



**Stevensville Town Council Meeting
Agenda for
THURSDAY, SEPTEMBER 10, 2020
7:00 PM**

The Town of Stevensville live streams Town Council and board meetings on our website at www.townofstevensville.com/meetings

**A webform for real-time public comment submission is available here:
[PUBLIC COMMENT](#)**

Telephone Login Information:

Dial (253) 215-8782
Meeting ID: 815 1382 9959
Passcode: 558217
*Press *9 to raise your hand*

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Public Comments (Public comment from citizens on items that are not on the agenda)

Citizens can comment by emailing council@townofstevensville.com, or by mail. Comments emailed are forwarded to all Town Council Members prior to and during the meeting.

A half hour prior to the start of a virtual public meeting, we'll place a drop box outside the front door at 206 Buck Street where citizens can drop off written comments. Comments will be read during the relevant agenda item's public comment period.

A webform for real-time public comment submission is available here: [PUBLIC COMMENT](#)
4. Approval of Minutes
5. Approval of Bi-Weekly Claims
6. Administrative Reports
 - a. Airport
 - [b.](#) Building Department
 - c. Finance
 - [d.](#) Fire Department
 - [e.](#) Parks & Recreation
 - [f.](#) Police Department
 - [g.](#) Public Works
7. Guests
8. Correspondence
9. Public Hearings
10. Unfinished Business
 - [a.](#) Discussion/Decision: Late fee's on utility bills, non-payment service suspensions during COVID-19 pandemic emergency
 - [b.](#) Discussion/Decision: Resolution No. 387E, amending Town Council Rules
11. New Business
 - [a.](#) Discussion/Decision: Painting of Yellowjackets on sidewalks by the Stevensville Booster Club (Fran Schmitz)

- b. Discussion/Decision: Upgrade of phone systems for all facilities
 - c. Discussion/Decision: Resolution No. 481, Requesting Distribution of Bridge and Road Safety and Accountability Program Funds for the Town of Stevensville, Montana Fiscal Year 2020-2021
 - d. Discussion/Decision: Council Rules. (Council Member Michalson)
12. Executive Report
 13. Town Council Comments
 14. Board Reports
 15. Adjournment

Welcome to Stevensville Town Council Chambers

We consider it a privilege to present, and listen to, diverse views.

It is essential that we treat each other with respect.

We expect that participants will:

- ✓ Engage in active listening
- ✓ Make concise statements
- ✓ Observe any applicable time limit

We further expect that participants will refrain from disrespectful displays:

- ✗ Profanity
- ✗ Personal Attacks
- ✗ Signs
- ✗ Heckling and applause

Guidelines for Public Comment

Public Comment ensures an opportunity for citizens to meaningfully participate in the decisions of its elected officials. It is one of several ways your voice is heard by your local government. During public comment we ask that all participants respect the right of others to make their comment uninterrupted. The council's goal is to receive as much comment as time reasonably allows. All public comment should be directed to the chair (Mayor or designee). Comment made to the audience or individual council members may be ruled out of order. Public comment must remain on topic, and free from abusive language or unsupported allegations.

During any council meeting you have two opportunities to comment:

1. During the public comment period near the beginning of a meeting.
2. Before any decision-making vote of the council on an agenda item.

Comment made outside of these times may not be allowed.

Citizens wishing to speak during any public comment period should come forward to the podium and state their name and address for the record. Comment may be time limited, as determined by the chair, to allow as many people as possible to comment. Comment prior to a decision-making vote must remain on the motion before the council.

Thank you for observing these guidelines.

File Attachments for Item:

