all over the country and that is the reality of it. It is just a coincidence that Black Mountain software is based out of Polson they were at one time they had offices in Missouri and then they closed them and moved their whole operation to Polson and that was just circumstances of that company, there are not very many technology software companies in Montana to work with because they don't exist and even in the region so, for example our police department software that is through Motorola directly our fire department software I believe is based out of Illinois it just happens to be where that firm might be. There are other organizations in Montana that do business with mysidewalk as well downtown Bozeman did a different project not a performance based, they did a master planning effort with this organization as well.

Councilmember Devlin: my frustration about spending a lot of time talking about this is that we were presented this over a month ago at that time after the meeting I contacted you and wanted to know more about the process , I don't know if anyone else did but I reached out and had a meeting with you about this looked what it entailed and actually got an invite for a meeting that the staff was invited to which I participated in I took the morning off and went into town hall and watched a presentation then we were presented with it at a meeting and we all agreed at that time that this was definitely something knowing the price knowing something that would help our community out and now I don't know, the whole town is upset about it, I have heard from one person and you are mimicking a lot of what that one person said in that email that we all received. Yes, it is our responsibility to speak on behalf of our constituents but those are all things that came in that email this morning that we all received. We have had a lot of time and opportunity to delve into this and figure out what it is and now that it is on the claim, we received a response from one person in the community I am wondering why we are spending so much time on this.

Councilmember Vick: I won't argue with you I will say it sounds like the one email that we all received but I have spoken to at least 4-5 people that are upset about it. I mean I am glad that we got a clarification that it is not a contract or anything like that my issue from the very beginning is I don't see that the town of Stevensville has a data set large enough to advise a large analytics company I just don't see it.

Mayor Dewey: that is kind of actually the problem is that we have so much data we can't do anything with it I mean we have we are working through a process where we are working on identifying the data we have and we know that we are data efficient in a lot of areas and there are areas that we have data that is

absolutely useless but we track it. We enter a number into a computer every month to track it and we don't even know why we track it, because there is whole there for it. This is scaled for our organization, so it is not that we are sending them all of our data and they are interpreting it and we are going to get crazy results from it we are actually doing the leg work we are only inputting data that is useful to us. If we don't think that the data is not useful anymore, we aren't going to track it, we are going to put our efforts into tracking data that is useful and put our efforts into a higher level of services for our community and a higher level of satisfaction in terms of what we provide.

Councilmember Vick: which brings me up to this, we could be doing the exact same thing with tab low for \$1000 per year.

Mayor Dewey: and I don't know what that is.

Councilmember Vick: tab low is a data analytic software that has the ability to publish online it comes with customer support just like mysidewalk does that is the thing the only real difference is with tab low you have to do a little more leg work yourself but if you know how to use Microsoft Excel you shouldn't have an issue.

Mayor Dewey: that was the advantage of mysidewalk, as there is leg work on our end to produce data there is leg work on mysidewalks end to help us tell the story, so they will work with us to tell the story they are doing workshops with them that are helping us identify strategic planning and they have a planning background and the municipal background to help your organization navigate that process so that you are not just purchasing an out of the box software and then showing someone some graphs. They are helping us put meaning to the data that we want identified. I mean it is our intent to involve the council, what are those things that you want to identify to show that we are successful in a certain area or not successful in a certain area. It is hard to identify those right now objectively we don't have an objective way to say we are underperforming in this area we by in large gage our effectiveness as an organization by in large based on opinion that we hear at the podium or through other public comment channels we don't have other data to say this is where we excel this is where we are deficient where do we put our resources.

Councilmember Shourd: I found one of the major benefits to the program was the increased transparency between the council, the administration and the public which is one of the major concerns that I have heard about this town regards to transparency and our water system and what we are doing as a council and as an administration I just want to clarify that the approval of this claim is for one year right?

Mayor Dewey: correct and in a year from now you will see the same claim.

Councilmember Shourd: and it doesn't come with any other obligations for any amount of time.

Mayor Dewey: what we told them is that we would like three-year pricing because we felt as an administration, there is a break in pricing and the reality is if you come to the second year and say I am not paying this bill, we got the first year for a cheaper price then what everyone else has to pay for three years. The proposal was because in this community it takes three years to demonstrate whether it is working for us or not. We hate to cut things off short if we didn't have an opportunity to demonstrate whether they work or not work. Any other council comments? Okay any public comment on the claim?

Public comment:

Leanna Rodabaugh: about a year ago the computer service was called a service contract, the judge decided that it was a contract not an agreement like what you said. An agreement is a contract you are going into a contract with a company and the town does not want it, it is not a service agreement you can call it whatever you want it is still a contract.

Stacie Barker: 104 Winslett. I thought as a homeowner in front of our homes we were responsible for sidewalks ourselves so why are we spending the money on a contract or a service when as a homeowner we are responsible for our own sidewalks.

Mayor Dewey: this has nothing to do with sidewalks Ms. Barker the company is called mysidewalk.

Stacie Barker: okay then what does the service, an internet service?

Mayor Dewey: correct it is a website.

Stacie Barker: it is a lot of money.

Debra Buckley: 3593 Sourdough Lane, I am really new at this, and I have been listening to this conversation and my past experience of living in boom towns, the University of Colorado and the University of Montana and seeing what has happened the past 50 years, Stevensville isn't really prepared for the growth that is happening. Missoula has experienced it Bozeman really experienced it and kind of what you are talking about is that \$69,000 might be paying the person to put in the data and they are going to put in the data and you are going to get some analytical data that you can use to make a big plan because we can't just go by the little bits of growth that are happening you really need to be prepared for the growth that is happening right now Missoula is spreading out down to Lolo down to Florence down to here I just don't think that we are ready I think having some good data even if it is for one year you are basically paying a person that is knowledgeable to enter the data and give you the information hopefully very good information that you can use, that is my opinion.

Mayor Dewey: any further public comment?

Councilmember Devlin: this is not for \$69,000 you need to clarify that.

Mayor Dewey: correct the claim is for \$23,000.

Vicki Motley: 318 9th Street thank you Dempsey for bringing this up I think that this is a lot of money for a time that we are going through right now I think that the town has other areas that the \$23,000 can be used in I don't think this is valuable, I mean I think it is valuable but not at this time I think we need to look at our community and our people and the job loss and all of that I just don't think the \$23,000 is something that we need to spend right now.

Mayor Dewey: any further public comment? Any further council comments? To reiterate your approval of the invoice this evening constitutes your approval to move forward with mysidewalk. If there is no further comment from council, we will call for the vote. Mr. Owens.

