

Stevensville Town Council Meeting Minutes

for THURSDAY, MARCH 14, 2024, 6:30 PM 206 Buck Street, Town Hall

CONDENSED MINUTES

1. Call to Order and Roll Call

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

2. Pledge of Allegiance

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

NONE

4. Approval of Minutes

a. Town Council Meeting Minutes 02/08/2024

Mayor Michalson: introduced town council meeting minutes for 02/08/2024.

Councilmember Smith: I move that we accept the meeting minutes for 02/08/2024.

Councilmember Barker: 2nd.

Mayor Michalson: motion and a 2nd. Council discussion? Public comment? Seeing none, Jenelle take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

b. Special Town Council Meeting Minutes 02/14/2024

Mayor Michalson: introduced special town council meeting minutes for 02/14/2024

Councilmember Nelson: I move that we accept special town council meeting minutes for 02/14/2024.

Councilmember Barker: 2nd

Mayor Michalson: motion and a 2nd. Council discussion? Public comment? Seeing none, Jenelle take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

c. Town Council Meeting Minutes 02/22/2024

Mayor Michalson: introduced town council meeting minutes for 02/22/2024.

Councilmember Smith: I move that we accept town council meeting minutes for 02/22/2024.

Councilmember Nelson: 2nd.

Mayor Michalson: motion and a 2nd. Council discussion? Public comment? Seeing none, Jenelle take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

d. C.O.W. Meeting Minutes 02/27/2024

Mayor Michalson: introduced C.O.W. meeting minutes for 02/27/2024.

Councilmember Smith: I move that we accept C.O.W. meeting minutes for 02/27/2024.

Councilmember Brown: 2nd.

Mayor Michalson: motion and a 2nd. Council discussion? Public comment? Seeing none, Jenelle take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

e. Special Town Council Meeting Minutes 02/29/2024

Mayor Michalson: introduced special town council meeting minutes for 02/29/2024.

Councilmember Barker: I make a motion to approve special town council meeting minutes for 02/29/2024.

Councilmember Nelson: 2nd.

Mayor Michalson: motion and a 2nd. Council discussion? Public comment? Seeing none, Jenelle take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

5. Approval of Bi-Weekly Claims

a. Claims #18834-#18838, #18840-#18882

Mayor Michalson:

Councilmember Smith: I move that we accept claims #18834-#18838, #18840-#18882

Councilmember Nelson: 2nd.

Mayor Michalson: motion and a 2nd. Any discussion on the claims? If you look at item 18869 on First Call, .gov licenses. Jenelle, would you give an overview.

Jenelle Berthoud, Town Clerk: when .gov shut down in October they do not hold on to any of our information for the transferring of it. So, we have to put everything back in again. First call is going to the IT side of it and I will add in the towns information.

Mayor Michalson: any questions on the claims?

Councilmember Brown: claim #18838, \$50.00 do we do that every year.

Gina Crowe, Finance Director: Robert told me that we have had our membership for years.

Stephen Lassiter, Public Works Supervisor: they give us recognition, planting of trees.

Mayor Michalson: any further discussion on the claims? Questions from the public? Seeing none, Jenelle, would you take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

6. Administrative Reports

a. Airport

Will Rowe, airport manager: report was provided in the packet. Will gave a brief overview of his report.

b. Building Department

In the packet.

c. Finance

d. Fire Department

Jeff Motley, Fire Chief: report was provided in the packet. Jeff gave a brief overview of his report. Open burning in the town limits is open this month of March, for one month

e. Police Department

f. Public Works

Stephen Lassiter, Public Works Supervisor: report was provided in the packet. Stephen spoke about the clean up at Riverside Cemetery and we took down the bathroom at River Park. Railroad ties put in at Lang Park to keep people off of the grass. Fixed the stop sign at 5th and College.

