

**Stevensville Town Council Meeting Minutes for
THURSDAY, MAY 13, 2021, 7:00 PM**

1. Call to Order and Roll Call

Mayor Dewey: called the meeting to order. Councilmembers, Ludington, Shourd and Vick were all present. Councilmember Devlin has an excused absence.

2. Pledge of Allegiance

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

Bob Michalson: 222 Turner Street, looking at the website I see that the last time that the audits were put online were FY 16/17 and there is no audit online for 18/19 and 19/20. I know my copy last fall I gave to Paul before I resigned so I would appreciate that you would get that online for the public to review because we are coming up on another audit.

4. Approval of Minutes

None.

Mayor Dewey: Ms. Berthoud can you give a brief to council on the minutes.

Jenelle Berthoud: I sure can, so as you can see there are none on here tonight for you to approve the remaining ones will be on our next meeting which is on May 27th and that is due to quiet an influx of prioritizing my time between records requests and a lot of business licenses that have not be renewed at this time and do getting a hold of those business' is taking time. I will keep you posted on that.

5. Approval of Bi-Weekly Claims

a. Claims #16717-16761

Mayor Dewey: introduced the claims.

Councilmember Vick: motion to approve.

Councilmember Ludington: 2nd.

Mayor Dewey: moved by Mr. Vick and 2nd by Mr. Ludington. Council questions or discussion.

Councilmember Ludington: there were charged for Judge's conference.

Mayor Dewey: that is for her annual conference, last year it was not held this year it was.

Councilmember Ludington: must have gone to Billings?

Mayor Dewey: yes, she did.

Councilmember Ludington: the other thing was Northwest Energy bills a zero (unclear audio), is there not a light in that park?

Mayor Dewey: so, we receive two batches of bills from Northwest energy, we receive one large batch which is a good bulk of bills that you have to approve and then you see a trickle of several other bills that they don't put on the master bill so if you see a zero that means that it did not come in on time for the claims review. And that one is.

Councilmember Ludington: it is not the only one, but that is the one that I had a question on.

Mayor Dewey: and it is probably comparable to the \$2.98 charges because I think it kind of depends, but that one is just a light.

Councilmember Ludington: I just wanted to make sure that there was still a light there.

Mayor Dewey: there still is, any further council questions? Hearing none, any public comment?

Bob Michalson: 222 Turner Street, I noticed that there was a hotel stay over here. What was that about?

Mayor Dewey: that was to cover the Chief of Police candidates stay for when he came for his testing.

Bob Michalson: okay, thank you.

Mayor Dewey: any further public comment on the claims, hearing none I will call for the vote.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: is that Jaime on the ZOOM call, she has been able to join us.

6. Administrative Reports

a. Airport

Included in the packet. Any questions I can direct them to the airport manager.

b. Community Development

Included in your packet. And it covers the building code. Zoning has subsided a little, no applications have come forward, after tonight when you review the item under new business that should pretty much be done.

c. Finance

Mr. Underwood did not get a finance report into the packet. Robert fell ill before the meeting. If there are any questions about finance let me know.

d. Fire Department

Chief Motley: gave his report that was included in the packet. Training tonight.

Councilmember Ludington: excellent response yesterday.

Chief Motley: thanks.

e. Parks & Recreation

Bobby is out of town and included is report in your packet.

f. Police Department

Chief Sosa: gave his report that was included in the packet. We have had a pretty affective week, been working on policy, getting it ready to post on the website, met with the school about graduation, met with the Judge and court clerk, met with the Hamilton Police Department and also the Sheriffs Department. Tomorrow I hope to be walking and knocking on doors.

g. Public Works

In the packet this evening. He was unable to join us this evening.

7. Guests

NONE

8. Correspondence

NONE

9. Public Hearings

a. Budget Amendment for FY2019-20

Mayor Dewey: introduced public hearing item (a). there was a comment during public comment about the audits on the website. We have verified all of the audits through 17/18 are on the website under town audits, the audits that are missing are 18/19 and 19/20 the 18/19 audit has not occurred and is scheduled for June and that kind of ties into the budget amendment this evening. The purpose of the public hearing is to give the public an opportunity to provide feed back and comment on amending the FY 19/20 budget, further in your packet you will see from the finance department addressing the budget amendment in its entirety. In brief the reason for the budget amendment is, there are certain lines that we had overspent due to various whatever cases existed, those are primarily in the lighting districts in the economic development fund and the fireman's disability fund, we underestimated expenditures for example in the fireman's disability fund we under estimated what we receive in insurance funds from the state that amount of money was greater and we are required to pass the money through to the fireman's disability fund and so because we have passed that through it exceeds our expenditures when we passed it through. Economic development is another area this would have been the year that the Main Street association closed down and we took on some of the work that they do we took on some of things like the economic development website for example. Stevensville, we finished that out and started transferring that to the Town of Stevensville website so there was some cost involved in doing that and it exceeded what we had

anticipated in spending. In other areas are around FAA funding the grant money we received for taxi way rehabilitation project that were we exceeded the revenue costs. I guess on all of these was some sort of revenue costs tied back to exceeding expenditures. The last piece is authorizing transfer of funds into the ambulance fund from the general fund, this is not one that is generally tied to revenues but were we exceeded revenues we overestimated the revenue in that fund and that fund is not generating the funds that we had anticipated so we are basically cash flowing and segregating those costs out. So, we need to transfer some cash out of the general fund to reserves into the ambulance fund to make it balance to a positive figure are questions from council on the budget amendment before we open the public hearing.

PUBLIC HEARING COMMENT

Bob Michalson: 222 Turner Street, these came up in December 2019 when Mr. Gibson was the president, I think that you segregated them all out instead of voting all at once, I would hope that you would right these down too and discuss each and every one. Thank you.

Leanna Rodabaugh: 204 Ravalli Street, I am a little confused, but I don't understand how you can go back that far to correct something and where are going to get the money from. If it comes out of the general fund, I think that this totals \$213,000 what is that going to do to the general fund, anybody?

