

**Stevensville Special Town Council Meeting Minutes  
for TUESDAY, APRIL 06, 2021 7:00 PM**

1. Call to Order and Roll Call

Mayor Dewey called the meeting to order Councilmembers Devin, Ludington, Shourd were all present, Councilmember Vick was absent.

2. Pledge of Allegiance

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

No public comments

4. Unfinished Business

5. New Business

a. Discussion/Decision: Consent to the Mayor's Appointment of Macario "Mac" Sosa to the position of Chief of Police

Mayor Dewey: introduced new business item (a) the town council are pretty familiar with the process that we followed to arrive at today in our chief of police recruitment and hiring process this is the last stage, the council communication in your packet outlines the nine steps that we have gone through the final two steps would be the police commission review which occurred this morning and then your consent to the appointment that we hope to obtain tonight. The police commission met this morning and certified and approved the certification of Mr. Sosa as the chief of police you are all familiar with his background 20 years of service with the city of Houston and an extensive investigative background so he has been offered and he has accepted from the Town of Stevensville and he has satisfactory met the conditions of the conditional offer that is comprehensive background check, the medical evaluation as well as the psychological evaluation all three of those came back with satisfactory results and some results were above as well. Per the Town of Stevensville's salary and wages schedule we have offered a salary of \$67,330.00 during the transition the previous individual in this position was paid an hourly rate making this a exempt position at a salaried rate I think that is the only change and that is to help us better predict overtime and who works overtime I think that it will solve some financial restraints the town has when dealing with nonexempt employees. I will turn it over to the town council for discussion or a decision.

Councilmember Devlin: I was going to add can you there are a lot of people that don't understand the terms of exempt and nonexempt employees can you maybe speak to that?

Mayor Dewey: in my very basic knowledge, you could probably get into the nuts and bolts of it, essentially an exempt employee is exempt from certain labor standards one of those being overtime exemptions because this person serves primarily in an administrative role and more executive functions they still have the operational capacities there, their primary functions are

supervising others and with that often times come with irregular hours irregular schedules and so that is part of the move to the exempt position we have to follow particular protocols with a nonexempt employee so this will be the second department head that we have transitioned the first one was public works supervisor.

Councilmember Shourd: I would like to make a motion to appoint Mac Sosa.

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

Mayor Dewey: it has been moved by Mr. Shourd and 2<sup>nd</sup> by Ms. Devlin. Any further discussion?

Councilmember Devlin: I just want to say that I watched your interview with the commission this morning and it was really nice to hear some of the comments and the words that you used. Our town is very excited to have you and I thank you for being here.

Mac Sosa: thank you.

Councilmember Ludington: I would like to add on to that we are extremely lucky to be able to get someone with your experience into the town, in a small town like this it is not very often I appreciate your willingness to help us out.

Mac Sosa: thank you.

Mayor Dewey: I will add that in conversations and in beginning process with the staff they are welcoming him very warmly, you had the opportunity today to intact with the police clerk and she is for one excited for Mr. Sosa's arrival, and we have been able to spend some time together today to get some things in order and narrow down some dates in terms of starting it think right now we are working towards May 10<sup>th</sup> as a start date for Mr. Sosa and that will get us time to get things transitioned with the rest of the staff and his arrival he has anticipated to attend an equivalency course at the Law Enforcement Academy in Helena rather than having to take the full 13 week academy he is eligible for an equivalency with his POST from Texas so he only has to attend one week in Helena we believe in August or September and there is one additional course for DUI's in Montana Law that occurs as well so, two weeks at the Law Enforcement Academy and then obviously some local training as well. Any further council discussion? Any public comment?

Jeff Motley: 318 9<sup>th</sup> Street, Fire Chief and also on the police commission board. I would also like to thank Mac for, this is a super caliber person that we have here and this morning I did ask him the question of how he projected his ten-year being and he hinted around 8-10 years. So if we can keep him that long we would be very lucky and again thank you Mac.

Mayor Dewey: any other comment? Hearing none we will call for the vote, Ms. Miller.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Mayor Dewey: thank you, motion passes.