7. Public Hearings

a. Discussion/Decision: Proposed Amendment of Ordinance 141, and Ordinance Incorporating Various Airport Ordinances, Resolutions and Policies into and Establishing Title 3-Airport of the Municipal Code of the Town of Stevensville

Mayor Michalson: introduced the public hearing. opened the public hearing, to public comment.

Jeff Motley: under budget it is stricken out and does that mean that part is going to be removed.

Will Rowe, airport manager: yes, the part that we are changing is the board, the mayor, finance officer and the manager will go over the budget. We taking that away from the board, we have tried this in the past. We get this crazy list of items, and we waste our time going back and forth. So, the board will have input but as far as the board meeting with the mayor, myself and the finance officer about the budget it will not be happening.

Jeff Motley: 3.35 airport fund, it was regarding funds raised by the airport, all funds raised go to the airport fund not the general fund. Does that mean that all the monies generated go to the airport fund?

Will Rowe: the airport does not have a separate bank account, since we go along with the FAA, we have to follow that. Lease payments and all that comes back in goes to the general fund and then into the airport fund.

Gina Crowe: any money that comes from the FAA it goes to the airport fund.

Jeff Motley: I understand that, leases are not through the FAA, it still goes into that fund.

Gina Crowe: yes, those go into that fund.

Mayor Michalson: any other comments from the public on this agenda item. Seeing none we will close this part of the public hearing.

Mayor Michalson: proposed changes to Ordinance No. 141. May I have a motion please.

Councilmember Nelson: I move that we propose amendment of Ordinance 141 and Ordinance Incorporating Various Airport Ordinances, Resolutions and Policies into and Establishing Title 3-Airport of the Municipal Code of the Town of Stevensville .

Councilmember Barker: 2nd.

Mayor Michalson: motion and a 2nd. Council discussion?

Councilmember Brown: a couple of questions, I did notice that there is article 4 the target economic development area is not in here is it going to be removed.

Jenelle Berthoud, Town Clerk: the ordinance that is in your packet is the only Ordinance that the town has on file, Ordinance No. 141, and the only changes that are being presented or that Will has presented are in bold or a line drawn through them.

Councilmember Brown: I printed this off the website, the whole chapter 3.

Will Rowe: there is nothing changing. We did not change anything from that part.

Councilmember Brown: I did not see anything to go with it.

Will Rowe: if anything, we would remove that. Part of this is the way that you go into the website, it is confusing.

Mayor Michalson: any further comments from the council? Seeing none, any other comments from the public? Seeing none, Jenelle, would you please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

8. Unfinished Business

a. Discussion/Decision: Emergency Facilities & Land Use Agreement Between the USDA Forest Service and the Town of Stevensville Airport

Mayor Michalson: introduced unfinished business item a. Will, would you like to say anything.

Will Rowe: nothing has changed, it is the same as it has been. All that this is to update the information and the date on the agreement.

Councilmember Barker: make a motion to Emergency Facilities & Land Use Agreement Between the USDA Forest Service and the Town of Stevensville Airport

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd. Council discussion?

Councilmember Brown: did the fees go up that we get paid and did the other departments get to review the contract and did they say that it look all good?

Mayor Michalson: yes, I sent emails, Jeff came into my office today and talked about it. I also sent it to Greg to be reviewed by town ordinance.

Will Rowe: the fees are set by the forest service.

Councilmember Smith: do I understand that if we approve this or not the feds can come in anyway?

Will Rowe: exactly, we are a federally funded airport. So, if we approve this, we can collect revenue.

Mayor Michalson: any further council discussion? Public comment?

Jeff Motley, Fire Chief: If I understand this correctly, this is for the use of equipment not wages?

Will Rowe: it is strictly a land use agreement. The forest service will do their own dust abatement. They pay the wages, not the land use agreement. That falls under the pcode.

Jeff Motley: so, dust abatement in this agreement, are we providing or not?