Mayor Dewey: unfortunately, Ms. Rodabaugh the public comment area is not for dialog, but I am noting your questions and will address them under the agenda item.

Leanna Rodabaugh: I am little concerned that this has gone back so far, and you are just catching it, seems like a lack of paying attention to the funds in the town and I would hope that you people would be a little concerned about his, thank you.

Mayor Dewey: any other public comment? We will go ahead and close the

10. Unfinished Business

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

Mayor Dewey: this is carrying over from the last meeting and Mr. Nelson is here tonight per councils request and can answer any questions you may have. This constitutes first reading. Would you like to move it right into a discussion with Mr. Nelson?

Councilmember Vick: my biggest question is what is the plan if we were to do this and construction were to take place what is your guy's plan for where the water is going to go.

Terry Nelson: I have been talking with an engineer about seeing what we can do to help alleviate the problem there is certainly a drain going right through the middle of that we would probably reroute that we would have to follow DEQ standards there is a piece of property out of the city limits just north of this a small piece that already has some cat tails on it and what not and one thing that we discussed was maybe making a bigger retention pond there for addition water that would be created from this taking it out of the field and making it into the houses and roads and what not. So, we may end up and we supplied that. all this request is, is to request the

zoning change from R-1 to R-2 we did provide a sketch of what would possibly be there that may have to be scaled back some if we have to have more retention for the storm water on there.

Councilmember Ludington: so, this compliance would circulate is that required to give you a certificate, that license or approval or something in writing that says that you have a plan.

Terry Nelson: yes, DEQ reviews it to make sure, you are not required to deal with naturally what already comes off the property but you can't allow additional drainage to come off the property so that is where we would need to figure out the proper plan and typically that is done through retention or detention based I have not seen it in Ravalli County but in the big cities they even have membranes put under parking lots and roads to handle and hold water to drain so there are ways of doing that there is plenty of time to look into to see if we can do the R-2 and then get into the engineering and see what we can fit on there and what we can do with it.

Mayor Dewey: anything further from the town council?

Councilmember Shourd: to clarify what you just said, so the release of the water just has to be at what is considered to be a historical rate for R-2.

Terry Nelson: yes, through calculations what is going out of natural ground and what is becoming pavement, what is becoming roof top, what is becoming lawn actually reduces the runoff there are calculations that go into all of that and come up with how much excess water you have and show how you are going to do that.

Councilmember Shourd: thank you.

Mayor Dewey: are there any other questions from the town council, from this juncture is the council fine with approving the first reading?

Councilmember Vick: I will make a motion.

Councilmember Shourd: 2nd.

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

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: so, this passes so we will schedule for second reading at the next council meeting.

11. New Business

a. Discussion/Decision: Special Event and Alcohol Use Permit for Western Heritage Day

Mayor Dewey: introduced new business item (a) looks like we have a representative here tonight.

Victoria Howell: you may recall that last year we did not have a Western Heritage Days because of COVID. Last times was hugely successful so we want to copy it exactly so, what we are proposing, and I will give you the overview but only part of it involves the council. The chuckwagon cook off will be on private property. There will not be a parade. Downtown we would like to close the street from main and 3rd to Church. Bouncy houses in the bank parking lot, the bands and the food trucks will be on the street. Where we sell the alcohol will be sold on the Stevensville Hotel lawn. But what we are asking is that you allow us to allow people to have their open container in that block and that is how we have always done it that way. It makes for a nice celebration and it is very well contained we put up barriers we hire security and that goes from about noon to 10 pm. and then on the west side of 3rd street will be do an expanded farmers market we ask that the street be closed for the entire thing, we handle our own garbage, our own toilets, our own clean up and our own insurance of course do you have any questions?

Councilmember Shourd: thank you for bringing it back.

Councilmember Ludington: congratulations to Project 59870.

Councilmember Shourd: I just had a question; they are hiring their own security? Will we still have a police presence?

Mayor Dewey: yes, we will have our regular staffing.

Councilmember Vick: I will make a motion to approve.

Councilmember Shourd: 2nd.

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Shourd. any further council comments?

Councilmember Ludington: let me know what you need.

Mayor Dewey: Public comment? Hearing none, Ms. Berthoud will you please call for the vote.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: thank you.

b. Discussion/Decision: New re-phasing request for Phase II & III of the Twin Creeks Subdivision

Mayor Dewey: introduced new business item (b) I expected Ron to be here the request is in your packet. They are not changing; they are just showing on the map which lots are being built first. It is a straightforward request and ties in with the final deadline adjustments that the council

previously I think roughly a year ago maybe it would have been that you allowed them to final plat stage and now they are just asking to rephrase which lots they build when.

Councilmember Vick: the way that I am looking at this, this is the original plan like you said.

Mayor Dewey: yes, same plan same preliminary plat they are just changing the number of lots that they build.

Councilmember Ludington: I think that their ultimate goal is to see if they can accomplish something else.

Councilmember Vick: I did have a question, is there a notice requirement like the 500 feet?

Mayor Dewey: we could not determine that was the case, you are only rephrasing now before the phasing commences there is a public hearing before the final plat is filed. The public hearing is needed and that is typically of phasing plans before the final plat is filed public hearing is held.

Councilmember Vick: I will make a motion to approve.

Councilmember Ludington: I will 2nd that.