Scott Owens: I would like to comment, moving forward there has been a lot of comment about First Call and this whole First Call contract matter, at least what I understand so far and maybe these are questions, and they will solicit a little bit more conversation. The bottom line is what I understand is that there is one claim sitting on the agenda that is not a contract it is a service agreement I heard the mention of a \$69,000 contract so I guess first my question is this agreement a three-year agreement of a onetime annual fee?

Mayor Dewey: it is a one-year annual fee.

Scott Owens: and there is no commitment to be on for the next three years and there is no contract that has to come to my office that has to be signed?

Mayor Dewey: no.

Scott Owens: I mean for signature.

Mayor Dewey: no. we pay the bill, and we get the service.

Scott Owens: the second, I am sorry go ahead.

Mayor Dewey: we pay the bill and get the service, or we don't pay the bill and we don't get the service that is how that plays out.

Scott Owens: okay, if the council approves this approving the service agreement it will come up the next year, is that correct.

Mayor Dewey: that is correct.

Scot Owens: so some of the, I know that I have sent out an email to the mayor and the council regarding this issue, my recommendation moving forward here doesn't sound that I have been privy to, that we have entered into a contract it sounds like right now that you are approving, to avoid the situation that we had before right now in the event that you decide to move forward with this contract at this point or this service agreement at this point you would be consenting to it now I just want that very clear on the record to avoid past issues what the council decides to do from here would be consenting or revoking this agreement. And all in consistence with what I have written on this matter there is a difference between the and the First Call matter.

Mayor Dewey: any further council comments?

Councilmember Shourd: I as well struggled with the price of the \$23,000 but I reflected back to some of Ms. Devlin's comments during the decision regarding Burnt Fork Estates and the town not having an adequate master plan a growth policy so I look at the valley of how our town is going to grow and how this program will provide us and help the council guide this community down the road ten twenty years I feel that this program has a lot of value.

Councilmember Vick: I do believe that this program is very valuable, I just think that the money could be allocated in other places we have fire fighters that are behind on their turn out gear. I have been using a pair of turn out gear that has been out of date before I started. We have a program that we are going to be looking at for the parks I think that there are better places for the money. We could find a cheaper vendor than this, that is all.

Mayor Dewey: any last remarks from council, hearing none we will call for the vote for Claim #16697, Ms. Berthoud will please call for the vote.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: no.

Mayor Dewey: motion passes.

6. Administrative Reports

None

7. Guests

None

8. Correspondence

None

9. Public Hearings

a. Zoning change application for Ilmar properties from R-1 to R-2

b. Zoning change application for a portion of the Twin Creeks subdivision from R-1 to R-2

Mayor Dewey: introduced the public hearing for both items a. and b. We will go ahead and run these two items concurrently. We did receive some public comment and we will reference into the minutes; the council has also received this in their emails. Mayor Dewey explained the location of Ilmar Properties. The areas around this property are both R-1 and R-2. The developer would like to maximize the number of units on that property, and they are proposing townhouses at this time. Any questions from the council on the Ilmar Properties rezone? There are representatives from the Twin Creeks subdivision here for the rezoning.

Ron Ewart: PCI. referenced the Twin Creeks re-zoning PCI is asking to rezone a small area of Twin Creeks from an R-1 to an R-2. Explained during his presentation gave comment to the 1300 lineal feet of reduction of roads, less ground disturbance. The owner of the 2.5 acres would not like to be part of the new subdivision, so we are going to provide them

Mayor Dewey: are there any questions from the council?

Councilmember Ludington: there is a huge pile of topsoil out there, is that going to go away.

Ron Ewart: yes, it is sitting right where a lot is going to go.

Councilmember Shourd: just for clarification, by eliminating 16 and moving 11 to R-2 we essentially increase the number of living units by 5 for duplexes?

Ron Ewart: you are increasing the number potentially of duplexes by 11 or it could be 11 single family or 11 duplexes. And the density turns out to be the same.

Mayor Dewey: he is taking away 16 single family lots and replacing those single family lots onto 11 single family to make 11 duplexes. Does it make sense when I explain it that way? 22 living unit's total.

Councilmember Vick: what are your plans for improvement in the common area.

Ron Ewart: at this time, we are going to leave it natural we aren't going to touch the water, I know that there is wildlife in the area.

Councilmember Devlin: so, you are adding 3 acres for a common area.

Ron Ewart: correct.

Councilmember Devlin: that homeowners association is going to have to be responsible to take care of and maintain, there is a lot of water and wildlife in it. So why would you want to pay for something that you can't use.

Ron Ewart: people can walk through it just like they do today, and it is a wonderful place to live.

Councilmember Ludington: it doesn't really require any maintenance now.

Ron Ewart: it requires very little maintenance now you are right I don't think that there will be any large maintenance needed.

Councilmember Devlin: so, you just leave the weeds and the water and the animals alone?

Ron Ewart: I supposed you could take care of the weeds and go through the Ravalli County Weed Department. But there is a road that goes down here if you need to use it.

Councilmember Shourd: it is my understanding that the homeowner's association can decide if they want to load it with nice green grass or leave it alone. The initial area or the common space intentions were to leave it natural.

Ron Ewart: plan is to leave it natural someday it will be under the control of a homeowner's association.

Mayor Dewey: any further questions from council?

Councilmember Shourd: I have a small comment of heights of buildings, it is my understanding that the council can't condition a zoning change is that correct?

Mayor Dewey: is it our concern that they are going to go up in units?

Councilmember Shourd: that is the email that I received, duplex it is my understanding that codes and push backs that there is not enough space to.

Mayor Dewey: you could condition a rephasing so that, and that is something that we will consider later because there is rephasing request, so you could condition the rephasing to prohibit the aggregation of lots and that would prohibit someone from buying two lots next to each other and building a larger building than what they could bill on one lot. Admittedly these lots are relatively small where even if you wanted to go up based on the square footage you would have a very difficult time meeting the towns development code in terms of parking requirements and all of the landscaping requirements that go along with development of units, we have minimum of units and if you do a two- or three-bedroom unit you are going to have to have 1 and ½ spaces per bedroom given all of that parking on the lot you need the space to put the building is going to be very difficult especially considering the setbacks and so that is why the staff report does not recommend conditioning height of buildings or the number of units on a lot because practically speaking when you apply the code to those lots they can't be done they are too small so yes you could go up physically in space and add more units but where you park those cars are impossible so if a permit were to come to the town to say I want to build this four plex and it is a three bedroom two bath unit on each side you couldn't do that so that is why it is not conditioned. It might be a good idea for the town council to condition part of the rephasing plan than the zoning that the aggregation of lots is prohibited doesn't mean that more than one person could not own multiple lots there will be no moving around of the boundary lines.