Will Rowe: you would have to provide it. The contract states that they have agreements in place within the forest service to do the dust abatement. What happened in 2017 was not correct. Pinesdale doing it and then through the town.

Jeff Motley: so why does it say dust abatement on the contract?

Will Rowe: it is the amount that they will pay to put that kind of equipment on the land.

Jeff Motley: I understand, but if it is going to state a dollar amount is the town going to get that amount?

Will Rowe: yes.

Mayor Michalson: I have a motion and a 2nd, any further discussion from the council? Public comment? Seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: no.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 3-1

b. Discussion/Decision: Schedule a C.O.W. Meeting Date and Time to Continue Reviewing Job Descriptions

Councilmember Barker: make a motion to schedule a COW meeting date and time.

Councilmember Nelson: 2nd.

Mayor Michalson: I have a motion and a 2nd. Do I have a date?

Council/Mayor: discussion on dates and times took place.

Date and time chosen: April 3, 2024, at 6:00 pm

Mayor Michalson: motion and a 2nd. Further discussion? Public Comment? Seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

9. New Business

a. Discussion/Decision: Request RFP for Abatement Services to Cleanup Property Located at 523 E 3rd Street, Stevensville, MT

Mayor Michalson: introduced new business item a. Request RFP for Abatement Services to Cleanup Property Located at 523 E 3rd Street, Stevensville, MT. We have some citizens here that have been fighting this a long time, going back to the 90's. This is the fourth time that it has come in front of a district judge. The town was ordered many times to clean up the

property. The problem that I have with public works doing it is that they can get started and then they have to go and do another job and aren't able to get back to the cleanup not fare to them. We also have to enforce our town ordinances after this cleanup takes place. When you get up to comment if you do, please stick to the point, I know that there are other properties that need to be cleaned up. Mayor Michalson read from page 7 item 65, from the court order. (cleaning up of the property). After reading this, you can say what you want to say but he is smart, he has gotten away with this. It is sad that a judge has to tell us to clean up our town, shame on us.

Councilmember Barker: make a motion to request an RFP for Abatement services to Cleanup Property Located at 523 E 3rd Street, Stevensville, MT

Councilmember Nelson: 2nd.

Mayor Michalson: motion and a 2nd. Council discussion?

Councilmember Barker: I have been by the property, is there living quarters on that property that they are living in. Does he have water and sewer on there?

Mayor Michalson: we will find some stuff as we get in there. We have to be careful.

Councilmember Barker: piles of debris, are there other outbuildings that they will be destroying or no. Are there companies that come in and do stuff like this?

Mayor Michalson: yes in fact there are two companies, I talked to Nancy Lowell she remembers them doing a good job.

Councilmember Barker: who is more responsible for this, Berta Farms or Frank.

Mayor Michalson: that is his corporation that he has formed, you can see that in the paperwork. In the end he is the one that is going to have to pay.

Councilmember Brown: it says that we have 60 days, and this was done on February 14th, it is now March 14th. Can we get this done in 30 days?

Mayor Michalson: it just means that we have to start.

Councilmember Brown: do we have to go back to district court to get an extension on the timeline.

Mayor Michalson: I would think that we could he the rfp's did not come back. Again, I talked to Lou Barnett and Nancy Lowell and when they ran into this problem in the past, they had public works start the mowing, that satisfied the district judge, we started to clean it up.

Councilmember Brown: starting and completing we have to look at starting and completing the project this time.

Mayor Michalson: it says that we have to start it within 60 days.

Councilmember Brown: my next question is, if the public works does it we need to keep time so we can bill the man.

Mayor Michalson: that is in our fee schedule, if public works does this it is \$150.00 per hour.

Councilmember Brown: if he does not pay, we are going to invoice Berta Farms, is the town attorney willing to go back in and place a lien on his property or foreclosure?

Mayor Michalson: I am sure that we can do that. Any more questions from the council?
Public comments?