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

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

c. Discussion/Decision: Resolution No. 486, amending the FY2019-20 Budget

Mayor Dewey: introduced new business item (c). total budget amendment, the impact of this budget amendment is \$251,532.00, \$232,000.00 is to fund the airport project directly. The impact to the general fund is a \$9800.00 transfer out of the general fund into the ambulance fund. The reality is if the ambulance fund did not exist the expenses for the ambulance fund would be in the general fund. The rest of the balance that I have not highlighted already come from cash reserves fund whether that be the lighting district or the economic development fund it needs the cash reserves to sustain, whether it be revenue or they have the cash on hand to do that when it comes to timing Mr. Underwood has been working diligently to close out the fiscal year books for fiscal year 19/20 and part of that process is the annual financial report and we have worked through that entire process and have brought back a bunch of budget amendments at one time so we don't premaritally bring budget amendments before the council because there is an expense to noticing them and all of things that we have to do to put a budget amendment before you. That is why sometimes they are timed a year after the fact because it takes us that whole slue of time to get through the AFR to identify exactly which funds need to be adjusted and then adjust them. If you decline and you say this will occur in fiscal year prior, if you decline any of these amendments it will result in an audit finding. Basically, to that the auditors want the governing body to acknowledge and reflect their budget.

Councilmember Vick: I want to make a motion to segregate out the ambulance and the lighting district.

Councilmember Ludington: I will 2nd.

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Ludington to segregate the ambulance and the lighting district from the primary resolution. Am I understanding that correctly? Council discussion on separating.

Councilmember Ludington: my primary question would be why an ambulance fund exists in the first place.

Mayor Dewey: the ambulance fund exists because we are set up to bill for ambulance services and because while we don't actually collect revenue on ambulance services on a regular basis because of the potential exists the states bars system that designates how we do our accounting system because there is a potential for that revenue and it is special revenue they require us to sperate the fund out and that puts us in a pickle, so we did all of that setting it up with good intentions knowing that we had a good backup service. we were short sided in the accounting side, so we have to move cash out of the general fund to keep this ambulance fund you are not spending money you don't have you spent it out of the general fund anyways it is just that we have to go through this process over. Instead of budget amending going forward we are going to anticipate those transfers going forward so we can make the transfers every year instead of asking you every year.

Councilmember Ludington: that is what I was going to suggest.

Mayor Dewey: we just have to get ahead of that bubble, any more discussion regarding those two pieces out of the primary resolution, any public comment on the separation of the items. Hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes unanimously first we can consider the rest of the amendments separate from the ambulance and lighting district pieces from the others in resolution 486.

Councilmember Ludington: I will make a motion to approve resolution 486.

Councilmember Shourd: 2nd

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

Councilmember Vick: you had mentioned about the airport, so you said that fund was already off set by FAA or.

Mayor Dewey: correct it was part of a project so there is that 90/10 split with the FAA so either in the case of the 10% split with the FAA they had to match for that project and the other 90% comes from the FAA.

Councilmember Vick: so, it is not like we are short or anything.

Mayor Dewey: in the 19/20 budget we build the budget, and we did not fully grasp what was left in terms of financing the project was the project and I don't think that specific project saw an over run in its expenses. But what we put in the computer was wrong in terms of what we were going to spend. We didn't know how much they were going to get done before the end of the fiscal year we missed the mark in terms of saying that project will be complete it turns out it was more.

Councilmember Ludington: this kind of projects (unclear audio) we anticipated what the ground was like.

Councilmember Vick: I remember the discussion on the asphalt and the catawampus.

Mayor Dewey: any further discussion about 486. Public comment? Hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye

Mayor Dewey: alright motion passes unanimously. You will move into what we would call resolution 487 the ambulance fund.

Councilmember Vick: quick question and I am truly not trying to kick the can down the road here, before a new ordinance don't, we need to post that in the paper?

Mayor Dewey: no because the public notice said that you were amending the fiscal year 19/20 budget and you are not updating an ordinance you are updating a resolution. And this would suffice amending the budget.

Councilmember Devlin: I will make a motion.

Councilmember Shourd: 2nd.

Mayor Dewey: it has been moved by Ms. Devlin and 2nd by Mr. Shourd to approve resolution 487 amending the ambulance fund for fiscal year 19/20. Council discussion?

Councilmember Vick: I guess the same question a year and a half ago on a similar thing I guess that, so the money has already come out of the general fund, and I guess that we have to reappropriate it.

Mayor Dewey: correct, we are just moving it from one piggy bank to the next.

Councilmember Vick: and how much is that billing system with us not making any runs.

Mayor Dewey: it only costs us if we use it, they take a percentage of whatever the bill is if we bill zero, we pay zero.

Councilmember Vick: okay.

Mayor Dewey: any further discussion from council? Public comment?

Jeff Motley: can you explain the math on this we are over ran by \$714 and another over run of \$10,288 and you are asking for \$9800 can you explain the math on that?

Mayor Dewey: I think what we are covering is the overrun previous fiscal year that did not get approved, we have two fiscal years of a negative number in that fund.

Jeff Motley: so, there should be another years' worth of funds to balance that out.

Mayor Dewey: that is the \$9800 covers this fiscal year that we are amending and the previous.

Councilmember Ludington: it has already been audited.

Mayor Dewey: any other public comment? Okay 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 next have in front of you resolution 488 amending the fiscal year 19/20 budget for the Creekside Lighting District.

Councilmember Devlin: make a motion.

Councilmember Shourd: 2nd.

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

Councilmember Vick: after our lengthy discussion two years ago I kind of have a little bit of an understanding, when is this cost going to start going down for these residents that are living in these areas.

Mayor Dewey: it already has gone down, those perspective subdivisions the power bill dropped between 40 and 50% we reflected that in the 19/20 budget, but we went to far down, we thought that we were going to save more money than we thought about \$460 short. We had hoped that it would been closer to 50% and I think for that district it was closer to 40% of the total drop. The other thing in that district, Creekside phase 1 is on one bill and phase 2 is on another bill. When they reconciled the lights, they billed for one light that had to be moved to phase 2. Any further council discussion on 488. Public comment? Hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: no

Mayor Dewey: motion passes 3-1.

d. Discussion/Decision: First reading of Ordinance No. 169, Amending Building & Technical Codes

Mayor Dewey: introduced new business item (d) periodically the building code division at the state updates codes that go down into the municipalities and this time it is the energy conservation code. They gave us a time frame to put this into effect. Gas and vacuum systems. The current contractor does almost everything but that. So it needs to be repealed and the state does not want us to adopt it.