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

Mayor Dewey: introduced new business item (b) there is council communication in your packet that discusses an over larging proposal for the funding that is included in the fund. To bring you folks up to speed this fund has been discussed, this fund was established in 2017 by resolution and Jean Thomas assigned the Town of Stevensville as a beneficiary of her estate that resulted in \$75,000 being given into the Town of Stevensville for beautification of Stevensville parks. So, processes were initiated at that time by the Park Board to do some master planning and establish some priorities for park enhancements. Mr. Sonsteng spent some time review some of that material and meeting minutes from some of those meetings and also considering some of the feedback we have heard from the community over the last couple of years since the fund has been established. So, all together what the proposal you are hearing tonight is to ask for an appropriation of \$50,000 of that \$75,000. \$25,000 of that would go towards renovations at Father Ravalli Park which were prioritized or identified as for enhancements to parks, the swing set has often been inadequate the structure in evaluating it over the last year is reaching the end of its useful life or is beyond it. And it no longer meets government safety standards it was repurposed when the other playground was built, both slides are dysfunctional, one has been done entirely and one will have to be removed this summer at that point they have been over used, primarily the play structure is past its life, there are also some other items in terms of beautification and functionality where we have often heard from an adjoining land owner specifically the Vance's where the park butts the storage units and there is often Tres-passers that comes through there and has resulted in a whole in our fence we would like to board that up so why not make it kind of cool for young children. In your council packet there is an example of a rock-climbing wall and that is one idea that we would like to bring to Father Ravalli as well. The second part of the proposal before I let Mr. Sonsteng speak to the proposal further is a \$25,000 donation to the Splash Pad project that is gaining some steam in our community right now. The rationale behind this proposal of a donation is that first and for most I want to make this clear, it was not solicited by the Splash Pad this is something that administration has initiated and would like to have the council consider. The council requested of the Splash Pad committee and the Civic Club that a water recirculating system be installed on the Splash Pad and that increased the cost considerably about to the tune of \$25,000 we are not suggesting the \$25,000 gift goes directly towards the that recirculating system but to help offset the cost of that system so that their project doesn't diminish due to that request by the town council our calculations of the average use of a splash pad for the proposed size is that versus running fresh water through it and down the drain, the circulating system would cover its cost in about four years in terms of water use to the Town of Stevensville. If the city, town, when they take over that facility if we were paying for the water in essence, we are we just don't have a water bill we will recoup our cost in four years from running that system generally May through September. That was a consideration as well, the idea is if the Town Council approves the \$25,000 donation from this fund for this project that the funds would be given in memoriam of Jean Thomas so that way Jean is recognized on the Splash Pad. Just to kind of give a personal stamp to her contribution to the parks system with that I will turn the proposal over to Mr. Sonsteng and if he has additional remarks.

Bobby Sonsteng: I went through some old meeting minutes, July 25, 2017 is when the Park Board went around all of our parks and did a needs assessment, what they had to say about Father Ravalli Park was basketball hoops are missing brackets, shredded nets, fencing was in need of repair on the north east edge by the mail boxes they said swings are okay, that was four years ago, in my opinion the swings are not okay. Says benches painted or stained, pavilion is what they asked for and that is a pretty expensive project so I have the idea of a couple more picnic tables ADA friendly along with a new trash receptacle as you will see in your packets main signs need painted and repaired, remove grass from the basketball court and then also address that hole by the basketball court, I also found a letter in here from one of our community members pin pointing ten different things that needed to be addressed at Father Ravalli Park, safety issues, south east corner, I think that is something that we already addressed when we did our new flag pole cleaned out some of that area, I think we can address that again, they say this is in April 11, 2018. Swing set is in disrepair and is missing two swings, one of those is back but it is not in great shape also says that there is exposed sprinkling wires they are still there and those are a safety issue and would be part of our project, north west corner of the fence is cut once again that is where we are pitching the idea for a climbing wall some trees that needed to be trimmed and I think those have been addressed since this was given to the park board, issues needing a bike rack that I would like to talk about as well, more park benches installed around the park and the last one we need to update the play ground equipment in this park. Recommending spending a little bit of money here to get some decent playground equipment Lewis and Clark Park is not the only park in this town, I do agree I see a lot of usage of Father Ravalli Park. Piggy backing to what Brandon was saying the structure is, one slide has been removed because it cracked this winter one that I patched with gorilla glue and is a smooth surface now, but that slide is coming off, we have had to remove the little corkscrew so all that is really left in the play structure is a set of monkey bars and a play ring. Out of the five options only two are usable at this point we have multiple bolts around the ladder climbing up to this monkey bars that are stripped I have gone up there and done everything that I can, it is just how the brackets fit. We definitely need to do that, to repair that structure is going to be a few thousand dollars in its own right so I think it is time we get this going and this is kind of the hope to revamp that park so that we have two great parks in our neighborhood not just Lewis and Clark Park.