b. Building Department

MONTHLY REPORT
Building Department
 August 2020

| <u>Permits Issued</u> | <u>Fees Collected</u> |
|---|--|
| <u>Building</u> (13 permits) | |
| 1. NSFR | \$12,138.00 |
| 2. New Commercial Building | \$0 |
| 3. Renovation/Remodel | \$1,552.00 |
| 4. Demo | \$0 |
| <u>Electrical</u> (8 permits) | |
| 1. NSFR | \$400.00 |
| 2. New Commercial Building | \$0 |
| 3. Renovation/Remodel | \$3,657.00 |
| 4. Demo | \$0 |
| <u>Mechanical</u> (3 permits) | |
| 1. NSFR | \$155.00 |
| 2. New Commercial Building | \$0 |
| 3. Renovation/Remodel | \$457.50 |
| 4. Demo | \$0 |
| <u>Plumbing</u> (3 permits) | |
| 1. NSFR | \$0 |
| 2. New Commercial Building | \$0 |
| 3. Renovation/Remodel | \$221.00 |
| 4. Demo | \$0 |
| Total permits issued: 27 | Total fees collected: \$18,425.50 |
| <u>Activities</u> | |
| <ol style="list-style-type: none"> 1. Inspections and consultations. 2. Active clearing or archiving old and expired permits, depending on age of activity. 3. Implement uniform strategies to increase records retention and accessibility thereof. | |
| <u>Items of Interest</u> | |
| <ol style="list-style-type: none"> 1. Continued exploration of best ways to universally digitize records and day to day functions to be accessible across pertinent staff for greater efficiency. | |

Prepared by Tim Netzley, Building Official

File Attachments for Item:

d. Fire Department



STEVENSVILLE FIRE DEPARTMENT

206 BUCK STREET

Activity Report – August 2020

Calls for the Month of August: 49

Calls for Stevensville Town: 24

Calls for Stevensville Rural: 22

Mutual Aid: 3

Medical Response: 33

Fire Calls: 11

Motor Vehicle Crash: 5

Total Calls: 49

Calls for the Year to Date: 430

Calls for Stevensville Town: 187

Calls for Stevensville Rural: 227

Mutual Aid: 16

Medical Response: 313

Fire Calls: 93

Motor Vehicle Crash: 24

Total Calls: 430

File Attachments for Item:

e. Parks & Recreation



September 10, 2020 Report to Council

Here's what's happening in your parks:

Lewis and Clark Park:

- ◆ New "No Bike" signs at skatepark
- ◆ New park hours sign posted
- ◆ 3 Pavilion rentals

Park Cleaning/Sanitizing:

- ◆ Spraying playgrounds at Lewis and Clark Park, Father Ravalli Park, and Lange Park benches and tables three times per day
- ◆ Cleaning/Sanitizing Lewis and Clark bathrooms three times per day
- ◆ Trash clean up every morning

River Park/River Park Trail:

- ◆ Mowed and trimmed River Park Trail and moved some down trees off the trail

Creamery Garden Park:

- ◆ Replaced 11 drip line heads, replaced ¼" lines where needed, and patched holes in mainline

Veteran's Park:

- ◆ Working with the American Legion Veterans and Garden Club to complete renovations

Programming:

- ◆ Kids Nature Walks
 - 8/12 (River Park Trail) 4 participants
 - 8/19 (Lee Metcalf) 2 participants
 - 8/26 (Lee Metcalf) 8 participants
- ◆ Tourist In Your Own Town/History Walk August 29, 2020
 - 40 Participants and Fort Owen, St. Mary's Mission, Stevensville Historical Museum would like to partner with the Town to make this a yearly event
- ◆ Partnered with North Valley Public Library for a StoryWalk on the Stevensville bike path for the first week of September

Pool:

- ◆ Leak tests showed the small pool was leaking in excess, HDR is working on a repair plan and we are expecting to receive that soon

Upcoming Events:

- ◆ September 11 memorial at 10am

Sincerely,

Bobby Sonsteng
Parks and Recreation Director

File Attachments for Item:

f. Police Department

TOWN OF STEVENSVILLE
POLICE DEPARTMENT ACTIVITY REPORT
August 2020

MONTHLY REPORT:

We have hired a Police Department Clerk. I expect to begin training her in the coming weeks.

We have fully moved the Police Department to the new building and hope to have the PD open for viewing by the end of the month if not sooner.

We continue to have vehicle issues. The alternator went out on the police truck and simultaneously the 2012 Charger had electrical issues, and the 2009 Charger has a check engine light. I was able to orchestrate swift repairs to keep the vehicles in service with minimal interruption.

