

Stevensville Special Town Council Meeting
Minutes for
THURSDAY, JUNE 04, 2020
5:00 PM

1. Call to Order and Roll Call

Roll Call: Mayor Dewey, Councilmembers Devlin, Holcomb, Vick and Michalson. Staff and members of the community were also present.

2. Pledge of Allegiance

3. Public Comments

Patrick Should, 507 Central Ave. The recall efforts during a pandemic are reckless, with complete disregard to us all.

Raymond Smith, 326 Valley View. Certain Councilmembers have accused an elected official of forgery, and made personal comments and opinions about a certain council member. There is a bias that has been shown against Mr. Michalson, for him to do what the citizens have voted him in for, to expose the unethical and unlawful actions of the Mayor. Mr. Smith continues, with no one has answered his letter in more than 2 months.

Victoria Hall, suggested maybe having a time limit due to public comment taking up valuable business time. Thanked the town for the flowers on Main St.

Leslie Tadvick, 509 Mission St. Ms. Tadvick read off Mayor Dewey's campaign bullet points and his model of the town; Town Hall staff work for "us" and not Mr. Dewey and all staff tonight should resign and it's not fair to citizens that "we" pay your salaries while you put together a hate letter against the Council members and the "Dirty Dozen," as she is one of those members and very proud of it. Mr. Owens works for the town; With this recall, all 4 employees should resign as this is the wishes of the Town of Stevensville.

Jim Tadvick, 509 Mission St. Would like the variance request from Mr. Laursen to be brought back to the table to be approved. Also wondered if a customer was refunded back a customer reconnection fee.

Leanna Rodabaugh, 204 Ravalli St. Stated she was the one whom submitted the Recall Petition against Mayor Dewey. It is not necessary to read the Letter from Town Hall Employees because it is pointing out a particular group of people, as the Mayor "is not man enough," as certain correspondence is read over others'. The attorney's opinion is just an opinion, disregarding the attorney's opinion, Ms. Rodabaugh continued, reading a letter from Mr. Bell. The town attorney is hired to fix these problems, not to advise the Mayor on a recall.

4. Approval of Minutes

- a. March 12, 2020
- b. March 20, 2020

Councilmember Vick made a motion to approve minutes from March 12, 2020 and March 20, 2020. The motion was then seconded by councilmember Devlin.

(Citizen stood up, spoke out loud about how the Governor is wrong; Mayor Dewey advised that Public Comment is over.)

Mayor Dewey called for the vote, with the motion passing unanimously, 4-0.

Councilmember

5. Approval of Bi-Weekly Claims

Ratification of Claims #15819-15859
Ratification of Claims #15824-15909

These were claims paid out of cycle with the Covid-19 pandemic. Councilmember Vick made a motion to approve minutes from March 12, 2020 and March 20, 2020. The motion was then seconded by Councilmember Holcomb.

Ms. Holcomb questioned why the town is still paying for a \$2100 fee for IT services when the Council voted to cancel it. First Call is providing a month-to-month services, which was budgeted for. She inquired about a claim in the amount of \$3000 for MMIA. Mayor Dewey explained that was a claim related to the sewer dept.

Mayor Dewey called for Public Comment, then the Vote; Devlin "I," Vick "I," Holcomb "No," and Michalson "I." Motion Passes, 3-1.

6. Administrative Reports

Administrative Reports will be covered at next week's meeting.

7. Guests

8. Correspondence

Town Clerk, Monica Hoffman read correspondences:

- Letter from publishers of the Bitterroot Star, 5/4/2020
- Open Letter to Council from Employees, 5/18/2020
- Letter addressed to Council from 16 citizens, 6/2/2020
- Letter addressed to Council and Mayor from Kalkofens, 6/2/2020

Councilmember Michalson made a motion to suspend council rules and move items New Business, 11. a & b, to following item 9 of the Public Hearing. The motion was then seconded by Ms. Holcomb. Mayor Dewey called for public comment on the motion, then called for the vote. Motion passes unanimously, 4-0.