PUBLIC COMMENTS

Loey Knapp: I look at this property every day, it is across the street from me, yes there is someone living there, no running water or sewer, it is disgusting. We have been promised as neighbors by previous mayors and town councils that this would get done. Initially when we were suing Frank and Berta Farms, we had the town listed as well in our lawsuit. We were promised by the mayor at the time that if we took the town off of the lawsuit, he would get it cleaned up anyway, that was three years ago. That mayor did not clean it up, the mayor or the mayor previous to them. I have to look at this mess we are asking, and yes, we have spent a lot of money, and it has taken the judge three years to get to this point. Please take care of this.

Pat Groninger: I live right across the street from it, Frank is living there, his female partner and his daughter. He lives in the basement of the old house. We have watched him carry a jetted tub into the basement of the property. I have watched him walk up to the edge and walk down the stairs. You are probably wondering, Pat, you were the mayor why did this not get done, it is a different time back then. There is a boulevard that is the towns responsibility. There is a sidewalk that was pulled out by him. The cotton woods, I hope that they don't have to come down, but they probably do. Those trees are the towns problem. A majority of the clean up is his, but the town has clean up as well. These two folks have done all of the leg work, please tomorrow is a new day we need your help to make it happen.

Mel Cook: I have lived across the street from that property since 1973. It has been a mess ever since he has gotten the property. That order from the judge means what it says, we encourage that you do not use the public works crew, he is sue happy. Berta Farms is his daughter, they borrowed about a half a million dollars against that place years ago and that is what I think he lives on. The facts are that I am not stopping, if the town does not go after it we will go after the town. He thinks that it is a joke to him, it is not funny anymore. There is a trailer that he lives in sometimes. He never got a permit to build on that property. His permits have run out, he still works on it in the middle of the night. It is time to clean it up.

Loey Knapp: I want to make one other point, we are right next to the school, kids walk that every day. You cant see because of those huge debris and trees, it is going to take one kid that does not make it around that corner safely and that is going to be on you.

Mayor Michalson: any more comments from the public? Comments from the council?
Seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

b. Discussion/Decision: RFP for Audit Services for Fiscal Years 23/24, 24/25, 25/26

Mayor Michalson: introduced new business item b. RFP for Audit Services for Fiscal Years 23/24, 24/25, 25/26.

Councilmember Barker: make a motion to approve an RFP for Audit Services for Fiscal Years 23/24, 24/25, 25/26.

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd. Discussion from the council?

Councilmember Barker: how many audit services are out there?

Gina Crowe: we do not know; they are few and far between. I don't think we will find anyone else, but it is good to try for a lower price.

Mayor Michalson: I talked to Robert last week and he had mentioned reaching out to MMIA to see if there is anyone else.

Councilmember Smith: Gina, do I understand that whoever we get to do the audit that there are some companies that do not want to touch cities?

Gina Crowe: it is really difficult work, a lot that goes into it. Auditors that do this for a municipality go through everything. They keep us in line, and help us do our AFR.

Mayor Michalson: any other comments from the council. Comments from the public? Seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

c. Discussion/Decision: Consent to the Mayor's Appointment of Jacob Rhodes as a Volunteer Recruit for the Town of Stevensville Fire Department

Mayor Michalson: introduced new business item c. Consent to the Mayor's Appointment of Jacob Rhodes as a Volunteer Recruit for the Town of Stevensville Fire Department

Councilmember Barker: make a motion for Consent to the Mayor's Appointment of Jacob Rhodes as a Volunteer Recruit for the Town of Stevensville Fire Department .

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd. Council discussion?

Councilmember Smith: is the person here?

Jeff Motley, Fire Chief: this is Jacob. He is recruit.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

d. Discussion/Decision: Consent to the Mayor's Appointment of Avery Henderson as a Volunteer Cadet for the Town of Stevensville Fire Department

Mayor Michalson: introduced new business item d. Consent to the Mayor's Appointment of Avery Henderson as a Volunteer Cadet for the Town of Stevensville Fire Department.

