

Stevensville Town Council Meeting Minutes

for THURSDAY, OCTOBER 13, 2022, 7:00 PM

206 Buck Street, Town Hall

CONDENSED MINUTES

1. Call to Order and Roll Call

Mayor Gibson called the meeting to order, councilmembers Barker, Brown, Michalson and Wolff were all present.

2. Pledge of Allegiance

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

Jim Tadvick: 509 Mission Street, any way that we can get no J-Turns back on Main Street, Stoneydale Press sign at the corner of Main Street and South Ave, it is blocking the view.

Mayor Gibson: the people have been approached before; they meet the town ordinance. I assume that the family still runs it, I agree it is a problem.

Kelli Weed: 4201 South Cougar Lane, I would like to express my disappointment in the council for making the choice to surplus the courtesy car at the airport. Without the boards consultation and advice. The courtesy car is funded by the state of Montana aeronautics, the insurance that should be provided by the airport fund I believe that this choice has broken trust between the council and the airport board and the state department.

4. Approval of Minutes

a. Special Town Council Meeting Minutes 09/01/2022

Mayor Gibson: introduced the approval of meeting minutes for 9/1/2022

Councilmember Michalson: make a motion to approve 9/1/2022.

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

Mayor Gibson: motion and a 2<sup>nd</sup>, discussion on the minutes? Public comment on the minutes? Seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Michalson: aye.

Councilmember Wolff: aye.

Mayor Gibson: passes 4-0

b. Special Town Council Meeting Minutes (Closed Session) 09/07/2022

Mayor Gibson: introduced closed session meeting minutes, if you have comments, please get those to Jenelle.

Councilmember Michalson: make a motion to approve the closed session meeting minutes of 9/7/22.

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

Mayor Gibson: motion and a 2<sup>nd</sup>, any discussion? Public comment? Seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Michalson: aye.

Councilmember Wolff: aye.

Mayor Gibson: passes 4-0

5. Approval of Bi-Weekly Claims

a. Claims #17912-#17992

Mayor Gibson: introduced bi-weekly claims.

Councilmember Barker: I move that we approve the bi-weekly claims, #17912-#17992.

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

Mayor Gibson: motion and a 2<sup>nd</sup>, council discussion?

Councilmember Wolff: page 2, they are mostly information for myself #17970, well pump. It brought up in my mind how old was the pump.

Pam Sosa, Finance Officer: I will have to find out.

Councilmember Wolff: there was still a charge.

Mayor Gibson: yes, but it probably would have been around \$3,000.00 with out the warranty.

Pam Sosa: you pay for them to do the repairs.

Mayor Gibson: I think that we lucked out I think we had about a year to go on the warranty.

Councilmember Wolff: it would just be interesting to know how old and how long these things last.

Mayor Gibson: I am not sure; we were fortunate that it was under warranty.

Councilmember Wolff: #17973, \$1200.00 master meter water license fee.

Pam Sosa: software, a system that reads that meters.

Councilmember Wolff: #17983, Northwestern Energy. Additional town lighting? What does that mean?

Pam Sosa: It is not a lighting district. Bike path?

Mayor Gibson: we are looking into that; we have electricity from the Forest Service down the path.

Councilmember Wolff: #17984, Civic Plus.

Jenelle Berthoud: yearly fee, online meeting building.

Councilmember Michalson: Grizzly Broadband, airport, haven't seen that before.

Pam Sosa: changed the service back in March and it is a monthly fee.

Mayor Gibson: any of questions, any comments? Seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Michalson: aye.

Councilmember Wolff: aye.

Mayor Gibson: passes 4-0

6. Administrative Reports

Mayor Gibson: introduced administrative reports.

a. Airport

b. Building Department

c. Finance

d. Fire Department

e. Police Department

f. Public Works

7. Guests

NONE

8. Correspondence

NONE

9. Public Hearings

a. Discussion/Decision: Rephrasing Request of Twin Creeks Subdivision Phase 3, Reduction of R-1 Lots and Increase of Common Area

Mayor Gibson: introduced public hearing item a. This was approved back in 2021. It reduces the number of lots it stays R-1 and increases the common area.