Councilmember Shourd: thank you.

Mayor Dewey: you are welcome. Any further questions from council before we open it up to public comment.

PUBLIC COMMENT

Debra Buckley: (condensed) 3593 Sourdough Lane, I am here tonight to ask you to deny the change from a R-1 to a R-2. You have in front of you tonight 27 homes that are against this. The big question is why they want to do this why they want to change the zoning. We understand that it has changed ownership. Ms. Buckley discussed lot sizes and the taking away of five lots and that 11 are going to be rezoned to R-2. Put people closer together can cause social problems. They say affordable housing they talk about it.

100% of the people that they contacted said no. We don't want it R-2. There is no benefit to us or to Stevensville. We are your constituents, and we hope that you listen to us.

Russ Fogel: (condensed) 3574 Holly Lane, there are two different problems here, wildlife, if you start constructing over there it is going to look like where I came from, the more that you put into a small space the more social problems you will have. You say affordable housing, but it won't be. Does anyone know that there are mountain lions in this area? Several of my geese have been killed by mountain lions. South Swamp Creek is still under the AmeriCorps. My well has dropped, my property is flooding. My sewer has to be pumped every 2-3 months. I strongly recommend that you hold off on this or stop it until we can resolve these problems. When you start changing nature you have problems.

John Monk: (condensed) 401 Central Ave. interesting you have suffered through a whole year with this development. Last time I was here was that you voted to avoid a lawsuit.

Mayor Dewey: Mr. Monk this is a separate subdivision this is not Burnt Fork Estates; it is Twin Creeks.

John Monk: both of them are in the same project.

Mayor Dewey: these are two different properties, Twin Creeks and Ilmar Properties behind the Bass House.

John Monk: behind the Bass House? So, you are not doing anything with Twin Creeks.

Mayor Dewey: no, we are doing Ilmar Property behind the Bass House and we are doing Twin Creeks, but we are not touching the Burnt Fork Estates and have no plans in touching the Burnt Fork Estates for some time, isn't that right Mr. Kellogg?

John Kellogg: that is correct.

Mayor Dewey: Burnt Fork Estates is not being addressed whatsoever tonight.

John Monk: okay, then good luck.

Stacie Barker: 104 Winslett the housing that you are planning on putting in behind here are supposed to be duplexes, is that correct?

Mayor Dewey: to be clear it is not our proposal it is a proposal by a landowner the town council is considering on whether or not to approve the rezoning of that property.

Stacie Barker: personally, in think that it should stay the same as the R-1, I don't think you should increase it anymore you just increased it by putting it in behind our home again those pieces of property and just looking at those low-income housing that they are proposing a 62-year-old and older \$870.00 that is low income? The bottom line for those homes is \$489.00 for assisted living people with disabilities you bring that into town those people are already struggling to make rent and you want to put more apartments in I don't think it is right I think that it needs to stay right where it is at the R-1 I don't know if you have been over there it is swamp off of North Ave and you are going to put in more housing where there is already high water. I don't think that you should push it through I think that you should listen to your community.

Bob Michalson: 222 Turner Street, I have to conquer with Stacie and some of the others, I just think that there is just t much growth,

Mayor Dewey: this side conversation, I apologize Mr. Michalson. Ms. Rodabaugh and Mr. Monk if you don't mind.

Bob Michalson: (condensed) thank you, I think that it is too much growth to fast. I had a conversation with Mel Cook and with Pat Groninger the surface water issues are going to come back around, we are doing some many things so fast we now have one of biggest subdivisions proposed in Ravalli County and now we are doing R-1 and R-2 we need to slow down. Revenue runs our town, but we have to slow down, we are not in competition with Missoula. Thank you.

Mayor Dewey: any further public comment for the public hearing. We will go ahead and close the public hearing.

Councilmember Vick: a 10-minute recess?

Mayor Dewey: okay, before we get into it, we will take a quick recess, just so you know that items under new business are the consideration of these zoning changes. With that we will take a quick 10-minute break and reconvene at 8:23.

Mayor Dewey: we will reconvene after a short break.

10. Unfinished Business

a. Discussion/Decision: Project plans for the Jean Thomas Parks Beautification Fund

Mayor Dewey: introduced unfinished business item (a). the council last considered this item at a special meeting of the council on April 6th. Two specific proposals were for renovations of Father Ravalli Park and the other was for a contribution to the new Splash Pad project at Lewis & Clark Park. The parks department took the proposal to the park board for their blessing and received unanimous consent and feedback there and support of the project and support of both. We also held a community town hall meeting at Father Ravalli Park to gather citizen feedback on the project specifically the renovations of Father Ravalli Park. Conveniently, Mr. Sonsteng was setting up for the town hall meeting as a T-Ball group was exiting the park and they hung out a little bit longer to see what he was doing and to share a plethora of positive feedback back about how cool the improvements would be at Father Ravalli Park, so we have a youth by in on the project and we also had a handful of citizens participate in the neighborhood as well including the neighbors directly north of Park who supported the project and were very excited to see the town considering in investing into the amenities. The items before you for consideration tonight for both projects.

Councilmember Shourd: I will make a motion.

Councilmember Devlin: 2nd

Mayor Dewey: it has been moved by Mr. Shourd and 2nd by Ms. Devlin. Any council comments?

Councilmember Vick: I just had a question, I had a phone call from a gentleman that is that park is very dear to him, and he wants to make sure that the money that he put into it such as one of the signs and from what I understand he helped pay for that new flagpole that is there, he just wants to make sure to be in touch.

Mayor Dewey: Mr. Meadows contributions will remain intact with the exception of, we are considering some improved signage because the signage that is there is rotting out of the ground, so that is low on the priority list as far as funding goes. But if we have the opportunity to replace signage, we will consider doing that. The flagpole is there to stay and as well as the bench sitting next to the mailboxes, we may even eventually try to connect some sidewalks so that bench is more assessable. Any further remarks from council? Public comment on the project? Hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: thank you for your indulgence.

11. New Business

a. Discussion/Decision: First Reading of Ordinance No. 167, re-zoning certain parcels from R1 to R2 Residential

Mayor Dewey: introduced new business item (a) the ordinance 167 address the Ilmar properties proposal re-zoning from R-1 to R-2. If it is the councils request to re-zone that parcel you do so by ordinance and that is why it is in front of you this evening. You have heard proposals and the project plans as well as public feedback and this will be considered first reading of ordinance 167

Councilmember Vick: I guess I would like to have some sort of presentation from the developer before we move forward on this.