Councilmember Smith: I move that we Consent to the Mayor's Appointment of Avery Henderson as a Volunteer Cadet for the Town of Stevensville Fire Department.

Councilmember Brown: 2nd.

Mayor Michalson: motion and a 2nd. Discussion from the council?

Jeff Motley: Avery is also with us tonight; she will be a cadet with the department for the next couple of years.

Mayor Michalson: any other comments from the public?

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

e. Discussion/Decision: Consent to the Mayor's Appointment of Grace Waters as a Volunteer Cadet for the Town of Stevensville Fire Department

Mayor Michalson: introduced new business item e. Consent to the Mayor's Appointment of Grace Waters as a Volunteer Cadet for the Town of Stevensville Fire Department.

Councilmember Barker: make a motion to the Consent to the Mayor's Appointment of Grace Waters as a Volunteer Cadet for the Town of Stevensville Fire Department.

Councilmember Smith: 2nd.

Mayor Michalson: motion and a 2nd. Discussion from the council?

Jeff Motley: Grace is also with us tonight. This will be the 3rd member of the family and will respond from the airport station.

Councilmember barker: thank you for bringing them up.

Mayor Michalson: thank you Jeff, further discussion? seeing none, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

f. Discussion/Decision: Ms. Goren would like to discuss her past due water bill and late fees for her rental property.

Mayor Michalson: introduced new business item f. Ms. Goren would like to discuss her past-due water bill and late fees for her rental property.

Jackie Goren: I live at 311 Mission Street, I have a rental property at 311 Mission Street Unit B it was brought to my attention when my new tenant moved in that there was a water bill with an overdue amount, I have read the ordinance that it is the property owners responsibility for the water bill. However, the delinquency amount will be sent to the homeowner. As the property owner I was not given any notice of the delinquent amount. I do not think that it is fair that I should be responsible for the amount.

Mayor Michalson: could I get a motion? Can I make a recommendation to the council? I looked at Ms. Goren's bills and they do go back quiet a ways. I see that there were some payments and then no payments and then the new rental has made a payment. We had a disruption in services, and we have not had a utility clerk. For some whatever reason the notices were not going out. I can re-read the ordinance that it specifically states that it is the property owners responsibility to pay the water bill. Now for the late charges, I would recommend that the council wave the late charges and that would be \$164.05. I would say that we wave the late fee.

Jackie Goren: it has been over a year, whether you had a clerk or not is not my problem.

Mayor Michalson: who was receiving the bill?

Jackie Goren: the renter.

Mayor Michalson: then it is your responsibility.

Jackie Goren: he should have been responsible, how was I to know that he was not paying.

Mayor Michalson: it is not our responsibility to hunt down the bill.

Jackie Goren: why was I not notified.

Mayor Michalson: but all of these months that your renter did not pay did he notify you then. That is not our fault as a town, I am trying to work with you.

Jackie Goren: the late fees is a drop in the bucket for a thousand-dollar bill. I do not have; I am not going to make payments. This is wrong.

Mayor Michalson: we are willing to work with you, if you cannot pay it all at once get with Jenelle and she can work that out. We have the creamery that owes us \$1900.00 dollars.

Jackie Goren: that is not the issue that we are talking about.

Mayor Michalson: it is there responsibility to pay. What if they came to us and said that they did not want to pay because they did not want to pay.

Jackie Goren: (unable to understand, slight mumble in the background)

Mayor Michalson: I am sorry but if I have a renter and they do not pay their water bill that still falls on me.

Jackie Goren: so, he is just supposed to come to me and tell me that he is not paying his water bill anymore?

~~Mayor~~ Mayor Michalson: yes.

Jackie Goren: then why was his water not turned off then?

Mayor Michalson: I was not here I cannot answer to that.

Jackie Goren: if it would have been turned off then I would have known.