Councilmember Shourd: make a motion.

Councilmember Vick: I will 2nd.

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

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes.

e. Discussion/Decision: Planning & Zoning Board 2021-2022 Work Plan

Mayor Dewey: introduced new business item (e). the planning and zoning board has talked in their meetings that there are things that they would like to work on. So, they had a meeting we worked through an exercise to identify what those problems were what the tasks are who is responsible for them and who would get them accomplished. Admittedly the plan is realistic for the time frame, it holds individuals the staff the board and whatever committees to some sort of a line that we have to work on this we can't push this off another month. It largely addresses the concerns that have been raised through the Burnt Fork Estates review process in terms of land use and what our development code, policy and master streets address. They are listed in order and so more or less the plan is in front of you for your approval, they are on track to have some monthly meetings.

Councilmember Vick: I do really like this type of format. With that I will make a motion.

Councilmember Shourd: 2nd

Mayor Dewey: it has been moved by Mr. Vick and 2nd by Mr. Shourd. Further council comments?

Councilmember Ludington: one of the things that you will see in here is we are looking for a subcommittee preferably members of the community and the town to help in voicing their concerns to help as to what we should really have as a standard for subdivisions so we don't have to go through what we went through the last time, and we can do better in application and trying to create partnerships when putting together neighborhoods so we will be looking for members of the community to help us out and to spend some time to do so research and help us out, hash some things out.

Councilmember Vick: a suggestion to the planning board, maybe a little color code to show like you know if they are coming up to a time when a task is due, but it isn't like, doesn't look like it is going to be on time, maybe a yellow or something like that. So, we can say that task is running behind what can we do to correct that. That is really the only thing that I would suggest I am not going to tack a motion onto that.

Mayor Dewey: I am pleased that you said that that is exactly what mysidewalk will do for us. We will be able to insert initiative-based goals and prioritize under certain sections of that site and be able to track the progress towards those and they will be able to show whether we are on track to get those things done or not. Exactly that coding, the red, yellow, green theory where you say you are green but running up against deadlines it may turn yellow if you past those deadlines then it will turn red. Not only will this be a good internal tool for the planning and zoning board to utilize but it will keep the public informed on how we are doing towards that progress. Because they will be able to visualize that as well through the web site.

Councilmember Shourd: I am really excited to see this process moving forward I would prefer to see it done by July, (laughing form the council)

Mayor Dewey: this is a format that we would like to see it utilized by other boards that are wanting to and willing to for their goals moving forward you may see this type of format coming forward. Is there any other council discussion on approving the work plan?

PUBLIC COMMENT

Bob Michalson: Mayor Dewey and I are the last two soldiers standing from 2016 when this was done. I was a rookie at the time, but it was probably the busiest year that I had ever had on a council and Brandon was very active in it we had many many meetings that Brandon can attest to went to church reported back to the planning and zoning board and Joan Prather and Main Street were very involved at the time it is a big time and it has to be done by law. Can I ask a question Mr. Dewey? Is there a grant for that like there was in 2016 or will the town absorb that cost?

Mayor Dewey: if a growth policy that is not something that the planning board has gotten fully into it is identified on their work plan, and tonight they are only approving the work plan they are not going towards the growth policy the growth policy is identified as a project and part of that process will be identifying how in-depth that policy needs to be done and what that cost would look like. In 2016 we saw a huge overhaul of the policy we spent a lot of money on that

upwards of \$50,000 we are hoping that we do not have to spend that kind of money to rewrite a policy all we need to do is go in and make updates.

Bob Michalson: thank you.

Mayor Dewey: you are welcome. Any further public comment? Hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

f. Discussion/Decision: Cost share for the replacement of fencing at Father Ravalli Park

Mayor Dewey: introduced new business item (f) this is part of the Father Ravalli Park renovation project a good portion of the fence on the north side needs to be replaced the property owner that neighbors us approached us about a cost share, Mr. Sonsteng worked with the neighbor to identify the total linear feet and all those places that are involved in what the benefit to the town would be there is no doubt the town has a benefit to replacing the fence, I think in fact we are largely to blame for the deterioration of the fence as it stands due to the sprinkler system. While we address that we would like to see the fence replaced and since there is an opportunity to cost share the administration is recommending that the council approve such a thing. Cost shares are a bit unusual in this sort of thing and that is why it is coming in front of the council this evening because it is not addressed in policy the total cost to the town of Stevensville would be \$2900.00 which is budget for in the renovation budget from the \$25,000 Jean Thomas beautification project that you approved.

Councilmember Vick: this is not in addition to the \$25,000.00?

Mayor Dewey: no sir it is not it is included in the \$25,000.00.

Councilmember Shourd: one of the questions that came up during park board is whether or not this should go through the bidding process.

Mayor Dewey: so, when we addressed that with Mr. Owens and discussing that from a legal standpoint like I said it is not show that it has to go through some sort of a process in our purchasing policy because we are not pre-curing the services, we are sampling receiving an invoice from our neighbor who is pre-curing and doing all of that piece. We are not facilitating that we are facilitating the actual contract with the fence company or anything like that we are simply reimbursing our neighbor for a portion of the fence. So given all of those circumstances we felt this prudent action would be to give the governing bodies blessing on the project and we should be covered.

Councilmember Shourd: I will make a motion.

Councilmember Ludington: 2nd.

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

Councilmember Vick: is this going to affect any of the project that we had already approved?

Mayor Dewey: no, Mr. Sonsteng had already budgeted for that when he originally proposed the \$25,000.00.

Councilmember Vick: I know that you are stating yourself twice I apologize for that I just wanted to be clear.