Councilmember Ludington: he is what I will tell you from my perspective on this, if we were to leave this R-1 they could put to homes in there they don't have to deal with no mitigation with the swampy I will agree with you Stacie it is very swampy that is why it has been empty all of these years, very swampy out there, rezone to R-2, they will have to mitigate the water if they can which means they have to get a permit from DEQ stating that the surface water is being treated onsite if they put an R-1 house on that they won't have to do that. Personally, they are going to have a very difficult time, and we talked about this at the planning and zoning meeting and the developer didn't really know at this point what they did know at this point is that they wanted to try and put more than two homes in that area. If they are going to do that, they will have to mitigate the surface water they won't just be able to build up a spot and have the water go into a dry well they will have to prove that it is treated and not going off sight and that is going to be tough.

Councilmember Vick: I am not saying that I am against it I am just saying that I would like to ask questions of the developer. I don't know why people don't like living in swamps I am originally from Florida.

Mayor Dewey: one point to also bring up and Paul explained this very well at the Planning and Zoning Board meeting was that the consideration before the body is whether or not the zoning change is approved and the planning board shared some feedback on the proposal in terms of what their concept looked like they gave us a concept plan and what it looked like it wasn't a formal proposal, they were given some feedback on the proposal but it is not necessarily part of the decision so what they do is the property isn't up for decision it is whether it is zoned R-1 or it is zoned R-2. In a future proposal if warranted it would come back depending on what those proposals would look like. There is no harm in reaching out to the developers and getting them here to make a proposal.

Councilmember Shourd: I guess my major concern is I drove over there last night, and it is standing water with cat tails and looks like a creek running through the middle. Paul you had spoken to changing it to R-2 from R-1 I guess I need a clearer understanding on how that would provide protections for versus R-1 and the R-2 and mitigate that water supply.

Councilmember Ludington: that is mainly because whatever, in this particular area, whatever is not a home is going to be a very small side yard and parking lot so anytime you put in a hard surface like that you are going to have to show where that water that you are displacing goes so you will have to be able to

show where that goes, if you put in a house you could say that all of that water is going in my yard. Because you will have back yards and side yards, R-2 area yes you will have to have to some setbacks but you will have to have parking a lot of parking, one and a half parking spaces per bedroom which means whatever isn't part of the side yard or back yard will be parking lot hard surface were you will have to designate to the authority where that storm water is going where that surface water is going.

Mayor Dewey: it would be a requirement of their building permit wo when they submit the sight plans, they don't get a permit to build depending on what they want to build they don't get those permits until they have met all of those requirements.

Councilmember Shourd: that authority would be DEQ and DNRC?

Councilmember Ludington: DEQ not DNRC.

Mayor Dewey: any further

Councilmember Shourd: I would also like a presentation from the developer.

Councilmember Vick: I will make a motion to table until we can get a presentation from the developer so that we can ask questions.

Councilmember Shourd: 2nd

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Shourd to table the first reading of ordinance 167 until such time that the developer is available to present to the council. Further council comments? Public comment on tabling the decision? Hearing none we will call for the vote, Ms. Berthoud

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: okay we will get that rescheduled.

b. Discussion/Decision: First Reading of Ordinance No. 168, re-zoning certain parcels from R1 to R2 Residential

Mayor Dewey: introduced new business item (b) this is for the Twin Creeks proposal specifically, as a note there is a difference from the other ordinance this is contingent on the final plat of the Twin Creeks subdivision because parcels that you are rezoning technically don't exist yet, so they will not exist until the final plat is recorded with the clerk and recorded so this ordinance wont go into effect until those lots are plated. In theory if I didn't put the contingent in on final plat you could have a imaginary line of a ball that is in the middle of this parcel that is R-2 we wanted to prevent that from happening so we made it contingent on the actual lots being created.

Councilmember Ludington: so, you are saying that the lots are not technically created.

Mayor Dewey: they are not plated lots yet because the final plat for phases two and three for the subdivision have not been filed. The, in fact the head development hasn't been built so they have to build it before they can file final plat.

Councilmember Ludington: but the preliminary plat is on record with these particular lots.

Mayor Dewey: correct.

Councilmember Ludington: they won't have to refile a preliminary plat or rezone before the reconfiguration. Ron, are you going to have a preliminary plat for the reconfiguration?

Ron Ewart: so, there is a preliminary plat on record, and it was approved in 2007 so what we are asking to do is to delete 16 lots from the approved preliminary plat of phase three to rezone these 11 lots doing that we can make it contingent on final plat approval.

Councilmember Ludington: but that doesn't require you to file another preliminary plat?

Ron Ewart: not another preliminary plat it would just be on record.

Councilmember Ludington: so just because you are removing lots?

Ron Ewart: right.

Councilmember Ludington: obviously, my concern is that these were created lots in a preliminary plat and if that must change with the final plat it is going to affect what, my concern is that the lots are going to get fewer and bigger and then we will end up with more than what I demand necessary in this size of a lot and what I am looking at.

Ron Ewart: right.

Mayor Dewey: I think that if they reconfigured the lot to make them bigger and made fewer of them and were doing actual lot line adjustments that would require preliminary plat refiling.

Ron Ewart: so, the final plat would be approved by the city council and the mayor so we will probably look at the preliminary plat and compare it with the final plat to make sure that it is the same thing before you go and sign off on it. With this change the only difference is the 16 lots in the subdivision except for those 11 lots that could have a duplex or a town home or a single-family house.

Mayor Dewey: when you approve the rephasing as well if you approve that it would be recorded with the preliminary plat documents to show that it has been rephased if that is the direction that you went. You would also have to hold the phase two and phase three public hearings.

Councilmember Ludington: as a point of clarification and why I bring this up is that these lots are created there is room on these lots for 16 dwelling units in the way that it is configured.

Ron Ewart: correct, it was mentioned about basements, we won't have any basements it is low on grade and has to be the finished floor elevation has to be a certain height above the road.

Mayor Dewey: it is a condition of the previous plat approval that there were no basements in that.

Ron Ewart: a long list of conditions that go with the filing of final plats of phase two and phase three that we have already met for phase one.

Councilmember Ludington: that is why I wanted to make sure that this cant, that these lot sizes can't grow so we can put bigger buildings on there.

Ron Ewart: right, we would be in agreement of the rephasing condition that says we can't aggregate lots to make 4 plex's or whatever.

Councilmember Ludington: I make a motion to approve ordinance 168.

Councilmember Shourd: 2nd

Mayor Dewey: it has been moved by Mr. Ludington and 2nd by Mr. Shourd. Council discussion.