9. Public Hearings

Phillips Street Right-of-Way Vacate

Public Comment:

Jeff Motley, Fire Chief. He spoke to the engineers of the project and the Mayor about the fire hydrant located at Park & Phillips, which can be left there but there needs to be a new hydrant at the end of the new proposed street.

Town Clerk, Read a letter from David Hubble. The letter addressed his dissatisfaction with the school's money and construction. The school should just leave things alone.

Vicki Motley, Teacher at the school district. She spoke about the students' safety, as they currently need to cross the street to enter the playground.

Public Hearing was then closed.

- a. Discussion/Decision: Resolution No. 472, A Resolution Vacating the 80-foot Right-of-Way known as Phillips Street, Authorizing a Utility Easement

Councilmember Michalson made a motion to approve Resolution No. 472, A Resolution Vacating the 80-foot Right-of-Way known as Phillips Street, Authorizing a Utility Easement. The motion was then seconded by Mr. Vick.

Mayor Dewey called for Public Comment, Mayor Dewey called for the vote, with the motion passing unanimously, 4-0.

- b. Discussion/Decision: Resolution No. 473, A Resolution Establishing a 60-foot Right-of-Way known as Phillips Street

Councilmember Vick made a motion to approve Discussion/Decision: Resolution No. 473, A Resolution Establishing a 60-foot Right-of-Way known as Phillips Street
The motion was then seconded by Ms. Devlin.

Mayor Dewey called for Public Comment, then called for the vote, with the motion passing unanimously, 4-0.

10. Unfinished Business

- a. Discussion/Decision: Easement Contract with Jesse Reeves for future well field infrastructure
This item carries over from a meeting in November and March. The administration believes, with Council waving the right of first refusal, with good faith that Mr. Reeves will be doing the right thing with the land, honoring an easement for the Town. The attorney believes that no contract would hold in court. The administration recommends proceeding without a contract.

Mr. Michalson stated that he wished some sort of contract come forward. It was clarified that a contract would not hold weight. Mr. Owens stated that he would be willing to put a contract but without knowing where future wells would be, that unknown would not hold weight years later.

Councilmember Vick made a motion to reject the idea of having a contract prior to annexation. The motion was then seconded by Ms. Devlin.

Mayor Dewey called for Public Comment.

Steve Gibson. This has gotten so large, including wetlands, water rights, C-2 zone and annexation. The Reeves stated that they wanted to build a house to move their kids closer to town and hook up to sewer and water, with an easement to water rights.

John Kellog, PCI. Spoke on behalf of the Reeves family. A lot of issues have been addressed through this process. The city attorney has been in contact with the Reeves.

Stacie Barker, 104 Winslet. The location can be a concern for large commercial trucks going through that housing area.

Raymond Smith, 326 Valley View. With an annexation, we have to provide services, when we are already tapped out for services and fighting for our own water rights. There are wetland issues and the town having to maintain the streets, when we, again are tapped out.

Mayor Dewey called for the Vote; Holcomb "No," Devlin "I," Michalson "No," and Vick "I," 2-2, Mayor votes "I" and the motion passes, 3-2.

- b. Discussion/Decision: Resolution No. 470, annexing a Tract of Land Located in Section 35, Township 9 North, Range 20 West, 26.06 Acres, CS #691110-R Tract 1-B

The proposed zoning of the property is C-2. Mr. Reeves would like to connect to city municipal water and sewer and in exchange for annexation will provide for annexation will provide an easement for future well field infrastructure. This would be the time to discuss the C-2 zoning.

Councilmember Vick made a motion to put into place interim restrictions on the C-2 zoning the land as a single-family use and only a construction company. The motion was then seconded by Mr. Michalson.

Ms. Holcomb asked if Council received a letter from Planning and Zoning Board with their recommendation. Ms. Devlin asked Mr. Reeves the size of the construction company. Mr. Reeves replied with a small, custom, residential company.