Mayor Dewey: thank you, any further council comments? Public comments? With that we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes.

g. Discussion/Decision: COVID-19 precautions at Council meetings

Mayor Dewey: introduced new business item (g). this was kind of topic of conversation at your last council meeting on how you would like to handle precautions that are in place during council meetings currently your ground rules that were previously adopted by council stated that attendees needed to wear a mask and we would do a modified social distancing to what would allow. I will just give a couple of updates; I think anything that you do tonight should be contingent on the library policies because we are using their space and we would like to be consistent with what they are asking with their facility use. So, bear that in mind as you make a decision tonight. Also, today's CDC released guidelines that say if you are vaccinated no longer need no longer have to wear masks and can continue their pre pandemic activities subject to the local things that happen in state and local laws. I guess bear that in mind as you look on how you would like to facilitate any precautions that are in place.

Councilmember Vick: I do have a question I think it was yesterday or the day before Governor Gianforte signed that bill that from my understanding that local governments can not enforce a mask mandate this is a form of one, I just want to make sure that if you continue to require masks in some way shape of form that is not going to clash with that new law.

Mayor Dewey: I will just ask the question, do you intend to continue using masks in meetings, then it is a moot point. Ask that question first.

Councilmember Shourd: it would be my preference to no longer use the masks in the meeting.

Councilmember Vick: my preference is to follow guidance from the CDC as of today.

Councilmember Ludington: that would be my preference as well I would like to see us get back to town hall to meet in there and try to regulate from there as best that we can. Also think that

meeting in the library we should first off make our request known to the library that this is what we would like to do and follow what they would recommend. I think using this space we should be respectful of the people that are operating this facility.

Councilmember Shourd: I absolutely agree. I guess my concerns of the CDC guidelines how the council would go about policing who has a vaccination and who doesn't, who needs to have a mask on and who doesn't. I think that can become a very challenging.

Mayor Dewey: I think if you are going down the road of not requiring masks subject to whatever policy the library has in place, we will continue social distancing measures in the space that we have available and that would help mitigate any risk of someone that is not vaccinated and spreading the disease with out a mask.

Councilmember Shourd: I guess to prioritize it would be to (unclear audio) lift the mask mandate.

Councilmember Devlin: a lot of things were available to all parties that wanted it and I believe that they are available to children as well. I am not really in the mood to decide who has the vaccine and who has to wear a mask and who doesn't want to wear a mask, that is a battle that we have been having for over a year I truly think that we are adults and if people want to come into a group of people vaccinated, not vaccinated, wearing a mask or not wearing a mask that is none of our business. If we are borrowing somebody else's space, I don't believe that it is our right to go one side or the other of what they are proposing.

Mayor Dewey: so, what I am hearing is prioritize the library for the time that we are using their space and their wishes, and we will no longer require masks, but maintain social distancing in the space that we have. Does the council want to proceed in that direction, or do you want to codify that with a motion?

Councilmember Vick: I am with consensus once we can come to an agreement with the library.

Mayor Dewey: Ms. Devlin are you comfortable with proceeding with that.

Councilmember Devlin: I am sorry I couldn't really hear.

Mayor Dewey: we are seeking consensus from the council that we prioritize the library's policy secondary to that we will not wear masks and you will maintain social distancing with the space that we have.

Councilmember Devlin: I think that sounds fine.

Mayor Dewey: okay, with consensus from the council we will proceed in that direction and update, when necessary, we will reagendaize it.

Victoria Howell: can I comment for the library board. it is on our agenda, and I am pretty confident that we are going to get rid of the masks as well, it will be kind of a moot point after that.

Mayor Dewey: we have noticed, Jenelle and I have to set this room up about an hour ahead of the meeting and we have noticed the chairs dwindling, we usually haul them out so you guys

wouldn't notice but the chairs that are in here when we come in are dwindling so that means that they are moving them back into the library for patrons to use so that is a good sign.

Bob Michalson: 222 Turner Street, as everything gets restricted, is there a way that we can go back to town hall than for meetings so we wouldn't have to worry about the library. And your set up and take down takes some time I think we moved over here because of the pandemic so sooner or later it has to go back there I would hope. Thank you.

Councilmember Vick: I am going to say what I said before and that is I miss my chair over there.

Mayor Dewey: we can roll your chairs over. Any further public comment? Okay then we will move on to business item (h).

h. Discussion/Decision: Contract for construction services for the 5th Street Improvements Project

Mayor Dewey: introduced new business item (h). one question that may or may not be raised is why is this contract coming forward and possibly some other contracts don't come before council, received contracts that is. These contracts went through the state law process because they are contracts that are collectively over a certain dollar amount, and they are public works relates so when you do construction services for public like services under state law generally that threshold is \$80,000 then you go through that mandated process so that is why these are in front of you this evening. If you recall you did the bid request and now the contracts are before you this evening it is our intent to proceed with a notice to proceed to the contractors on May 24th. That is when I expect to see groundwork moving and shaken.

Councilmember Vick: I will make a motion to approve the contracts are these contracts separated out?

Mayor Dewey: yes, they are two separate contracts.

Councilmember Vick: okay let me rescind my motion and make a motion to go ahead and clump those two together.

Mayor Dewey: okay, Mr. Vick is making a motion to consider the 5th Street and 3rd Street projects together.

Councilmember Shourd: 2nd.

Mayor Dewey: it has been 2nd by Mr. Shourd. Is there discussion? Public comment? We will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: in front of you tonight is the contract for services for 5th Street and 3rd Street from two different contractors.

Councilmember Vick: make a motion.

Councilmember Shourd: I will 2nd

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

Councilmember Ludington: the contracts are essentially the same I don't think we are going to have an issue proceeding forward.

Councilmember Vick: neither do I.

Mayor Dewey: any further comments on the contracts? Public comment on the contracts?

PUBLIC COMMENTS

Bob Michalson: 222 Turner Street I would like to know if public works is going to fix those big leaks that you and I and George spoke about last summer. When we are putting this all together is would be a shame to not fix those big leaks.