Councilmember Vick: I guess the only real things that I have to say is all the public comment that we got was against this but the other issue that I have is that I am not happy with not doing any improvements in that green space area I would like to see some trees or some water mitigation practices to prevent water from moving into these people's homes and what not and to prevent even more water loss to the gentleman that spoke earlier in the public hearing.

Councilmember Devlin: I am getting tired of things being approved one way and down the road things getting changed and the neighborhoods around them get a that is the way it is attitude I am kind of back where I was with Burnt Fork Estates kind of brings up the same thoughts that I had in that process things change I understand that but not in the middle of process I think people are promised one thing proposed one thing I think you need to stick with that. I don't think we are in a; I am just going to leave it there.

Mayor Dewey: any further council comments? Public comment?

Debra Buckley: 3593 Sourdough Lane, could you please explain to me what you said. What is the process that you are talking about because right here you see (referenced the arial view from Ron) this right here is what has been approved, this right here as approved this is as proposed the lot shapes are the same so saying that the lot shapes have not been established is what I heard you say I don't understand? These are going to be R-2.

Mayor Dewey: what I was speaking to Ms. Buckley if you went to the official land records of the county those lots would not exist, they are not legally plated lots they are under a preliminary plat but if you went into the cadastral system or anywhere else to find information on lots you would not find that those lots ever exist at all they are not legally created lots they don't have pins in the ground they don't have property lines or anything like that they are preliminary lots.

Debra Buckley: so how could they have been approved in 2007?

Mayor Dewey: they were preliminarily approved so the lot doesn't take form until a final plat is approved, before the project commences there will be a public hearing for that phase. So the lot you live on did not technically exist as a lot until the credit union finished subdivision meaning they did all the roads they did all the infrastructure they did everything there, they came to the town council at the time we have finished this please sign off on the final plat the town council made sure that they had met all of the conditions that they had set in 2007 and then if that was the case they signed off on the final plat. Where the final plat is signed off on it is filed with clerk and recorder's office in Hamilton and that is when the lot is legally defined. These are all constants are subjected to change that is the idea of having plats

Debra Buckley: how can you vote on approving a zoning change or are you planning on voting on that tonight?

Mayor Dewey: the first reading is before council tonight and it is contingent on the legal reading of those lots so if the lots never got created the rezoning would have never gone into effect.

Debra Buckley: we know that is going to happen.

Debra Buckley: the land is there; the developers plan is there so I don't understand it feels like you are prolonging the process you are getting approval tonight on something that doesn't exist.

Mayor Dewey: that is exactly the case to your points you probably want us to prolong it.

Debra Buckley: no, I would want you to make a decision and say no.

Mayor Dewey: they will make a decision tonight; they have to do two readings. Decision one is tonight and if they approve the first reading, they will do a second reading at the next meeting.

Debra Buckley: so right now, you are on 11 (b).

Mayor Dewey: that is correct.

Debra Buckley: and then you are going to go to 11 (c).

Mayor Dewey: that is correct.

Debra Buckley: is 11(c) going to be a final vote?

Mayor Dewey: yes, both of them are going to be a final vote in terms of the first reading and a second reading the first reading 11 (c) phasing is actually the mechanism that we use to move the lots. The rezoning does not actually remove those lots those lots on the preliminary plat that still exist.

Debra Buckley: so right now, you are on the rezoning c is just to take away those five.

Mayor Dewey: correct, is it five lots of sixteen lots.

Debra Buckley: you are not taking away 16 lots.

Mayor Dewey: we are not taking away 16 units, but we are taking away 16 lots there is a difference between lots and dwellings.

Debra Buckley: but you are putting eleven back.

Mayor Dewey: units.

Debra Buckley: 16 minus 11.

Mayor Dewey: the 11 already exist.

Debra Buckley: I heard somebody say.

Mayor Dewey: I hear you Ms. Buckley but frankly public comment is not a time for dialog. Any further public comment? Any further council comments, hearing none Ms. Berthoud would you please call for the vote.

Councilmember Devin: no.

Councilmember Ludington: aye.

Councilmember Shourd: no.

Councilmember Vick: no.

Mayor Dewey: motion fails the first reading, and the ordinance fails as well.

c. Discussion/Decision: Re-phasing request for phases II & III of the Twin Creeks Subdivision

Mayor Dewey: introduced new business item (c) rephasing proposal is to remove 16 lots from the subdivision, that is it.

Councilmember Vick: based on the application for rephasing or the evidence that I was given here it is contingent on the passing of the last agenda item.

Mayor Dewey: is that what the proposal says directly?

Councilmember Vick: that is what it appears to be looking at maps all I have here is a picture of a map and it shows the original preliminary plat and then it shows the new one with less lots coming off Simiron Lane and then something that looks like Barney the purple dinosaur off of Hitching Post.

Mayor Dewey: so, I can.

Councilmember Ludington: technically you are still going to have to make a motion.

Mayor Dewey: I think that you still have to consider it because I expect regardless, they are going to come back with some changes given that last two-acre parcel at the end of the subdivision the developers and the owners of that property don't wish to be part of the subdivision because both properties have changed hands so, there is at least that row of lots that are going to go away because they are not interested in developing that property. So, you have a couple of options; you can approve the rephasing request you can deny the rephasing request or you can table the rephasing request until they bring a different proposal forward.

Councilmember Vick: I want to make a motion to table until we have a new proposal for rezoning.

Councilmember Shourd: 2nd

Mayor Dewey: hang on you are not, rephasing?

Councilmember Vick: I want to table this until we got a new proposal for the other.

Mayor Dewey: you want to table rephasing until they bring a proposal for rezoning?

Councilmember Vick: that is how I thought you just explained it.

Mayor Dewey: no, it doesn't sound like a zoning change is even on the table, you want them to bring a different rephasing proposal forward if I understand your discussion tonight.

Councilmember Vick: I would say yes from what I am currently seeing right now it looks like it is contingent on us passing the ordinance.

Mayor Dewey: if you wouldn't mind restating your motion to reflect exactly what your intent is.

Councilmember Vick: then I make a motion to table the rephasing request until we get a new proposal back that reflects the denial of the ordinance.

Councilmember Ludington: 2nd.

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Ludington. Discussion? Public comment?

Ron Ewart: I would just like to know how we are supposed to move forward if we could get some feedback. This is part of the ecological thing to do it to provide more land area for the wildlife and so on so if we are going to go ahead and develop these lots and maybe they will get developed as well if we go ahead with what is approved then we don't have to come back with a rephasing plan or rezoning. The question was asked why do we want to do it? It is the ecologically correct thing to do you are putting in much less infrastructure of roads lot areas and so on and that is the reason for so if we could have some direction on how to move forward, we will be able to understand more.