Mayor Dewey called for Public Comment

Steve Gibson, asked for clarification on what the motion was. He would like the Reeves to build their home and hook up to water and sewer. This was never about annexation but easement. We have issues with wetlands and water rights.

John Kellog, PCI. The idea of applying for C-2 zoning was not done lightly, while also looking for the needs of the Reeves. The Reeves are aware of the water rights.

Leanna Rodabaugh, wondering what this will cost the town, not understanding what value it brings to the town.

Mayor Dewey replied to that concern, clarifying that the Reeves are responsible for connecting to the main line, and the value is property taxes.

Mayor Dewey called for the Vote; Holcomb "No," Devlin "No," Michalson "No," and Vick "I." Motion fails 3-1.

The motion on the floor: Approve annexation, with an interim C-2 zone, no restrictions. Mayor Dewey called for Public Comment.

Jeff Motley, Fire Chief. He understands everyone's worry but with it being left in the county, the city does not have any say, with it being annexed, there are now codes and regulations for the property owners to follow and control.

Steve Gibson, What the prior speaker said, the county takes care of the roads, it's opposite and would hope everyone listens to George.

John Kellogg, if someone were to want to subdivide, those extra hook ups would be the responsibility of that owner. C-2 is designed to be a buffer therefore this is a zone that does not produce a lot of noise. The folks at Twin Creeks needs to be aware of that. The residential uses of C-2, these are less intensive as you would think of commercial, set up to be less abrasive than the commercial side of it.

Vicki Motley, 318 9th St. Spoke about the maintenance of Logan and Middle Burnt Fork, why is the city responsible for the maintenance of that road toward that property. There is an axis on Middle Burnt Fork and Logan Road.

Mayor Dewey called for the vote, Mr. Vick "I," Michalson "No," Holcomb "No," Devlin "No." Motion Fails 3-1.

Mayor Dewey asked for clarification from Council on how they choose to proceed. Council would like more information and any questions are requested to be sent to the administration by Monday, and this agenda item will be on the Agenda for the next Council Meeting.

- c. Inter-local Agreement and a building lease agreement between the Town of Stevensville and the Stevensville Rural Fire District

Councilmember Michalson made a motion to reject the consideration of the item. This item was decided on by a previous Council with a 3-0 vote at a meeting in July. Ms. Holcomb seconded the motion.

Mr. Michalson objects to this and would like to see it move forward, the way it should have been done back in July.

Mr. Owens clarified that he did do a legal review. It was clarified by Ms. Holcomb that the lease was already approved. The minutes transcribed states, upon legal review. A "written" legal review was not provided, based on Mr. Owens' suggestion of separating the lease and inter-local agreement into two different entities.

Just for clarification, the motion right now is to object the agenda item. Mayor Dewey called for the vote, Mr. Vick "No," Michalson "I," Holcomb "I," Devlin "No." Mayor Dewey votes "No," Motion Fails 3-1.

Mr. Owens and Fire Chief, Jeff Motley spoke about the separation between the two documents, the leasing rural fire department leasing back certain amount of square footage of the building.

Councilmember Vick made a motion to accept the interlocal agreement, with the attorney's legal review provided. The motion was then seconded by Ms. Devlin. Mayor Dewey called for Public Comment, then called for the vote, with the motion passes unanimously, 4-0.

Councilmember Holcomb made a motion to accept the lease agreement between the Town of Stevensville and the Stevensville Rural Fire Dept, with the attorney's legal review provided. The motion was then seconded by Ms. Devlin. Conversation between Fire Chief, Interlocal Fire Board, Council, Attorney and Mayor Dewey continued; The 2000 Interlocal had \$5,000/YR

Mayor Dewey called for Public Comment, then called for the vote. The motion passes unanimously, 4-0.