Mayor Dewey: any further public comment. If you read through the contract language it is part of the project to replace every water and sewer service down the street so every service will be new from where the main lies under the pavement to the edge of the pavement.

Councilmember Ludington: there is a spot that won't it is not under the pavement.

Mayor Dewey: there are a couple of spots some houses will receive a new water service, and some will receive a new sewer service so will receive both it just depends on the block where the sewer line runs on the side of the road a water line can run out or under the pavement. All just kind of depends some are on corners. They will all be new. Any further public comment or council discussion. Alright Ms. Berthoud call for the vote.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: motion passes.

j. Discussion/Decision: Funding for repairs to the swimming pool

Mayor Dewey: introduced new business item (j). Last summer we identified that there was a pretty significant leak in the swimming pool and the season was shortened to one month we only ran the month of July because we were losing so much water. Collectively the swimming pool used 135,000 gallons in that one month and that does include filling it of course. 40-50,000 gallons of water was just lost out of the pool itself. We knew that the baby pool was an issue for us, so we closed down the pool early and immediately began evaluating it had HDR engineering

out there to analyze and figure out how the pool sat in space and what was going on. Ultimately we needed to figure out what kind of material was under the pool we determined the floor of the baby pool, the main pool is fine the main pool is just fine and it is solid and it is not moving, the baby pool however we found that the floor was sinking away from the footers that was what was causing the leakage we were losing any were between 2-3 inches an hour out of that surface area so given that there is 24 inched in that pool it did not take long to drain. So the engineers determined that the main pool was solid and it actually sits pretty level with the space around and that the floor had separated from the baby pool and it was sinking. Public works did some drilling on the floor to figure out what was under neither that. One theory was that maybe we could just pump ground under it to stabilize it to keep it from sinking any further. Another theory was the material underneath just needed to be compacted period and we just need to redo a floor with rebar. We also didn't know what the floor was made of in the first place in terms of if there was rebar in it or not, we ended up going with the option of tear it out and recompact turns out it wasn't compacted in the first place it appears that we just poured concrete over dirt. So that is the route that we went in repairing it so, the new floor was poured, it is a bit shallower than the original baby pool was we raised it a little bit to get some more material in there to level it. It is rebar so that floor is not going to sink for a while we approached this with whatever fix we did we did not want to repeat in three years and any fix that we did want to extend the life of the pool. Needs assessments and evaluations on how the pool is utilized has determined that the pool sufficiently serves the need to the community it provides an educational area for kids to learn to swim, it prevents drowning and provides that outdoor recreation opportunity in a safe environment we don't see pool numbers exceeding we rarely ever see that unless temperatures get really high, we have never met capacity and had to turn people away. So, like I said the facility all together is upwards of 70 years old it serves its purpose to the community, and we think we can get another 10 years out of the facility knowing that the main pool is solid and the repair to the baby pool would extend the use. So, in comes the funding piece of this the reason that this is before you tonight is to give you an update and allow you to say specifically how these repairs will be funded. We designated a fund of \$10,000 to repair the pool in the last budget starting on July 1st that automatically takes care of the \$10,000 it is going to cost us roughly \$17,500 that is the estimate for all in done and that includes recoating the pool that is the total fix.

Councilmember Ludington: the whole thing \$17,500.

Mayor Dewey: yes, all in \$17,500 we will be all done with the swimming pool I will tell you that all of the things that I have been involved in with the town of Stevensville hundreds and hundreds of thousands of dollars for what ever reason this little project has been the most complex the most elaborate moving parts. So let me just address what we have where the funding lies and then you can ask your questions and further discuss. The funding for \$10,000 exists within capital improvement budget so there is also room in the parks and recreation budget in general fund because of the pandemic and how everything laid out that budget looks, you will actually see an underspending in that area. In addition to that Mr. Sonsteng has reached out to the community foundation that did have some money set a side in 2010 not all the funding was spent at that time for the rehab project I think six or seven thousand is left in that fund with the community foundation so Mr. Sonsteng is checking with them on that funding and

right now all indications point to yes that the funding could go towards this cause, so we are pretty well got the project paid for through all of those funding sources so I am not necessarily here to tell you or ask you to increase the budget in any necessary line more or less here to brief you on the rapid progression on this project and I will say rapid because we did not have a path to go down to say go and we knew that we were up against an opening date and we did not want to see the date pushed out and that school is out early we can't really start the pool any earlier than June 1st right now because of staffing and other circumstances and in part because of this project June 7th is that opening date. We did not have time to really sit on our hands but just had to say we have to take this action to get the pool open. There you have it in a nutshell.

Councilmember Vick: I was just going to ask isn't this a lot of work for a while in the ground.

Mayor Dewey: it is a lot of work and throughout the entire project to a point that I may have driven people crazy, Bobby and I repeated ourselves multiple times, "we will not be back here in a year and a half, correct" there is some rhetoric out there that this pool is a lost cause this is a lot of money to spend all of sudden. This pool provides a vital service to the community for swim lessons, we fixed the problem permanently we could see where it had been attempted to be fixed but it was not a permanent fix. This is a fix we should never have to put more than \$10,000 into repairing the concrete structure of the pool for the rest of its useful life.

Councilmember Vick: and you are anticipating that the rest of the useful life of the pool is ten years? Is that what I heard correctly.

Mayor Dewey: we are hoping for that, we are saying looking long term and how the community is growing we could get ten years out of this pool we would be sitting pretty and that buy the governing body some time and that they can strategize that possible replacement. Now that replacement may not happen in ten years but maybe in ten years you will have a plan for it.

Councilmember Vick: how much of this \$17,500 is unaccounted for that we don't know yet where we are getting our funding source from?