Councilmember Devlin: did you say that those lots were going to go away regardless? Did you say that?

Councilmember Ludington: I understand where you are coming from Ron, but I can't give you direction there you will have to talk to the town staff on how you are supposed to move forward I don't think that

is the responsibility of the council at this point. The proposal that you want to make will have to come to the staff first before it comes before this committee to see if it is applicable or not.

Councilmember Vick: the reason behind my motion is because your proposal is reflecting the R-2 which did not pass in my opinion it means that we need to have a new proposal brought before us for rephrasing because the R-2 did not pass.

Mayor Dewey: let me ask a question of the council. Is it the council intent to approval any proposal except what has already been approved in preliminary plat?

Councilmember Devlin: if you are asking me, no.

Mayor Dewey: based on the votes and the comment I am hearing. (Audience member asking to speak) no mam. Is that enough direction for you Mr. Ewart? Basically, what we have said is that there is no proposal that you could bring in front of the council under preliminary plat that they would consider.

Ron Ewart: correct, we would probably go ahead and just build those 16 lots and the 1300 linear feet of road and two additional crossings.

Mayor Dewey: okay, to I think to clean this up I would recommend that the council withdraw their motion and deny the rezoning request. The rephrasing, excuse me.

Councilmember Vick: I will withdraw my motion.

Councilmember Ludington: 2nd the with draw.

Councilmember Vick: I will make a motion to deny the rephrasing request.

Councilmember Ludington: 2nd.

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Ludington to deny the rephrasing requests for Phases 2 and 3. Council comment? Any public comment?

Debra Buckley: if PCI, if you could tell us who you consulted, environmental?

Mayor Dewey: let's not get into a dialog.

Debra Buckley: I was just wondering if saying that this is environmentally sound.

Mayor Dewey: mam, we are just addressing the denial before us, if you have questions directly for the developer, I suggest that you connect directly with Mr. Ewart.

Debbie Buckley: yes, I did I tried to.

Mayor Dewey: I understand that I am just anything that if you have questions tonight.

Debbie Buckley: I am just wondering what the town council is going to do you have time ever do you have anybody to consult on the ramifications of what we are talking about, the water and the wildlife and all.

Mayor Dewey: we require the developer to do that. Any further public comment, hearing none we will call for the vote, Ms. Berthoud. A yes vote denies.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: the motion passes to deny the rephrasing request.

d. Consent Item - Discussion/Decision: Stevensville Airport Leases

Mayor Dewey: introduced the new business item (d). Consent item for leases for the airport. There were some renewal clauses. Is there a motion on the floor?

Councilmember Vick: I will make a motion.

Councilmember Shourd: 2nd

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Shourd. Council comment or questions?

Councilmember Ludington: is this consistent with the billing. They are consistent with what you had before. This says .14 cents.

COMMENT from a gentleman in the audience.

Mayor Dewey: how it is structured, and it has been recommended by finance and there is a clause in the lease that it can't increase a certain percentage more a year those leases come up for renewal and they hit the, 20-year lease, and they hit the new rate, so that is where these leases as I understand them actually they are far passed renewal some of these are from 2013. We did a quick reconciliation and found some discrepancies the leases the standard lease that we use for all new leases will be charged for new lease as well. Any further council comments, public comment? Hearing none Ms. Berthoud please call for the vote.

Councilmember Devin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: no.

Mayor Dewey: motion passes 3-1.

e. Discussion/Decision: Lease Agreement for office space for the Stevensville Municipal Airport

Mayor Dewey: introduced new business item (e) in an endeavor to better serve the users at the airport and the aeronautics industry and having a part time staff member on staff to help manage, recommending that we lease the building adjacent to the parking lot this includes a bathroom and a lounge as well as an office space at the airport. so, if you fly in and want to use the restroom currently you are out of luck, you can borrow the courtesy car and come into town. In addition to having a manger on site there are a number of benefits but having a restroom for that individual would also be beneficial and of course a lounge could provide a location for people that fly in. we have discussed with the landlord Mr. Perry who owns the building. The intent here is to sustain a lease agreement of charge for service at the airport and some CARES funding.

Councilmember Vick: do you know when we will be showed the new administration building that we did the grant money for?

Mayor Dewey: no, last time the rumor that was floating around the town may go for, the problem is the town got part of the money for the administration building we got money for a structure but not enough money for the infrastructure. We were not including the foundation and other things, the grant is still there, maybe combining the grant with some of our nonprimary entitlements and possibility of building a hanger that the town owns that we would rent instead of receiving .14 cents a square foot per year we would receive a few to several hundred dollars per month in rent that would help with revenues in the airport and help offset for an office building. A preliminary concept instead of a stand-alone office building there is the possibility of building a hanger slash office that the town would own and operate. We would have some revenue to pay for some of the expenses of the building.

Councilmember Vick: I am confused, because I was at the meeting for the grant it sounded like the intent of it was strictly for a pilot lounge and flight plan recording station.

Mayor Dewey: that is correct, since then the airport board has had some meetings the airport manager has brought some ideas forth has discussed with aeronautics as long as the grant money is used to hold some sort of administrative space for the airport use and a lounge area for pilots and they don't necessarily care what it looks like they just want to see us use the funding in that way.

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

Councilmember Shourd: 2nd.

Mayor Dewey: moved by Mr. Vick and 2nd by Mr. Shourd. Council discussion? Public comments?

Stacie Barker: how much is the lease going to cost the town for this?

Councilmember Ludington: \$3600.00 bucks a year.

Stacie Barker: so, we are going to create a place for pilots, which I have a scanner at home I hear those pilots come in and out which are not often, a lot of touch and runs a lot of people training up there we are not big so why are we putting a lounge and have it staffed by an employee of the town it just doesn't make sense to me.

Mayor Dewey: for the council's edification a lounge and Mr. Vick can attest to this has long been requested by the users at the airport not only a space for the users but for an area to be utilized in a public eat, for an example the volunteer, most of our airport is run by volunteers and they don't really have a common space where they can congregate and discuss plans on who is going to mow Saturday and who is going to take care of the snow on Thursday, this provides that it also provided a space for visiting pilots which we have identified as a need for the airport and the cost benefit is there to do so.

Councilmember Vick: I do agree with you on this, this is something that is needed especially at the MAA conference last year when we were awarded the grant to build one it was very well discussed and it was unanimous that it was needed and especially now that the Hamilton airport is closed for a very extensive project that is going to take a couple of years we are going to see increased usage of our airport I don't know if you guys know their airport is closed so they can actually physically move their runways and that is going to take some time and to have FAA approve and what not for their new runways.