Mayor Michalson: I was not here then; the town cannot wave that bill. If we start setting that example, then there are going to be other people. There are a lot of past dues.

Jackie Goren: whether you were here or not.

Mayor Michalson: the town is not in the business of waving complete bills because you did not have communication with your renter.

Jackie Goren: why was the water not turned off.

Jenelle Berthoud, Town Clerk: that was as piece that just was not followed through, what I am saying is that the turning off of water when someone has not paid their bill was not followed through between utility billing and public works. Prior to me and Gina having to take over at the end of December that communication was not being relayed between the billing department and public works that there were late bills that need to be addressed. Unfortunate on that part, but I do agree with the mayor.

Jackie ~~Goren~~^{Goren} he was not paying his bill.

Jenelle Berthoud: whether or not that he was paying his bill and his water being turned off I do not know. I do not know the process of how that was going on.

Jackie Goren: what is my next step.

Mayor Michalson: as far as you paying it?

Jackie Goren: no, who can I take it to next.

Jenelle Berthoud: may I? We spoke about this and what I asked you about is if you were going to take your renter to small claims court. Did you find your agreement between you and your renter. I am glad that you found that Jackie, I know that you have been looking for that for weeks.

Councilmember Smith: would you look at the bills here, as I recall about a year ago my property received a \$2,000.00 water bill is there one of these months where that happened?

Jenelle Berthoud: this meter reads every month. Nothing like that.

Councilmember Barker: how many months are we looking at here.

Jenelle Berthoud: next month will be twelve months.

Councilmember Barker: even before that there was someone that could have sent out a bill to say that it was past due, or water shut off.

Gina Crowe: it was our understanding that all of those pieces were happening until December. It was our knowledge from the previous public works director that it was being taken care of, so we did not question it. It was not until December when we got all of this thrown in our lap that there were these discrepancies.

Mayor Michalson: I would like to recommend to the council to wave the late charges to the amount of \$164.05.

Councilmember Nelson: I move that we wave the \$164.05 of charges on this matter.

Councilmember Brown: 2nd.

Mayor Michalson: we have a motion and a 2nd. Any further discussion from the council? \

Jenelle Berthoud: may I make a suggestion that may help Ms. Jackie out, turning off the late fee portion of this bill and holding the remaining amount of \$900.00 and some cents while she takes her previous renter to court. I see this everyday whether it is this type or three

months late this might help Jackie out. The new renter is set up through your property management company. Your new renter will pay the next payment and the property management will come in and pay that amount.

Councilmember Smith: since you have seen this before, how long does it take to go through the court system.

Jenelle Berthoud: I do not know about anything like that.

Councilmember Smith: can I offer an amendment that we will hold the bill for 6 months until she can take him to court.

Gina Crowe: Jenelle and I have talked a lot about this and what it says in the ordinance. When the renters come in, we were adding the renters to the bill, and we think that the bill should only be going to the property owner.

Jenelle Berthoud: where we know it does work well is when the property is being managed by a rental company. Cardinal Properties and Agent for You they are paying the water bill; it is working well. Not the best tract record when it is going out to the renter.

Gina Crowe: currently we do not have a way to send out the bill to two people.

Jackie Goren: a letter would have been nice.

Jenelle Berthoud: I agree Jackie, but like what Gina and I said we were told that was being done. When we got this in December things have just been popping up, and yours came up when the rental company came in to be added to the account and I let them know that there was a balance.

Mayor Michalson: you would like to make an amendment?

Councilmember Smith: I did make an amendment. I just need a 2nd.

Councilmember Barker: one thing, if we are going to put a limit of six months then we have to stick to that.

Jackie Goren: what if it takes longer?

Councilmember Barker: again, we can make a payment arrangement. Yes, it says in the ordinance but if we do it for this one, and then it is going to be a continues ball. I understand that it could take more than six months.

Jackie Goren: what if it takes longer?