11. New Business

c. Discussion/Decision: Contract Award for Managed IT Services to First Call Computer Solutions

Councilmember Holcomb asked if the bids were opened without Council. Mayor Dewey clarified, the bid was emailed and only one proposal was received. Mr. Michalson would like to have more advertisements, than one week in the Bitterroot Star; We would also like to see the bids opened in front of Council. Mr. Michalson would like to see the RFP's to be advertised in 3 different papers, for 2 weeks.

Discussion continued about past costs and the current cost, with managed IT Services.

Mr. Michalson read MCA Code on bids, and contracts are being approved. The HDR contract, later on the agenda tonight was advertised right but not opened in front of Council. Mayor Dewey corrected him and the section he read out of Municipal Code, those bids which exceed \$80,000 that's when that code is referred to; HDR tonight is not a bid, that is a proposal, there is no dollar amount with that, so how does that fit in with the administration not following the code? Mayor Dewey clarified the things we open in front of Council are in section 2-398. Mr. Michalson, disagreeing with the city attorney's opinion, it was then reminded that Mr. Owens, is the only one qualified to read and interpret the law.

Conversation among Council about another RFP took place.

Re-advertise RFP for Managed IT Services for 2 weeks in 3 different papers was agreed upon.

d. Discussion/Decision: Service Agreement between the Town of Stevensville and First Call Computer Solutions

e. Discussion/Decision: Contract Award for the 2020 Water System Preliminary Engineering Report to HDR Engineering

Councilmember Michalson made a motion to Contract Award for the 2020 Water System Preliminary Engineering Report to HDR Engineering The motion was then seconded by Mr. Vick.

The price is unknown at this time. HDR will draft a contract and come back to Council with this is how much it costs. The project will be funded by the water fund.

Mayor Dewey called for Public Comment, then called for the vote. The motion passes unanimously, 4-0.

- f. Discussion/Decision: Resolution No. 474, Establishing the maximum number of Police Officers of the Stevensville Police Department

Chief Marble spoke about the demographics of Stevensville and the need to increase the police force over time. The Town of Stevensville currently has 3 FTO's, while towns similar to our size have 6 FTO's. We need to have something set up for longevity for officers. He is not asking to fund 6 officers, he is asking Council to acknowledge the goals for the town, 6 FTO's as a goal.

Councilmember Vick made a motion to approve Resolution No. 474, Establishing the maximum number of Police Officers of the Stevensville Police Department
The motion was then seconded by Ms. Vick.

Mayor Dewey called for Public Comment

Steve Gibson, not sure why this is coming forth to Council a month before the budget but there are also things involved such as vehicles.

Leanna Rodabaugh, what is the cost for police retirement?

Mayor Dewey called for the vote, Mr. Vick "I," Holcomb "I," Devlin "I," Michalson "No." Motion Passes 3-1.

- g. Discussion/Decision: Resolution No. 475, Determining the wages and compensation of Police Department Personnel of the Town of Stevensville and Establishing an Effective Date

Item will not be addressed this evening. It is requested that Council review Resolution No. 475, the wage and compensation scale and if anyone has any questions prior to the Budget Workshop on 6/18/2020, to please email us those and we would be happy to address questions, concerns of feedback.

- h. Discussion/Decision: Resolution No. 476, Approving Appointed and Elected Officials and Contract Public Officers into the Employee Benefits Program

Mr. Michalson questioned what a contracted employee would include; Mayor Dewey used the judge's position as a contracted employee.

Councilmember Holcomb made a motion to approve Resolution No. 476, Approving Appointed and Elected Officials and Contract Public Officers into the Employee Benefits Program.
The motion was then seconded by Mr. Vick.

Mayor Dewey called for public comment before calling for the vote; Motion passes unanimously, 4-0.

12. Executive Report

Mayor Dewey gave his Executive Report. Budget Workshops have been scheduled for the next month @ 7pm, held at the NVP Library.

13. Town Council Comments

Councilmember gave comments.

14. Board Reports

15. Adjournment

APPROVE:

ATTEST:

Brandon E. Dewey, Mayor

Monica Hoffman, Town Clerk