Mayor Dewey: any further public comment or council discussion?

Councilmember Ludington: I will say something that I have been saying for years and the airport being part of the town the citizens of the town should not be paying this and I don't think that they are at least I hope not this lease payment is being paid for by the users of the airport and has always been the intent of the airport that they make their own improvements and keep their place clean and it is a pretty nice

looking airport and it always has been so as long as we are not taxing the residents of the town then I think this is a good idea.

Mayor Dewey: the funding comes directly from the airport fund which is only funded through airport user fees. Hearing nothing further I will go ahead and call for the vote, Ms. Berthoud.

Councilmember Devin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes.

f. Discussion/Decision: 2021-2023 Strategic Plan

Mayor Dewey: introduced new business item (f). Fifth Friday meetings are held, and the administration and staff I will come right up front this document is a combination of these meetings we have gone through our share of sticky notes and charts and all of the conversations associated with where the organization wants to head and we have developed this document out of it, it is not overly complicated it is pretty straight forward it's the goals of the administration and staff combined with councils input at those meetings that they would like to see over the next couple of years especially in terms of what those subcategories or sub goals would be under each of the five pieces. The other thing that this has established is a vision statement for the organization so, if we back up to previous councils there was a lot of conversation of guidance given to us by the local government center at MSU, Mr. Clark would come and workshop with us and discuss the inner operating of the town council and the mayors office and the tension and conflict that was between those two bodies and a common theme there was a lack of consistent vision or lack of common vision between the two branches and that maybe needed to be rectified for everyone at the table to understand where we were all going. The benefit of having something like that as the we change council people as we change mayors as we change staff members there is something for that person to who is coming on board that I have a sense of where this organization was heading when I came into the picture. As so for those reasons we put this document together for formalize the work that has taken place of the last couple of years with council members and staff and so it is before you tonight and whatever feedback you would like to share and if you are willing to approve and adopt the strategic plan that would be great, but we are willing to discuss and entertain that as well. This kind of ties into our mysidewalk, where each of these goals the pieces under these goals will have data sets and criteria associated with them in performance metrics, so you will be able to go to mysidewalk and you will be able to see if we are moving towards our goal of a safe and healthy community or are we not. It is a fluid document, we only stuck it in there for two years knowing that it was the first one for us and knowing that it would take some fine tuning and some changing, if you approved it tonight and brought it back in a month for some tweaking it is not going to hurt anyone's feelings it is a collaborate document and want to get everyone's feedback as much as we can.

Councilmember Devlin: I just have a comment, I have participated in these fifth Friday meetings there has been a lot of time and effort mostly, I think that Dempsey came to one, there was a lot of time put into this I wish you could have seen the process to be quiet honest it would be a slap in some peoples face if we did not approve it at this time given the effort that was put forth given the opportunities that we have been given to participate in this I 100% support it.

Councilmember Ludington: there is a typo.

Mayor Dewey: it has already been fixed, thank you we can actually thank the parks department, in terms of typos there is one other feedback that a staff member shared with me that was very insightful given his exposure to this process as he is new to this organization and that was under number three infrastructure we talk about affordable services and it says (resighted number three) the comment that I received is that it is very difficult to limit rates they are inevitably going to increase and perhaps a more appropriate word would be manage annual growth of utility rates.

Councilmember Vick: I think manage would be a better terminology to use there.

Councilmember Vick: make a motion.

Councilmember Shourd: 2nd

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Shourd, council discussion? Public comment? Hearing none we will go ahead and call for the vote, Ms. Berthoud.

Councilmember Devin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes.

The town council, mayor and town clerk went into closed session.

g. Executive/Closed Session: Litigation discussion regarding Tribbensee v. Town of Stevensville

Pursuant to Section 2-3-203 of the Montana Code for the purpose of discussing legal matters per subsection (4) for the purpose of consultation with legal counsel and briefings by staff members, consultants or attorneys pertaining to actual or probable litigation concerning the matter named Tribbensee v Town of Stevensville.

12. Executive Report

Mayor Dewey: reconvening after closed session discussing litigation regarding Tribbensee v. Town of Stevensville. We held a meeting with public works and HDR. There is some good news, when we preliminary rated our storage need for the town of Stevensville, we estimated that at a rate of 3500 gallons per minute for three hours, that is what we required for emergency storage. And that is an excessive amount of water to do 3500 gallons per minute for 3 hours straight is a huge amount of water I think that they were preliminarily estimating to be around one million dollars or one million gallons think that we need a million gallons, we did an assessment of the town and there is only one building in the community that need that 3500 per minute fire flow and the likely of that building burning down is probably as likely as any other building for routine office use and that is based on the ISO review of that facility so, the next highest needed fire or required fire flow for a building is 2750 or 3000 gallons per minute so if you reduced the 3500 gallons down to 3000 gallons per minute you would only have to do that for two hours instead of three and your storage requirements come down considerably. The reason that this is good news if the town council philosophically said that we need a 3000 gallon per minute fire flow instead of a 3500 gallon per minute fire flow because of whatever reasons and I would advocate for that in full disclosure then you bring down the cost in bringing in that storage considerably it is possible then, the preliminary engineering report will address this, but I wanted to brief you on it, the preliminary engineering report will discuss that our current tank needs to be rehabilitated and you need to look at a

tank of equal size else were in the community to give you redone icy and maybe you don't need to be building a million gallon water tank someplace. Those are all possibilities and what if scenarios and we let the engineers digest and process that report for you. The report is going to describe more of this for you it is possible that the project and the next phases of our project won't be as expensive as we anticipated and that may free up some funding for some other purposes in the water system namely leakage. We continue on a very aggressive daily, Steve is on this thing like dog on meat he wants that leakage resolved, as soon as we get it down to where we know exactly where the leakage is coming from in terms of leaking out of this pipe or leaking out of this valve we are going to bring an aggressive proposal in front of the town council go get it resolved and that will require the town council to spend some cash higher a contractor to do it our public works staff is not equipped in a very quick way to go out and spend ten hours per leaks and a dozen leaks through out the community it just doesn't happen that way we need to higher a contractor to do that so that will cost us some cash and the good news is you have cash to do exactly that and that leakage will actually help us better evaluate where we stand in terms of storage. Because that has been part of our issue if you are leaking 80% of the water that you are producing than it is really hard to meet a three-hour fire flow because you have to account for 80% of the water this gone before it leaves the hydrant. So, all of things are taken into consideration, bottom line I left that meeting optimistic about the status of our water system it is not with out its flaws it needs tremendous fixing in terms of leakage, but the outlook is not as grim as we sometimes hear it. You know to plug mysidewalk it will help to demonstrate exactly where it sits. Swimming pool waits its cost estimate for the baby pool, the baby pool leaks about I think one to two inches per hour so they did some core tests of the concrete some evaluation the large section of the pool seems to be fine, the baby pool appears to be sinking, the process that we are expecting is a full removal of the floor of that pool to reestablish a base under that because the only base under it is soil there is no base under that concrete they just poured a slab on the dirt and that is what you did in 1955. We are probably in the neighborhood of 15-20 thousand dollars to repair that pool and we kind of expected that number and we will continue to evaluate that we have some capital improvement funds to fix that if that repair when that repair takes place it is the parks department and my opinion still has substantial use of life in it and so this repair will be a repair that is good for at least another 10-15 years for that facility we are not going to patch it again and it is good for three years, we are going to fix it and start saving dough for a new swimming pool at some point. Department heads are working through their budgets, so you should see preliminary budget proposals very soon probably the latter part of next month if not sooner so we will start collaborating budget workshops with you folks. I think that is good enough for the evening.