Mayor Dewey: if the foundation comes through then the only funding that is not lined itemed for this project is about \$1500.00 but that room is available within Bobby's budget in other areas that he didn't spend. So, the spending authority is there throughout the budget with the exception of the grant where we are going to have to obviously fix the accounting for that but outside of that the spending authority is there today if we needed to. it is not an area where we are going over budget in terms of the over all budget it is an area that the project itself is over running its budget. If you recall I think our original projections, we were thinking that the pool could cost up to \$20,000 to fix and then the engineers backed down and said "well if we can do a few of these things we might be sitting okay" so we thought \$10,000 was a more appropriate budget to do we were wrong.

Councilmember Vick: I guess my last questions would be, so the work has already been completed, correct?

Mayor Dewey: with the exception of the coating. Yes, the concrete and the slab is in there and curing currently. Like I said I am not necessarily here to ask you for permission on the project but more or less an update on the where we sit on it and that there is some gravity to the

situation, and you can provide some feedback on what you would like to see it progress but if there is nothing and I am okay.

Councilmember Vick: I do know of a couple of different organizations so I can get with you and Bobby about that.

Mayor Dewey: sure, okay. Is there anything further from the council? Okay then we will move on.

k. Discussion/Decision: Cancellation or rescheduling of June 24, 2021, Town Council Meeting due to Councilmember planned absences

Mayor Dewey: introduced new business item (k). I was notified by two and three councilmembers that they would be out town and not able to attend that meeting due to other scheduling conflicts. You would not be able to hold a meeting so the question that I have for you is do you want to cancel the meeting altogether and pay claims out of cycle or do you want to schedule that for an alternative date that week.

Councilmember Shourd: is there any expectations of any major issues coming up that we should address?

Mayor Dewey: no, part of the reason we brought this up over a month in advance is that we want, if you were going to cancel the meeting then Jenelle and I would formulate your agendas accordingly this agenda was obviously a heavy agenda then your next agenda wont be as heavy and I am making some travel arrangements as well so your June 10th will probably be another moving and shaking meeting and then if you reschedule and go forward and just cancel we will agendaize accordingly. You cancel the meeting, and something comes up that is urgent there is nothing that says I can't call a special meeting in 48 hours that opportunity exists. It is council's preference if you want a gap between meetings.

Councilmember Devlin: I am not in a position to rescheduling.

Councilmember Shourd: make a motion to cancel the June 24th meeting.

Councilmember Ludington: 2nd.

Mayor Dewey: it has been moved by Mr. Shourd and 2nd by Mr. Ludington to cancel the June 24th meeting. Mr. Shourd has moved to let the claims be paid out of cycle and Mr. Ludington 2nd. Comments on the amendment? Public comment on the amendment?

PUBLIC COMMENT

Bob Michalson: I know that this is out of order, but you did not vote on that last swimming pool.

Mayor Dewey: there was no vote required. Just because it says decision doesn't mean that one will happen. Back to the matter at hand. Is there a public comment on the motion to pay claims out of cycle?

Leanna Rodabaugh: this is back to item (j)

Mayor Dewey: if this is not to do with the.

Leanna Rodabaugh: don't shut me up.

Mayor Dewey: Ms. Rodabaugh we are going to keep control of the meeting we are asking specifically for public comment

Leanna Rodabaugh: you are very nervous about item (j) I know. You paid for this work

Mayor Dewey: Ms. Rodabaugh please take your seat, or we will adjourn the meeting, Ms. Rodabaugh please take your seat if you are not going to speak to the item at hand you are not allowed to. Ms. Rodabaugh, I have asked you to sit down and if you are not going to speak to the item that the council is considering, we will adjourn for a recess for 10 minutes.

BREAK

Mayor Dewey: the council is considering an amendment to cancel the June 24th council meeting the amendment on the floor was to allow administration to pay claims out of cycle due to the cancelation of that meeting. Is there any public comment on the amendment?

Councilmember Vick: I do have a quick question we will still see those claims at another meeting?

Mayor Dewey: yes, they will be brought to you at the next meeting.

Councilmember Ludington: I guess my only concern is the last meeting of the fiscal year and there may be some stuff that carries over that might have...

Mayor Dewey: we will pay everything that we can and get that done and that will show up on your July set of claims it is not atypical, with that lets call for the vote on the amendment on the motion, Ms. Berthoud

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: the motion on the floor amended is to cancel the June 24th council meeting and pay claims out of cycle. Public comment on canceling the meeting, any last words from the council? Hearing none we will call for the vote, Ms. Berthoud.

Councilmember Devlin: aye.

Councilmember Ludington: aye.

Councilmember Shourd: aye.

Councilmember Vick: aye.

Mayor Dewey: alright the motion passes.

12. Executive Report

Mayor Dewey: you have been briefed by the department heads on department matters. One thing that I will brief you on is that we have had two meetings internally with department heads on Thursday mornings provided updates and all those things to improve the internal communication inside the organization with in the departments out of our work shop on a fifth Friday we were not aware that some departments are not as informed as others due to a volunteer status in order to adjust that we thought it would be better to try a weekly meeting and see if that improves communication and I can venture to say that after two meetings it has been successful and I think that people feel more informed and that they have a better idea of their department and others, success there. I don't have any other items to bring to your attention in the executive report I will address what just happened and I think that it needs to be addressed and some may not agree with me I have been extremely patient with Ms. Rodabaugh I have allowed her to go to great lengths to disrupt our meetings with the disrespect that she shows me and all of you and members of our council I will speak candidly. She stirs around with her plots to destroy my credibility and perhaps maybe even my career with an emphasis on me she attacks myself and my family the staff anyone that might have a sense to see the good work that we are trying to accomplish for our community and the benefit to the community and what this organization achieves for a better quality of life. While she has done all of that I have had an opportunity to observe these meetings throughout the community and have come to the realization that this isn't about accountability for her I think you all know this I welcome accountability I see absolutely nothing wrong with being held accountable but that is not what she is about that is not what is being achieved. I remember early on Ms. Rodabaugh came to into my office she wanted to bring me advice and at that time even offered to care for Carter because I brought Carter to work with me. And based on the experience that I have had with Ms. Rodabaugh to date it scares the hell out of me that she would be around my children any of them. She has shown an obsession with how I conduct myself in all respects of my life career and personal. It is unnerving to the point that my home becomes a fortress at night in fear of that she might try to harm someone, I am not afraid of a little lady that is not what I fear I have only observed a person who doesn't have limits to damage. I volunteered, and some of you know this I have been right alongside you; I have volunteered dozens of hours in this community and the only reason is to make it a better place and I have done is so humbly and that is the principal that I was raised to do so in this community I think that is all of us. I contribute to Stevensville in positive ways through civic organizations through projects even here at this table in our town government. I guess the point is Ms. Rodabaugh is causing some pain to this community that I don't want to stand for any longer a person doesn't participate like that any other way but to attack and dismantle the good that so many of us are working day in and day out to accomplish if you wish to be the town crier than contribute to a seat at the table to make change. Hiding behind a computer screen and keyboard, spouting lies at the podium with accusations that are untrue for our community it only makes hate and conflict. We don't do that in Stevensville we don't hate, and we don't do conflict and there is a long history of that, and we have allowed it to go on and I just wish that it would stop. If we are after a goal and let's talk about what that goal is and how to achieve rather than going and trying to tear people