Mayor Dewey: oddly enough, unlike all of the other building materials in the country that are skyrocketing, play structure aren't some of them are coming down, we have realized that there are good deals on structures right now, actually equipment like that is coming even further down and they are doing a lot of promotions because of the American rescue funding that is coming out. Our emails we have notice since like Thursday through Monday we have been inundated with sales and every single one of them says this is an eligible expense, which is interesting play structures are some what on that list and are affordable right now and we would like to take advantage of that climate to benefit the community. Father Ravalli Park serves as a secondary regional park for the community, we had this talk with Burnt Fork Estates, Lewis and Clark Park is certainly a regional park it serves a broader spectrum of the area. Father Ravalli also doubles as that neighborhood park I think even more so than Lewis and Clark Park does, if you are on the south side of town that is the park that you would primarily use if you just want to walk it serves the Dayton subdivision where it is located it also serves the (unclear

audio) subdivision and there are no parks in that subdivision. If you look how the community is served in park infrastructure the south side is under served right now. That is why this proposal came in front of you now, instead of waiting until July to ask for the appropriation of that in the new budget we kind of want to get this ball rolling and get some momentum going so that summer wasn't over before we ordered some equipment. Our intention tonight is to ask you to make that appropriation and then we would role if any funds are spent before this fiscal year June 30<sup>th</sup> and it is pretty likely, we would role that into a larger budget amendment that is need for some funds at well. You will have to do a budget amendment anyway we just wanted to role this opportunity into this as well if you support the cause.

Councilmember Shourd: how much remains in the Jean Thomas fund?

Mayor Dewey: if you appropriate the \$50,000 than \$25,000 would remain in the fund. There is \$75,000 in there today and that is what we started with.

Councilmember Shourd: correct, but I thought we had approved \$5,000 for the tables.

Mayor Dewey: that project actually never came through.

Councilmember Ludington: I would make the motion to approve the plans for Jean Thomas fund.

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

Mayor Dewey: it has been moved by Mr. Ludington and 2<sup>nd</sup> by Ms. Devlin. Any further council discussion?

Councilmember Shourd: I am slightly hesitant using this amount of money prior to having another park board meeting, we do have a meeting scheduled for April 12<sup>th</sup> which is Monday at 6:30.

Councilmember Devlin: has the park board not had an opportunity to discuss these items?

Councilmember Shourd: all of these items have been discussed except for using the Jean Thomas money for the recirculating system in the Splash Pad.

Councilmember Devlin: what is your hesitation?

Councilmember Shourd: it is a lot of money donated to the town and I do feel that is being spent wisely I would just like to go over it with the park board and have that opportunity prior to.

Councilmember Devlin: I am not, I don't necessarily disagree with you I think a problem that I have heard over the years with this fund is that the money has been made available, council chooses to not use it for various reasons. I have heard some disgruntled people in that this is exactly what this money is for. It wasn't donated to just sit in an account, to say we have these funds, but we can't use them I think that there have been proposals in the past that haven't passed for fear of using this money. I just would not want to see us get into that same, we have the funds this is exactly what it is for we have the opportunity to use it half of it in the area were we requested it that wasn't part of the park board asking, we requested that. So, I think at least half of that we are responsible for without the park boards blessing. I would just be cautious.

Mayor Dewey: to speak to a little bit of your point Patrick, we took a unique approach when Bobby and I discussed how this process would unfold we took a really unique approach that isn't traditional for this organization and you can look at it maybe in a less constructive way and say we are by passing the park board but really the intent, and I should have been clear when we made the proposal this evening, was if the council approves the project plans the final details of these plans have not been knocked out, we have not picked a play structures we have basically just said if the wish list were tallied equal \$25,000 and it couldn't go less than that. Bobby's intent is to take a lot of these pieces flushed out and take back to the park board and say okay council has given us the money how do we want this to look for the community it is a non-normal approach in how we have approached other boards. We recognize that the park board is an advisory board doesn't have appropriation authority and so we thought lets give them the money and say yes you can spend it and you guys the park board with the parks and recreation to make this the best project possible recognizing that the town council, as fun as it would be, didn't want to sit here and micro manage how that funding was spent on a specific structure or a specific project. Does that kind of answer that?