Stats:

(Contained in the following pages)

Call For Service Report

Stevensville Police Department
Stevensville, MT 59870
(406) 777-3011


REPORT CRITERIA:

 When Occurred In Range
NUMBER OF CALLS FOR SERVICE: 103

| Key | Nature | When Occurred | Responsible Officer | Area |
|----------|----------------------------------|---|-------------------------|----------------|
| CFS-3937 | PFMA | After : 08/31/2020 22:00 Before : 08/31/2020 00:00 | Marble, James Robert | Northeast Area |
| CFS-3936 | Slide Off | After : 08/28/2020 14:10 Before : 08/28/2020 14:29 | Marble, James Robert | Ravalli County |
| CFS-3935 | Civil Standby | After : 08/28/2020 14:06 Before : 08/28/2020 14:30 | Marble, James Robert | Northwest Area |
| CFS-3934 | Protective Detail | After : 08/27/2020 18:37 Before : 08/27/2020 19:28 | Marble, James Robert | Southwest Area |
| CFS-3933 | Agency Assistance | After : 08/27/2020 15:09 Before : 08/27/2020 15:15 | Marble, James Robert | Ravalli County |
| CFS-3932 | Litter, Pollution, Public Health | After : 08/26/2020 10:55 Before : 08/26/2020 10:58 | Marble, James Robert | Northwest Area |
| CFS-3931 | Juvenile Problem | After : 08/30/2020 02:49 Before : 08/30/2020 02:53 | Ellington, John Patrick | Southeast Area |
| CFS-3930 | Agency Assistance | After : 08/29/2020 23:19 Before : 08/29/2020 23:29 | Ellington, John Patrick | Ravalli County |
| CFS-3929 | Agency Assistance | After : 08/29/2020 23:30 Before : 08/29/2020 23:50 | Ellington, John Patrick | Southwest Area |
| CFS-3928 | Suspicious Person, Circumstance | After : 08/29/2020 20:31 Before : 08/29/2020 21:05 | Guida, Jacob Rocco | Southeast Area |
| CFS-3927 | Dog at Large | After : 08/29/2020 19:18 Before : 08/29/2020 19:45 | Guida, Jacob Rocco | Northeast Area |
| CFS-3926 | Agency Assistance | After : 08/29/2020 03:12 Before : 08/29/2020 03:50 | Ellington, John Patrick | Ravalli County |
| CFS-3925 | Cruelty to Animals | After : 08/27/2020 19:23 Before : 08/27/2020 19:46 | Guida, Jacob Rocco | Southeast Area |
| CFS-3924 | Dog at Large | After : 08/27/2020 20:03 Before : 08/27/2020 20:14 | Guida, Jacob Rocco | Northeast Area |
| CFS-3923 | 911 Hang Up | After : 08/27/2020 19:27 Before : 08/27/2020 19:52 | Guida, Jacob Rocco | Northwest Area |
| CFS-3922 | Information Report | After : 08/25/2020 20:00 Before : 08/26/2020 08:12 | Marble, James Robert | South Main |
| CFS-3921 | Threatening | After : 08/26/2020 18:54 Before : 08/26/2020 18:54 | Marble, James Robert | Northeast Area |
| CFS-3920 | Disorderly Conduct | After : 08/12/2020 00:01 Before : 08/12/2020 23:59 | Marble, James Robert | Northeast Area |
| CFS-3919 | Disorderly Conduct | After : 08/11/2020 10:00 Before : 08/11/2020 10:00 | Marble, James Robert | Northeast Area |
| CFS-3918 | Agency Assistance | After : 08/27/2020 15:20 Before : 08/27/2020 15:40 | Marble, James Robert | Ravalli County |
| CFS-3917 | Privacy in Communications | After : 08/20/2020 10:10 Before : 08/20/2020 10:10 | Marble, James Robert | Southeast Area |
| CFS-3916 | Agency Assistance | After : 08/26/2020 14:57 Before : 08/26/2020 15:25 | Marble, James Robert | General Area |
| CFS-3915 | Cruelty to Animals | After : 08/26/2020 15:59 Before : 08/26/2020 15:59 | Ellington, John Patrick | Southeast Area |
| CFS-3914 | Litter, Pollution, Public Health | After : 08/26/2020 15:55 Before : 08/26/2020 15:58 | Marble, James Robert | Northwest Area |

| Key | Nature | When Occurred | Responsible Officer | Area |
|----------|----------------------------------|---|-------------------------|-----------------------|
| CFS-3913 | Officer Advice | After : 08/25/2020 16:00 Before : 08/25/2020 16:34 | Marble, James Robert | