

Stevensville Town Council Meeting
Minutes for
THURSDAY, JULY 11, 2019
7:00 PM

1. Call to Order and Roll Call
Mayor Dewey called the meeting to Order at 7:00 pm.
Roll Call: Mayor Dewey, Council members Michalson, Holcomb and Crews were present. Staff and members of the public were also present.
2. Pledge of Allegiance
All rose and recited the Pledge of Allegiance.
3. Approval of Minutes
4. Approval of Bi-Weekly Claims
 - a. Claims #15251- #15307 Totaling \$37,465.97
Council member Holcomb moved to approve the Bi-Weekly Claims #15251 - #15307, Totaling \$37,465.97. The Motion was Seconded by Council member Holcomb. There was discussion on the tree removal at the new kiosk. There was also Council discussion on a check written out of cycle for the fireworks, signed, then put a stop payment on the check. There was discussion among Council and Mayor Dewey about the fireworks and the expenditure in the '18/'19 budget. The invoice was marked Stevensville Fire Department. Mayor Dewey explained the claim was scheduled to come forward on council meeting June 25th but that meeting was cancelled. This isn't a claim of consideration tonight.
Mayor Dewey called for the vote starting with Council member Michalson "Aye," Holcomb "Aye," and Crews "No." The motion passed 2-1.
5. Administrative Reports
 - a. Airport Manager's Report
 - b. Building Department Report
 - c. Finance Report
 - d. Fire Department Report
Chief Motley reported on the Incident Reports and the need to continually provide for the medical needs of the community. The Fire Chief clarified that the Fire Department did not financially provide the fireworks; The Fire Chief is under jurisdiction of the fireworks, so when the town decided to do a fireworks show, it comes back to under the jurisdiction of the Fire Chief. The Fire Department went to a specialty training to be certified and the trip to Billings to pick up the fireworks was not a Fire Department expense. The Fire Chief expressed, if there were questions from Council regarding the fireworks show, council members could have just asked him to avoid miscommunication and confusion. If we can do a fireworks display like that, put on by the community, it is a win for the community.
Council member Michalson stated that he reviewed the audio minutes and Council did approve of the fireworks display. There was then mention about the water restrictions at the time of the fireworks display; Chief Motley felt it was still safe for the town and therefore signed off on the fireworks display.
 - e. Police Department Report
 - f. Public Works Report
6. Guests
 - a. Tyler Currence, Housing Solutions – Nicole Court Housing Project
Alex is here to present on the Affordable Family Housing Development in Nicole Court. The property will consist of 3 four plex buildings and 2 duplex buildings, totaling 16 homes. All

ground floor units will have zero-entry, ideal for seniors, and all homes will have a private yard space for gardens or a childrens play area.

Mayor Dewey then called for Public Comment

Leslie Tadvick, 509 Mission, Commented on the concern of water flooding in that area.

7. Correspondence

a. Letter from SMSA Executive Director Lorraine Roach, RE: Fireworks

Mayor Dewey read a Letter from Stevensville Main Street Association (SMSA) Executive Director, Lorraine Roach, RE: Fireworks, July 5th. After the evening of Western Heritage Days, she received the email below, regarding the fireworks. She stated that she will forward this email to the event sponsor, Bitterroot Star. The Mayor said the email was graphic therefore, not included in the packet tonight.

b. Council member Michalson read an email from Lora Law Firm, sent to Michalson dated July 9, 2019. The email was regarding the appointment to fill the vacant council seat. The public was not given the opportunity to weigh in on the appointment.

c. Mayor Dewey read a letter sent in from Raymond Smith, 324 Valley View,. Dated July 10, 2019. Raymond commented on all the community groups working together to provide a great community event during Heritage Days, including the skate park association, the fire department and everyone who volunteered toward this event.

8. Public Comments

Carolyn Mickens, 211 Buck St

Carolyn addressed Mayor Dewey regarding an ally easement, the process and her attempts over the last 13 months. She stated personal comments toward the Mayor and his family's whereabouts. Mayor Dewey stopped the conversation, as they had nothing to do about items concerning the jurisdiction of the town. Ms. Mickens then commented on closed meetings held at Town Tall for interviews. Ms. Mickens suggested the Mayor find a new job to support his daycare and his needs. The Mayor again, stopped the inappropriate comments.

The Mayor reminded all attending the meeting that Public Comment is a time to comment on the town's jurisdiction or an item on the agenda

Leslie Tadvick, 509 Mission St

Leslie commented on Farmers State Bank's contribution toward the fireworks.

Lorie Moral, Eastside Hwy

Leslie was a former mayor of Canyon City, CA and questioned where the current attorney was at tonight because if they were here, it would avoid any type of conflict.

Victoria Howell, Bitterroot Star

Victoria thanked everyone involved in Western Heritage Days, with over \$16,000 in donations from local businesses, a large donation to the school's backpack program was possible as a result from this town's efforts toward the event. All of the volunteers which helped make this possible are greatly appreciated and she heard wonderful comments from business owners.

Dan Laursen, 711 Burnt Fork

Dan commented on a former project he had in mind as a business owner and recently became aware of a current project above the laundry mat, including apartments on a non-residential zoned property. He was concerned as far as an investor.

9. Unfinished Business

a. Discussion/Decision: Inter-local agreement and land lease agreement between the Town of Stevensville and the Stevensville Rural Fire District

With guidance from the council, they would like to see the inter-local agreement and land lease agreement as two separate entities, with the land lease being 5 Years, \$5,000 Mo. Lease, plus utilities (about \$2,000.00 yr.).

Council member Michalson made a Motion to approve the 5/year Inter-local agreement and land lease agreement between the Town of Stevensville and the Stevensville Rural Fire District. The Motion was then Seconded by Council member Holcomb.

Council member Michalson stated that because the packet was not posted until 2 days before, there was not enough time to review the agreement. He reached out to Bill Anderson from the Rural Fire Department; providing a new/revised version of the Inter-local agreement and land lease agreement between the Town of Stevensville and the Stevensville Rural Fire District. There was expressed concern about the growth of the rural fire department. He would like Mayor Dewey to consider the revisions as per the rural fire dept's requests.

Council member Crews asked to clarify his understanding what the agreement was on this item last. Mayor Dewey clarified, when leaving the last meeting, there was no final agreement but more of an understanding as to what would benefit both parties, with a 5yr contract, \$5,000 month, with utilities was acceptable.

Council member Michalson withdrew his motion to approve the 5/year Inter-local agreement and land lease agreement between the Town of Stevensville and the Stevensville Rural Fire District. The Motion was then Seconded by Council member Holcomb.

Council member Michalson made a new Motion to table the agreement until the closest date for the Mayor to review the changes. Mayor Dewey said they will table the agenda item until July 25, 2019. The Motion was Seconded by Council member Holcomb.

Mayor Dewey then called for Public Comment

Jeff Motley, Fire Department Chief

Chief Motley stated that the changes are minor and Council did have an opportunity to input changes to the local agreement, encouraging Council not to table this but make a motion for the agreement to include what the council would like it to say and make a decision to move on.

Bill Anderson, representing the Stevensville Rural Fire District

Bill reported we are happy to share; It should be under control of the Rural Fire District. The term of the lease is very well written, in agreeance with Chief Motley. When the fire alarm goes off, our guys will respond but the agreement is overdue.

Chief Motley asked: There are 2 documents here, the Inter-local agreement and the Lease agreement. Can we agree on one, move on and change the language of the other in order to move on?

Mayor Dewey asked Council if they would be interested in changing wording so that the Inter-local Agreement can be passed thru tonight for the good of the two fire districts.

Council member Michalson asked if Council member Crews would like him to withdraw his motion. Council member Michalson then withdrew his motion to table the agreement between the Town of Stevensville and the Stevensville Rural Fire District. Concurring with the Motion withdraw, Council member Holcomb Seconded the Motion.

Council member Crews made a Motion to approve the 5/year land lease agreement (with the yellow highlighted areas, suggested by the rural fire district) and Inter-local agreement be approved (with the green highlighted areas) between the Town of Stevensville and the Stevensville Rural Fire District, upon completion of the view of the town council. The Motion was then Seconded by Council member Michalson.

Mayor Dewey then called for the vote and all Council voted "Aye." Motion passed unanimously, 3-0.

b. Discussion/Decision Council to award contract for Legal Services. (Michalson/Crews)

Council member Michalson made a motion to suspend council rules and move "Unfinished Business item (c.) above item (b.)" in all fairness council member would like us to continue to review both candidates.

The Mayor clarified Council needs to appoint, then approve a contract because there is no contract before the council tonight to approve.

Council member Crews Seconded Council member Michalson's Motion. He stated that tonight is the night we act upon the bids. Council needs to award a bid or reject all the bids and start all over.

(c.) Discussion/Decision to award contract for Legal Services

Council member Michalson made a Motion to award contract services to attorney, Mr. Brian West, the current town attorney. The Motion was Seconded by Council member Crews.

Council comments on legal services for the town.

Attorney, Scott Owens presented about his background, informing Council and the public as to how he could serve the Town of Stevensville with his legal services. Mayor Dewey clarified, the Mayor appoints the City Attorney with the approval of the town council.

Mayor Dewey called for Public Comment

Unknown, suggests there should be an attorney at council meetings because of concern of how everyone is treating each other.

Further discussion continued with Council and Mayor

Mayor Dewey called for further Public Comment

Victoria Howell,

Victoria pointed out that Mr. Owens is here tonight and Council wanted to interview the candidates but when we spoke and asked if any council members had any questions, there were no questions.

Jamie Williams

Jamie stated, the town is in turmoil right now with the current attorney. The Council keeps talking about change and here is an opportunity to follow thru.

Leslie Tadvick, 509 Mission St,

Leslie stated the council appoints the city attorney, would like the same attorney that has knowledge of the history of the town.

Mayor Dewey clarified, the Mayor appoints Officers, including the City Attorney, with approval of the council.

Leanna Rodabaugh, 204 Ravalli St

Leanna spoke about the Mayor firing the attorney due to a conflict of interest. The Mayor clarified he did not fire the attorney.

Karen Wandler, 311 6th St,

Karen understands both sides and understands change. Mr. Owens is present, wondering why we are still arguing instead of getting business done. A lot of issues could be avoided with the presence of an attorney.

Nancy, wondering why the agenda item c. is being addressed before b.; How can we award a contract when the appointment hasn't been made, this way is backwards. New ideas will allow us to have a fresh start.

Council member Crews said the proper thing to do would be to reject all bids and start the process all over. We either accept it, or either reject all bids. That is the proper way to close out the business of the ordinance.

Council member Michalson stated Mr. West is still our current attorney. If we appoint Mr. Owens, he should be sworn in tonight. The budget needs to be taken into consideration to have an attorney present at every meeting.

Mayor Dewey then called for Vote on the motion: To award contract services to Mr. Brian West, the current town attorney, starting with Council member Holcomb "Aye," Crews "Aye," Michalson "Aye." The Motion passed 3-0

Mr. Crews requested a short recess.; Will resume approximately 9:10 pm

- c. Discussion/Decision: Consent to Mayor's Appointment of Scott B. Owens as City Attorney
Mayor Dewey stated that he contacted the City Attorney, Mr. West during the break because of the obviously, red flags were raised with people, including Mr. West because a proposal is included tonight. There is no contract before the council, although action is being taken. His advice would be to reconsider the motion just made by council and back out of it. There are no contract services for Mr. West nor Mr. Owens tonight. He did not agree with the terms of his contract being on the table tonight.
- d. Discussion/Decision Council Reconsideration to create a resolution to the Town Council of the Town of Stevensville, MT to vacate the 40-foot alley running thru Block 17, Lots 3-18 of the original Town Site of Stevensville leaving a utilities easement.
Council member Michalson stated that this has been going on since last August and its time to let it rest. The main issue was the easement.
Council member Crews made a Motion the Town Council of the Town of Stevensville, MT to vacate the 40-foot alley running thru Block 17, Lots 3-18 of the original Town Site of Stevensville leaving a utilities easement upon proper noticing and public hearing. The Motion was Seconded by council member Holcomb.
Mayor Dewey called for Public Comment.
Carolyn Mickens,
Ms. Mickens appreciates this because it's time to close an ally when it was never intended to be an ally.
Mayor Dewey then called for the vote starting with Council member Michalson "Aye," Holcomb "Aye," & Crews "Aye." The motion passed 3-0.

10. New Business

- a. Discussion/Decision: Consent to Mayor's Appointment of Monica Hoffman as Town Clerk and approving compensation of \$18.00 per hour
Mayor Dewey stated that Ms. Hoffman's resume is attached.
Council Member Michalson made a Motion to Consent to Mayor's Appointment of Monica Hoffman as Town Clerk and approving compensation of \$18.00 per hour. The Motion was Seconded by council member Holcomb.
Council member Michalson had a problem with the job description. Discussion took place among Council about the Town Clerk's current job description, as it has been changed. The Mayor clarified that the job description used was the one available and the position is an officer of the town.
Council member Crews clarified the applicant is aware they need to be sworn in within 10 days and agrees with council member Michalson, the description was changed and not sure which one was applied for.
The Mayor called for the vote, starting with council member Crews "Aye," Holcomb "Aye," & Michalson "Abstain." Motion passed with a 2-1 vote.
- b. Discussion/Decision Council to suspend Council Rules in order to schedule the 1st Council Meeting in August, 2019 to the 5th day of August to accommodate 2 Council members being absent during the 2nd Thursday in August.
Council member Michalson made a Motion to suspend Council Rules in order to schedule the 1st Council Meeting in August, 2019 to the 5th day of August to accommodate 2 Council members being absent during the 2nd Thursday in August. It was Seconded by Council member Crews
Mayor Dewey called for the vote, Council member Crew "Aye," Holcomb "Aye," & Michalson "Aye." Motion passed 3-0.

11. Executive Report

Effective this Friday, we can lift the water restrictions. The contractor installed one of the larger pumps and the reservoir is almost full. The other pump was installed today and we should have that water test back in the next 24hour period. We are back up and running except for one well. Standard water regulations will go into effect. We found that communication on new water restrictions to renting tenants can be improved. The water was under most landlords' contact information, so tenants were not getting the recorded messages. We can input tenants' contact information into our phone systems to receive the automated calls. Mayor advises renting tenants to register their contact information at Town Hall.

12. Town Council Comments

Council member Michalson questioned why the swearing-in of a Council Member of office was outside of Town Hall because the Office Chambers was closed for interviews. Mr. Michalson reached out to attorney, Mr. West. His reply was that there is not a list of meetings which can or cannot be closed and that window has narrow speculations. Mr. Michalson read a letter from Dave Laursen about a business owner, or a man hired by a local business owner doing construction, building apartments there at a certain location. Council member Crews mentioned, last meeting this was mentioned also, and asked who the zoning administrator was because there are RV's in town with people living in them, and the zoning administrator should be driving around town looking for these zoning violations, as well as for roof construction. Mr. Crews offered assistance in the zoning department. There are abandoned vehicles that also need to be addressed. For the Mayor's own protection, there needs to be more oversight. Council member Michalson has requested more transparency, including access to Town Hall any time to conduct business. Mr. Thomas would like the public to know how timely and professional you helped the airport board in assistance with funding.

13. Board Report

14. Adjournment

Mayor Dewey adjourned the meeting at approximately 9:41 pm.

APPROVE:

ATTEST:

Brandon Dewey, Mayor

Monica Hoffman, Town Clerk