Councilmember Shourd: that you for the clarification. That does address some concerns.

Bobby Sonsteng: when I initially brought this up I reached out to you because I wanted to get that park board going, we wanted to get the conversation going and make this a possibility and get it going and try to get it down as soon as possible and that is why I really wanted that park board together, I am not trying to design this park I want park board to be there and do that I just want to be there to facilitate and get this done as soon as possible.

Mayor Dewey: any further council comment? Is there any public comment on the motion?

PUBLIC COMMNET:

Vicki Motley: 318 9<sup>th</sup> Street and I am on the park board, I think that it is kind of putting the cart before the horse I was shocked that this was on the agenda tonight we have a meeting the 12<sup>th</sup> and I think that is when it should have been presented I think it could have been something that is presented to you this is what we are thinking about doing but it needs to go through the park board. I realize that is only advisory but it kind of feels like we really don't care what you think I mean that is my opinion I have been on it a long time and yeah we have had issues with council approving funding and getting that going but it is not for lack of trying and we did have a list and I think we need to reevaluate the list and look at what is going on before you guys approve something. I had no idea that the picnic tables in Creamery Park had not gone through, so I just think that there has to be better communication and the park board needs to have some say in this, so.

Mayor Dewey: any further public comment?

PUBLIC COMMENT:

Jeff Motley: piggyback on what Vicki said we have always had trouble trying to seat a park board who will volunteer who will step forward? People have stepped forward and now we have a park board in place council is going to go ahead and approve this spending with out their consent, why would they want to volunteer to be on the park board if you guys are going to

circumvent their ability to bring forward ideas and projects to you for your approval, it would seem to me that you want to spin it Mr. Mayor and you did a great job with that, you are really circumventing that volunteer park board that has volunteered time to step forward and do that, we can't get volunteers well why would you want to volunteer if you are going to be circumvented any way by a back door stab at this thing. It just doesn't make sense to me to do that with out our park board involved in that, the cart hasn't rolled out yet you still have a chance to bring it back, knowing that the council is in favor of sending that money out of that fund may make the park board come to a decision on what to do and bring it forward to you that is great I really don't think this is the time to change the rules of engagement so to speak and do it a different way than what we have done it in the past I encourage you to let it go to the park board first and let them bring their ideas back to council for funding and a decision.

Mayor Dewey: further comment, Ms. Devlin?

Councilmember Devlin: I guess I am confused; I had asked the question that you as the park board had discussed these items was yes and now, I am hearing that this wasn't discussed. I am really confused.

Councilmember Shourd: we have discussed various needs in Ravalli County excuse me, Ravalli Park but we hadn't gotten very specific. I don't believe the climbing wall has ever been discussed the equipment has been discussed.

Councilmember Ludington: I would like to say that my motion is just for appropriation, I have no idea, the park board can do whatever they want, they can decide to spend the money, part of the money all of the money, I am just saying the money is available it is an appropriation to the park board to use it as they see fit, if they want to use it at Father Ravalli Park, great if they want to use it great I never intended to circumvent I just wanted to try to get them some authority to spend some money instead of the other way, I can see the other way around, you guys put together a project bring it to council and the council says nope, I would rather see this, here you go. Take some money that was intended to do this, Jean lived down the street from Father Ravalli park so I think that she would be very happy to know that we were going to spend some money to keep that park up and you guys do what you want I am not saying that this is what I would like to see, I would like to see some money spent at Father Ravalli Park, is it underserved in the area and if the park board decides that they don't want to spend the money there that they would like to do something else, I am certainly not saying that this is what you have to do that is not how I am saying it at all please don't take it that way. Patrick if you could make sure that the park board knows that I am just saying funds are available design it how you want spend it how you want you guys know that park needs some attention and as far as the other \$25,000 for the Splash Deck like Jaime said it is really something that the council wanted I personally would like to see us recirculate water rather than use water when we are already leaking so much so, I certainly hope that the park board does not see this as a way to circumvent their process.