Jenelle Berthoud: you just made the point, then you can contact to see about getting something going.

Councilmember Barker: if we go out further, we could have a problem. come back and let us know that you are working on it. I feel bad that this happened to you, maybe you should include the water bill in their rent. I know a lot of renters do that. We take people for granted and it is hard.

(Jackie Goren walked out of the council chambers at this time)

Mayor Michalson: would you like to propose the six months. And wave the late fee.

Councilmember Barker: we have to many motions going on here now.

Mayor Michalson: the motion is to wave the fee and he wants to amend it to hold for 6 months.

Councilmember Barker: 2nd .

Mayor Michalson: we have a motion and a 2nd, and it is to wave the late fees, hold for 6 months and no more late fees. Comments from the public?

PUBLIC COMMENT

Trevor Motley, 802 College: I have a couple of issues that you guys said during this discussion, you said that the town is not in the business or hunting down property owners until now you are tracking down property owners when they owe a massive bill, I think the town fell flat and failed to follow your own policy, I think the least that you could do is cut her a better deal than full price.

Pat Groninger: he is absolutely right, if the property owner is in the dark it should be able to flag on 30 days, 45 days. What you gave in late fees is great, but I think that there is more that you can do. The system should be better. I think that she is just looking for some help.

Mayor Michalson: any more comments from the public? Comments from the council?

Councilmember Smith: I wanted to give her the six months to collect from the renter and then we can look at cutting her a deal.

Pat Groninger: can we get that statement to her to alleviate her pain?

Jenelle Berthoud: I kind of hoped that she would have stuck around. We are all working here.

Whatever the outcome is tonight she will be notified tomorrow.

Mayor Michalson: comments from the council.

Councilmember Barker: how is this wording so we are all on the same page.

Mayor Michalson: we are going to wave the late fee, hold the account for six months while she works with the court and if she does not have it by the six months then she can come back to us.

Councilmember Barker: I think that needs to be stated in there. We have to amend this motion that was just made.

Jenelle Berthoud: I need a 2nd. I am sorry I must have missed that.

Mayor Michalson: why don't we retract and start all over.

Councilmember Nelson: I will retract.

Councilmember Smith: 2nd.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0 to retract.

Mayor Michalson: I would like a motion to wave the late fees and give her six months to go through the court and if she is not done at six months she can come back, and we will revisit.

Councilmember Nelson: I make a motion that we wave the late fees and give her six months to go through the court and if she is not done at six months she can come back, and we will revisit.

Councilmember Barker: 2nd.

Mayor Michalson: motion and a 2nd. Discussion? Discussion from the public?

PUBLIC COMMENT

Jeff Motley: I think that this is frivolous the town is not taking any ownership and they clearly dropped the ball, you are going to give her 6 months and then we are going to come back and cut a deal. Why? Cut the deal, be done and move on.

Mayor Michalson: any comments from the council, seeing none, Jenelle please take the vote.

Councilmember Barker: no.

Councilmember Brown: no.

Councilmember Nelson: aye.

Councilmember Smith: no.

Mayor Michalson: Motion fails 3-1. How would the council like to proceed with this?

Councilmember Barker: I do agree that yes, we had some different utility clerks throughout, but it does fall on the town.

Councilmember Brown: how about using some of the money in the help for you program. How much and can we use the money from the help for you program, everyone pays it every month that way the town is not out the complete amount. The lady has a little bit of recourse, let's see what we can do with some of the help for you money.

Councilmember Smith: do we know how much is in the account?

Gina Crowe: we have several people that are using it right now, so I would have to look into that further.

Councilmember Brown: I think that is one way that the town is not out.

(Side conversations, unclear audio)

Mayor Michalson: can I have a motion to table this to the next meeting?

Councilmember Barker: make a motion to table this for Ms. Goren and look at the help for you program and to remove late fees from happening to the account.

Councilmember Nelson: 2nd.