down and lack progress for our community, I get so tired of people twice my age that have live here half as long as me telling me that I am ruining this town and I don't see that, it is just so few and those people themselves wont contribute in any other way we are not expecting everyone to join the civic club and help build a splash pad I don't see any one helping instead of complaining about how much the pool costs us money step back and say thank god we could do that thank god we were prepared to do that and fix the pool instead of just shutting it down and the community cry out to the council that they took a vital service away from their kids. I will just leave you with those remarks, the bottom line is I am not dealing with that anymore we are not dealing with that if that is how it is going to be I am not interested in participating I can find better things to do with my time, I think that everybody could so forgive me if it appears that I loose my temper in meetings moving forward I wont allow it any further, I have reached the end of the rope.

13. Town Council Comments

Councilmember Vick: I am going to start off with and email that we all received about a comment that I made, well Mr. Mayor this is one of the few times that I agree with you, in fact of the matter is that I was attempting to make a light hearted comment sitting at this table can be dull and what not it is not always exciting and everything I do love it and don't get me wrong there I was just trying to break the monotony and for anyone in the public that thought that I was trying to bring a personal bias into this meeting I apologize that was not my intent. Fact of the matter is there are somethings that the mayor and I agree on and there are somethings we disagree on but when it comes to my decision making in this seat, I don't allow my personal bias to come here. I just personally do what I believe is in the best interest of this town. I am wanting to seek some advice from the mayor and the rest of the council about my board appointment, I guess my work schedule I am unable to make those board meetings and this is not fair to the airport and this is something that I have discussed with the airport board the other night they were not interested in moving the meeting date and so I am looking to see if anyone had meetings that occurred on a different night and if they would like to swap boards with me if we came to an agreement on that. That is all that I got.

Mayor Dewey: I made a note about you switching boards and I will fire off an email to the council to see if there is interest in a trade or take on and we can agendaize it on the next meeting for you guys to consider an arrangement on how ever that looks. I will outline meeting dates.

Councilmember Shourd: a question regarding up-and-coming Planning & Zoning meetings will they be in person, or will they continue to be on ZOOM?

Mayor Dewey: my sense is and Paul may be able to speak to this, my sense is that the board is inclined to use ZOOM meetings out of convenience.

Councilmember Ludington: I think a lot of the, I think part of the issue is most of these meetings are long and they are going to continue to be long probably for the next 12-14 months until we can get some this stuff updated and kind of on a fast track, so when you start the meeting at 6:30 for people who don't work in town it makes it hard for them to get where they need to be on time it works okay for me I don't mind being at home I guess if we start to hear, that is really

why I was pushing for the subcommittee in a separate forum so we can come together and try to solve some of these issues, so we can meet independently and don't have to contend with (unclear audio) that continues to go on. So, I think that is what we will do, and I think there will be a time that we will have to meet to try to come with some recommendations for the council until than a lot of the ground work is going to be happening independently of each other.

Mayor Dewey: we will maintain virtual participation protocols for any virtual meeting that occurs in the organization, any boards that continue to we will continue that virtual participation piece. Any further council comments, Jaime, I can't see you.

Councilmember Devlin: I am debating on whether I want to have a council comment or not, I think that I will wait.

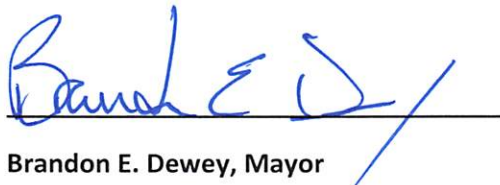
Councilmember Ludington: I will say that will be gone in June for a couple of different incidents out of state so I will be able to attend on the 10th and would have been on the 24th but I will be out of the state for a couple of different times.

14. Board Reports

Councilmember Vick: I do think that it is funny that I just said I wasn't able to make those meetings but this week I was able to make the airport board meeting, the biggest thing that the board voted on and has passed on to the county commissioners is the county gravel pit is almost at the end of its life there is only about 2 years of gravel left in that pit they are looking to see if we can allow them to break for gravel on the north side even after the extension when the project is finished we will still be in a safe distance and all of that. Once the county commissioners take care of their thing we will see it come back to us for approval that was my recommendation to the board the good thing out of this it is looking, what they are seeing right now based on current technology it is about 30-50 years of gravel there at an estimated one million dollars for the project that would not be our cost it would be what the airport receives so, they are estimating per year \$20,000. Just depends on how much they break out of there. The climate advisory board is still plugging along still looking for members anyone that wants to join in.

15. Adjournment

APPROVED:



Brandon E. Dewey, Mayor

ATTEST:



Jenelle S. Berthoud, Town Clerk