Councilmember Devlin: I will piggyback off you, I don't think ever it has been the intent to micro manage how money is spent I think we are given proposals and ideas and we give that blessing I am with you I don't really care how that money is spent in Ravalli Park as long as you see fit, that is why you are on the advisory board that is your job, that is not our job, it is not to see that slide

is accounted for, that is your job you are on that board, we have a representative of the council on that board I don't have intentions to micro manage that project I want to say here is our blessing you have money please do as you see fit. We trust you being on that board to make those decisions I would like to see that followed through; I don't want to make that decision.

Mayor Dewey: is there any further public comment?

PUBLIC COMMENT:

Victoria Howell: 609 Middle Burnt Fork, I am on the Splash Pad committee and I just wanted to say how please I am that you are considering bringing this, it has turned out to be a huge project and we never asked you for any money but we would certainly appreciate that part of it and we did meet with the park board on that so I think that what they are talking about is Father Ravalli. And then I just want to mention that we eventually intend to bring forward the second part of our project which would be a smaller Splash Pad maybe not a Splash Pad but some kind of a water feature at Father Ravalli as well once we get the first one complete, we are not done we will keep going. Thank you.

Mayor Dewey: further public comment?

PUBLIC COMMENT:

Jeff Motley: so, for clarification your appropriation, the motion you made Paul was for the \$50,000 does that also include the \$25,000 donation?

Councilmember Ludington: to the Splash Pad.

Jeff Motley: \$25,000 to Father Ravalli and \$25,000 to the splash fund?

Councilmember Ludington: correct.

Jeff Motley: so, the park board doesn't get a say on that \$25,000 donation?

Councilmember Ludington: to the Splash Pad? No because that was a, really what the council talked about when the Splash Pad come up was Joan mentioned the cost of a recirculating pump or just using water and I think the consensus was of council was a recirculating pump instead of fresh water because we are already leaking 80%.

Mayor Dewey: any further public comment this evening? Any further council comment?

Councilmember Shourd: I guess my concern so, is in Ravalli Park if the park board makes recommendations or disagrees with the purchase of the play equipment how much power does the park board have to say no, we are an advisory board.

Mayor Dewey: the intent of the advisory board is to advise the council by way of the department how that funding is utilized or how it may be best utilized for the community, right? Ultimately, and I know that some people will not like hearing this, ultimately at the end of the day every dime of the parks and recreations budget is under the authority of Mr. Sonsteng and myself once that it is appropriated by the council. The advisory board is there to provide public input on how to prioritize that funding and so Mr. Sonsteng has found records from past park board discussions he has brought those together as a proposal and brought that forward to



council and say here is a list of things that the park board as discussed and would like to address, please put some money towards these causes so that we can address them then the council can say yes we think that these causes should be addressed and Mr. Sonsteng will go back to that park board on the 12<sup>th</sup> and say we have some money what are we going to do how are we going to implement these ideas and these plans, the play structure wasn't something that he cooked up on his own while lying in bed at night the park board desired and he is championing that on their behalf and saying lets throw a little money at it and see if we can make it work and that implementation is going to be pushed back on the park board and they will advise Mr. Sonsteng this is the color of slide this is the style of monkey bars that we really like and this will serve our neighborhood well, great and that is how we envision the process now and it is not unique philosophically to how it was intended to be set up, you identify a problem find the funding for the problem you get the funding now go fix it. That is really how we envisioned that, and I think it is a fair model. Ms. Devlin?

Councilmember Devlin: I guess, Vicki how long have you been on the park board?

Vicki Motley: probably 6-7 years.

Councilmember Devlin: were you aware of that letter that was written and the recommendations that were made to Ravalli because if there is nobody on the park board that is aware of that then we have a valid plan so to speak.

Vicki Motley: I don't think that letter was ever presented to the park board it may have been presented to the city council, but it did not come before the park board.

Mayor Dewey: are you talking about the letter that Bobby read.

Councilmember Devlin: I am talking about the recommendations.

Bobby Sonsteng: this is from the minutes of the meeting.