Mayor Michalson: motion and a 2nd. Public comment?

PUBLIC COMMENT

John Boe: even though this is not the fault of any of us in this room. The community is going to look at this. What I would like to do is pay her bill and it shows the city a goodwill. I will pay her bill tonight, are we all good?

Will Rowe: I will split that with you.

Pat Gronniger: thank you to both of you. The thing is the history of this town, but we have other issues that we need to worry about like where is the water going. 15 million gallons a month being lost. I also sat here and thought about it, I have watched a lot of council meetings. let us let it go through the process and then come back.

Councilmember Nelson: I understand the situation, I also sit back and if I am running a business, it is my job to make sure that my tenant is paying their bill, not the towns responsibility to pick up the slack for you not doing your job.

John Boe: I just want to show some goodwill.

Councilmember Nelson: I just don't want to see everyone lining up for the town to pay their bill.

Will Rowe: I have it set up that with my company. I have it happening right now, I have them sign up with a service agreement, like at the power company. When they have not paid, I at least get notified before it goes to court. There should be these agreements in place for the town.

Councilmember Barker: we fix it and put it in the ordinance.

Mayor Michalson: motion to table, Jenelle please take the vote.

Councilmember Barker: aye.

Councilmember Brown: aye.

Councilmember Nelson: aye.

Councilmember Smith: aye.

Mayor Michalson: passes 4-0

g. Discussion: New Payment Portal through Black Mountain Software

Gina Crowe: we have been dealing with billing solutions with BDS. Since I have been here it has been a nightmare with reconciliation of these payments. My bank statements do not match with Black Mountain. Black Mountain said that they are going to be coming out BMS pay, we can send two bills. One to the renter and one to the homeowner. Black Mountain is a difficult system to work with. We will be looking at real-time posting of payments. Savings to the towns people and then we need to look at signing up for email billing. We are looking at bringing back in house bill processing. We are just trying to look at ways to cut costs for the citizens and the town. I think that this will help with streamlining the billing process.

Councilmember Smith: is this a new contract with BMS.

Mayor Michalson: it is but it falls inside the purchasing policy.

10. Board Reports

Mayor Michalson: Planning & Zoning Meeting last week, Councilmember Barker was not able to make it, but I made it, the board approved the Croci annexation, just a few things that need to be done and fixed. Jenelle took that back to Croci and we will wait for that to come back to the council. The P&Z Board elected Jim Crews as the president, John Anderson as the vice and Angel Lyons is the secretary.

11. Town Council Comments

Councilmember Smith: I want to thank all of the new fire fighter people for stepping up.

12. Executive Report

Mayor Michalson: I attended the planning & zoning meeting, met with Fred Thomas about the parking lot at the church. Will be meeting with HDR on the pre project for Mission Street. Robert, Gina and I have started on the budget. We will sit down and start looking at that, this 5th Friday meeting we will sit down with department heads, we would like to get this budget done by the end of June. On a bit of bad news, we are going to have to raise our water rates, it has been put off, the last two mayors were told by rural water that they needed to be raised and they need to be. Jenelle got an email tonight from Brian Potton, and he had Lyle clean up Creamery Park, Brian said it was the best \$100 spent. The town needs to be cleaned up. I want to thank you young people for stepping up

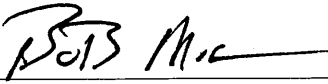
Councilmember Smith: we are going to have a meet and greet for John Boe on April 5th at the senior center.

13. Adjournment

Councilmember Nelson: motion to adjourn.

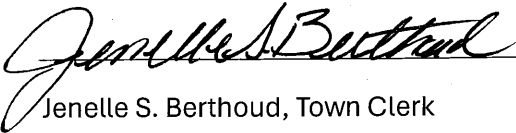
Councilmember Barker: 2nd.

APPROVE:



Bob Michalson, Mayor

ATTEST:



Jenelle S. Berthoud, Town Clerk