13. Town Council Comments

Councilmember Vick: I had a conversation last week with Mr. Dewey on something that I said at the last council meeting, and it was not my intent to mis quote you and I apologize for that. I was merely trying to express my concern of it appeared to me and to some other people that you were attempting to influence the vote. You have expressed to me that was not your intent of your statement, your statement was merely trying to draw us councilmembers to get more information about Burt Fork Estates before we made a decision. I apologize for trying to state that was your intent and it was not my intent to misquote you and besides that I am going to let that lay to rest, I should ask this question that we were discussing on the agenda what funds are going to paying for mysidewalk, because I could not see them on the claims sheet.

Mayor Dewey: \$8250 of it is council okay with my response I know that it is your comments. \$8250 out of the general fund is out of the councils budget it was your training and travel budget the next is out of my budget the next \$2500 comes out of the tax refinement fund and the justification there is the economic development potential that system brings to the town the next set is \$1500 and that is the building fund and I spoke to the community development pieces earlier this evening the next fund 2940 for \$2500 is out

of the economic development fund and the last funds that are for \$2600 each are water and sewer respectively. It was evaluated on which funds or agencies benefit or utilize the system the most and under this philosophy the town council and the mayor's office will most utilize that system. So, they share the largest burden. Keeping to those two departments it kept us from nickel and dime us down it doesn't affect any general fund department, the fire department is not giving up any gear and the police department is not giving up training this was other funds in the general fund for other purchases aside from public safety we are really designating for those of us at this table.

Councilmember Vick: thank you for clarifying that I was wondering as we all know rumors like to fly around that it was coming out of public safety, and I just wanted to make sure that wasn't the case and wanted to also make sure that these numbers stayed relatively the same when it came to budget time this year.

Mayor Dewey: this carries us to June 30th and so you will readdress whether you want mysidewalk in a year in advance of when it is due again and we were cautious of the departments that this was a late year expense we know we had budget authority for the system we did not want to tax departments unnecessarily for an initiative that was not necessarily generated by the department.

Councilmember Devlin: there are so many rumors going around about the type of government that we have whether we have a strong mayor or a weak mayor and we truly have neither I guess I am just to the point that I am tired of all of the dramatics and the disrespect not just us as a council but also what our staff has seen and it is fueled by the same individuals who for far to long have been able to stand at the podium and be disrespectful and attack us and our staff attack our town and to spread a lot of untruths about things that happen in our community and that happen in these walls with the decisions that are made with how our town is run and frankly I am not willing to put up with that anymore it has gone on for far to long there are rules and regulations in place to prevent that from happening and meeting after meeting and time after time of letting that happen I am not going to participate in being treated like that anymore I am just making a blanket statement, no more. For those of you that are not aware we have a mission executive form of government not a weak mayor of form of government so, you can look that up and do your own research that is what I have tonight.

Councilmember Ludington: trying to get my thought in order, I appreciate your efforts in this continue planning and zoning issue with in the town and there were some interesting things said and a lot of misunderstanding out there and it is complicated to figure out the best way to do this and one of the things that I probably should have said and that I will say now is the people that are on the planning and zoning committee for the town are excellent committee members they are intelligent they understand the rules and regulations pretty well and are only looking at what is best for the town which is why I put forward the recommendations I understand where you are sitting on this. I think that there is a lot of mis information out there and the basis for that is that there is just too much working (unclear audio) again thank you for your efforts we are not done with this yet there is going to be more of this planning issues with in the town, what happens with this piece of property and that piece of property people are not going to like it and we are not done with that particular part, hang in there.

14. Board Reports

Councilmember Shourd: yes, the park board unanimously approved the upgrades for Ravalli Park and the for the Lewis & Clark splash pad. We also discussed the May 1st cleanup area that need to be addressed we discussed Creamery Park and each member was asked to go down to the park and assess what needs to be done to beautify that park we are also having a meeting on the 26th at 6:30 at townhall to discuss the specifics on equipment that is going in at Ravalli Park.

Councilmember Vick: the climate action advisory board has not had a meeting. As the sole member I would say that I have come up with some great ideas of my own.

Mayor Dewey: thank you for the update the record is so noted. One last piece and I meant to bring it up in my executive report, the council needs to address the purchasing policy there are some inadequacies there are some conflicts in it there are some functional pieces in it there are some interpretations it is a problem for us and it will continue to be a problem for us until we fix it and I hold some blame for not brining it forward to council after the badackal last summer I think that now that you have some land use stuff passed and some stuff off your plate I will reach out to you individually to see if we can schedule a COW meeting I will entertain if it works into your schedules I would do an hour before a regular council meeting so we aren't scheduling two dates and I am fine with that I will send you guys some emails for COW meetings for that specific piece as well some budget workshops unless somebody objects to addressing the purchasing policy. Anything else for the good of the order?

Councilmember Vick: I think we should address the COVID situation about masks and social distancing and who does and who doesn't I think that is something we should talk about.


Mayor Dewey: we will agendaize that, we are still under the library rules and I think that we should abide to that, we have lessoned social distancing in the room just because of meeting attendance and case counts being so low that was acceptable and have not seen any objections from the library so, there is no reason why the council cant discuss what protocols are in place and if there is something you want me to take to the library I will.

Councilmembers: yes, yes, yes. Let's look at our policies.

Mayor Dewey: I will start some conversation with the library.

15. Adjournment

APPROVE:



Brandon E. Dewey, Mayor

ATTEST:



Jenelle S. Berthoud, Town Clerk