Councilmember Devlin: that is not what I am talking about, you referenced. If all of that was brought up and nobody is on the park board from that time period, we have a brand-new park board so to speak that should be engaging in this whole vision if there are people that were on that park board and are aware of those then I think we say here is the money and you go do with it what you want.

Mayor Dewey: the latter is the case. The letter came from Jim Crews and was presented to the park board.

Vicki Motley: I don't think that it ever came to the park board. I don't remember it being in the minutes and I have written the minutes since I have been on it, so I am aware of the list that you went through that talked about all of the different concerns that we had at all of the different parks. We were in the process of prioritizing that to my knowledge the Jean Thomas money had to be approved by the park board in the expenditures before it came to the city council it wasn't something that we approved the \$5,000 for the picnic tables at Creamery Park to be brought and put into the budget, it is my understanding that the park board sets the amount that is spent not the council setting the amount for the park board I mean I thought that they had to

approve the amount prior to coming to the city council has been my understanding of that so, for what it is worth.

Councilmember Devlin: what are the requirements and the way that this is supposed to work?

Mayor Dewey: the resolution that establishes the parks fund in summary says use it for beautification of parks. (read resolution from September 12, 2016 that Jean Thomas listed the Town of Stevensville as the beneficiary)

Councilmember Devlin: so, there is no procedure on how to spend the money or the funds.

Mayor Dewey: no, it falls under the same procedure as all the other, every dime that the town deals with has some sort of procedure. Ultimately it all funnels through the same place which is here with the Town Council. Whatever process the city council wants to follow is acceptable to the administration it was not our intention to circumvent the parks board in fact, I have explained already Mr. Sonsteng our intent was to take a check to the park board and say you have some money finally let's do something with it that was the intent actually generate some excitement on the park board and maybe inject some life into it if the town council would rather see a recommendation come from the park board formally on this proposal or any other proposal specifically then we will facilitate that process and work through it is your pleasure and we will do what ever your direction is but you know speaking to the process we have followed and some of the acquisitions that wasn't our internet at all. The park board in the terms of, Mr. Sonsteng found the letter in the park board minutes and Mr. Crews came to a meeting and read it to the park board. The park board has seen some turn over of a few members but there are some members that remain on that list. That aside and procedure and all of those things whatever the council desires is how Mr. Sonsteng will march forward with it.

Councilmember Ludington: I withdraw my motion.

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

Mayor Dewey: Mr. Ludington's motion has been withdrawn and Ms. Devlin concerns with the withdraw.

Councilmember Devlin: I concur with the motion to wait.

Mayor Dewey: I will defer to the park board.

Councilmember Ludington: make a motion to defer to the park board.

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

Mayor Dewey: it has been moved by Mr. Ludington and 2<sup>nd</sup> by Mr. Shourd to defer to the park board. Council discussion? Public comment? Hearing none, we will call for the vote. Ms. Miller

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Mayor Dewey: okay motion passes.

6. Town Council Comments

Councilmember Ludington: Burnt Fork Place, I understand that they are picking up applications those are not going to the same box.

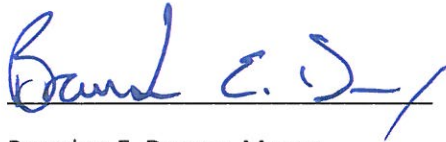
Mayor Dewey: they have not been given a letter of occupancy for the property, knowing how the funding of that project works federally they would need that to fill out to actually occupy they would need those certificates of occupancies they have been taking

Councilmember Ludington: the building inspector is going to authorize those certificates.

Mayor Dewey: yeah the building inspector official signs off on those certificates at this time they may have two apartments but they do have to complete the sight work roads and streets and alleys and all those sorts of things to occupy.

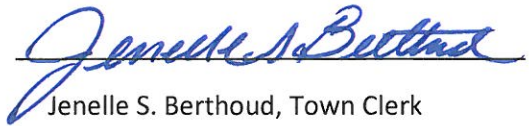
7. Adjournment

APPROVE:

A handwritten signature in blue ink, appearing to read "Brandon E. Dewey", written over a horizontal line.

Brandon E. Dewey, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Jenelle S. Berthoud", written over a horizontal line.

Jenelle S. Berthoud, Town Clerk