Ron Ewart, PCI: introduced public hearing item a. I want to make things clear. You all know where Twin Creeks is, (referencing a map) proposing to get rid of 15 lots. It is just too much expense to extend utilities out that far. Just deleting lots.

Mayor Gibson: with council's permission we will go to public comment.

#### PUBLIC COMMENT

Penny Newman: I live in the Twin Creeks subdivision, I do want to ask a couple of questions, it will be an additional 49 homes moving in there. Let's say that each home has 4 people that is 196 people. I understand that we are on well water has there been a study that we can handle 196 more people.

Mayor Gibson: you are on city water, I just want to make it clear that I understand that you have concerns, but this was approved by the previous council and administration to move forward. It has already been approved.

Penny Newman: it is going to be an additional common area; will that common area belong to the HOA and how will that work?

Ron Ewart: the common area will be owned and maintained by the HOA at no cost to the city.

Penny Newman: so, the homeowners association will be responsible for making sure that if there is any runoff water that they are going to have to encore the cost if there needs to be going on with water or sewage in that area.

Ron Ewart: it will be hooked to Stevensville town sewer.

Penny Newman: but if it is not going to be developed, if you are not going to be developing it is it going to be higher up?

Ron Ewart: I can tell you that each home will be 2 feet higher than the sidewalk which is level with the crown of the street, and we are going through DEQ and engineering staff.

Penney Newman: but the HOA is going to have a responsibility of keeping it up and maintaining a common area, and if that incurs any issues it will be the HOA's responsibilities.

Mayor Gibson: when they get going, they are going to have to pay the town fees to hook up water and sewer and the town has to inspect that. Our public works people have to inspect that.

Penny Newman: so, we will not have to be doing that on ourselves. We will be working with the city to make sure that this is getting done properly.

Mayor Gibson: whoever they hire to do that they pay a fee and then the town has to approve.

Penny Newman: does this need to be done while they are developing it or after.

Mayor Gibson: anything that they ask to build on in phase 2 or 3.

Penny Newman: that common area is in phase 3 so we may be able to wait.

Gene Colber: I live on Holly Lane, across from Cimarron Lane. My questions are mainly technical questions. On the plat there is a note, CA1 and CA2 with dedicated by filing. What does that mean?

Ron Ewart: so that is a good question they won't be filed with the HOA and the state until phase 3 which depends on how quickly they build it out.

Gene Colber: what does that mean, the use of the common area is delayed?

Ron Ewart: recreation area for people, I think that it will be a very nice spot, it will always be open to the people.

Gene Colber: one thing that I see is that the youngsters camp by the creek. I know that the creek is very full of broken trees and stumps and not safe.

Ron Ewart: there will be a lot of work to clean up, there will be nice homes in here.

Gene Colber: I am just concerned.

Ron Ewart: I can assure you that it is okay to walk through there.

Gene Colber: burning of the creek on the north end, is there any plan that with this development that it could be burned at the south as well?

Ron Ewart: I do not know that, but I can look into that.

Gene Colber: yes, and particularly when it freezes it floods.

Ron Ewart: we are welcome to your comments especially from those that have lived there a long time.

Mayor Gibson: thank you any further public comment. Council comment?

Councilmember Michalson: I think that this is a great idea, less strain on our water and sewer. But why would any developer take away from the number of lots.

Ron Ewart: before there

Councilmember Wolff: as Gene indicated, I am happy that you are lowering the number of lots, it does look like a number of creeks, would you say that there is a high-water table there and is that part of the reason to reduce the number of lots.

Ron Ewart: when this first went through the 2 acres to the west of this was part of this and now there is a different owner there, they are okay with this but now that 2 acres comes out of it. Lots in the southwest corner. We started to run the numbers the initial fees for water and sewer, the cost on the return is lower. It is good for the folks that live around there, it is a good deal all around. When we work the extra infrastructure into it not worth it.

Penny Newman: will there be a plan to develop that.

Ron Ewart: it will always be a common area.

Councilmember Wolff: just as Gene indicated, overall, when I looked at the map, there are a lot of creeks, at least one big one, and a pond. Would you say that there is a high-water table there? Is that why they decided to do away with the lots?

Ron Ewart: it is more expensive when dealing with a water table you have to build up and do different drainage. It is really not worth it, you look at the environment around there, the folks that live there. Let's concentrate on more open space.

Mayor Gibson: any other questions, (citizen in the audience, excuse me) we will allow, come on up.

Penny Newman: I am confused, I am talking about the area back there as the common area, the common area in our area is taken care of by the HOA. Is the HOA going to be responsible for this open area.

Ron Ewart: the idea is, your cost will stay the same. The people that live here will have to pay for maintenance, we don't see a lot of maintenance maybe some weed control.

Penny Newman: but it is the HOA's responsibility.

Ron Ewart: right.

Penny Newman: open area is different than common area.

Ron Ewart: they will want to leave this open for the wildlife. That is the goal to leave this open for wildlife.

Penny Newman: so, it is not up to the HOA on what to do with it.

Ron Ewart: it is, but it will be open.

Councilmember Michalson: I make a motion that we accept the rephrasing request for Twin Creeks Subdivision Phase 3, Reduction of R-1 Lots and Increase of Common Area

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

Mayor Gibson: motion and a 2<sup>nd</sup>. Further discussion? Seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Michalson: aye.

Councilmember Wolff: aye.

Mayor Gibson: passes 4-0

10. Unfinished Business

a. Discussion/Decision: Second Reading of Ordinance No. 170 an Ordinance Adopting Revised Building and Technical Codes Required by the State of Montana by Amending Chapter 6 of the Stevensville MT Municipal Code

Mayor Gibson: introduced unfinished business item a.

Councilmember Wolff: I make a motion to approve 2<sup>nd</sup> reading of Ordinance No. 170 an Ordinance Adopting Revised Building and Technical Codes Required by the State of Montana by Amending Chapter 6 of the Stevensville MT Municipal Code

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

Mayor Gibson: motion and a 2<sup>nd</sup>. Public Comment? Further discussion? Seeing none, Jenelle would you please call for the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Michalson: aye.

Councilmember Wolff: aye.

Mayor Gibson: passes 4-0

## 11. New Business

a. Discussion/Decision: Cross Walk and Street Access at South Avenue and Main Street

Mayor Gibson: introduced new business item a. this is from a citizen, goes along with what Mr. Tadvick had to say. There is some problem with the kids going to Burnt Fork Market for lunch and then the left turn, we have all done it. Some day we might be looking at that too.

Councilmember Barker: I move that we approve cross walk and street access at South Ave. and Main Street

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

Mayor Gibson: we have a motion and a 2<sup>nd</sup>. Any public comment?

PUBLIC COMMENT

Jim Tadvick: where would the cross walk be?

Jenelle Berthoud: it would be painted going north and south on South Ave.

Councilmember Michalson: this afternoon Councilmember Wolff and I met to look at the concerns that the lady put on the agenda, not only the crosswalk but the people that are coming in at that angle. I think that the sign needs to be moved maybe more north and that tree needs to be trimmed. We also asked in the owner of Burnt Fork Market was there because we wanted to ask him to either block that entrance or make it an exit only.

Mayor Gibson: believe it or not we have had this discussion and it looks like they have more entrances than are required some in the back are for fire, that is down the road to have that discussion. We will try to contact about the owner of that sign. At the current time it does not violate town code. This is a start if you approve the cross walk.

Councilmember Barker: I believe at one time that entrance was blocked off and I think after the current owners down the road opened it up again. Rachel Burke is the one to get a hold of for Stoneydale Press.

Mayor Gibson: I do it, we all do it. It is misfortunate there is hardly any traffic coming this way.

Councilmember Wolff: a big part of it is the tree.

Mayor Gibson: we will have to look at the tree and if it is it in our boulevard.

Councilmember Wolff: I think that it is required by ordinance.

Mayor Gibson: only if it is in a certain area. We have had this discussion before about dead trees, we were responsible to cut them down.

Councilmember Wolff: so, it is not a hazard.

Mayor Gibson: we are going to try and get with the owner.

Councilmember Wolff: I just wanted to add in the tree because I think that it is important.

Mayor Gibson: right now, we are on the crosswalk, that is a future discussion. We have a motion and a 2<sup>nd</sup>. Mac, do you have something?

Chief Mac Sosa: yes sir, I actually have an agenda item at the next meeting to address these things.

Mayor Gibson: we have a motion and a 2<sup>nd</sup>. Councilmember Barker?

Councilmember Barker: painting of the crosswalk, will this lead to ADA requirements.

Mayor Gibson: on the crosswalk, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Michalson: aye.

Councilmember Wolff: aye.

Mayor Gibson: passes 4-0

b. Discussion/Decision: Installation of a Yield Sign at the Corner of E. 3rd Street and Railroad Avenue

Mayor Gibson: introduced new business item b. the officer is ill so I will ask Mac to come up and speak about it.



Chief Mac Sosa: this was brought up by Officer Schaffer he reached out to students, staff, teachers and the business owner on Railroad Ave. surprisingly what he found was the students were the ones that feared that intersection, a lot of near misses when they leave the school campus. There have been a lot of near accidents and that intersection is pretty treacherous. The only thing that is slowing people down is the potholes on that street.

Mayor Gibson: thank you Mac is there a motion?

Councilmember Brown: I will make a motion to approve the installation of the yield sign at the corner of east 3<sup>rd</sup> Street and Railroad Ave.

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

Mayor Gibson: we have a motion and a 2<sup>nd</sup>. Further discussion? Seeing none, Jenelle would you please call for the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Michalson: aye.

Councilmember Wolff: aye.

Mayor Gibson: passes 4-0

## 12. Board Reports

Councilmember Brown: I attended my first Airport Board Meeting on October 11, 2022. The board explained to me that there are many items that are going to be presented at the October 27<sup>th</sup> meeting. I also suggested that the board have all the documents attached so that the council has all of the information. I also asked that they attach information to their board meetings as well.

Mayor Gibson: just a couple of things, received notice today that the county is going to give the money for water and sewer at the airport. Not sure if there is a match at this time. Bi laws will not be on the 27<sup>th</sup> meeting, they need to be reviewed by our legal counsel.

## 13. Town Council Comments

Councilmember Michalson: I am willing to help for leaf pickup, contact town hall or myself.

Councilmember Barker: I want to give kudos to the Scarecrow Festival. It has been a long time since we have seen that many people.

## 14. Executive Report

Mayor Gibson: as you all know there is an increase in traffic, we have issues. What Mac is looking into is like what they have in Hamilton. Placing flags at crosswalks. J-Turns, it is getting worse every day. We are going to do it we just have to go through the process. Mac we are getting a cop car from Helena and we are going to use some of the funds from the chili feed.


Chief Mac Sosa: it was just brought to my attention today of another possible funding opportunity.

Councilmember Michalson: Jenelle knows that I have turned in an agenda item for reinstall the J-Turns into the ordinance.

Councilmember Wolff: I could not find it when we were talking about the obstruction at South, but there is a section of the town code 22-4-26 pruning of trees. (Councilmember Wolff read town code 22-4-26).

15. Adjournment

**APPROVE:**



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**Steve Gibson, Mayor**

**ATTEST:**



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**Jenelle S. Berthoud, Town Clerk**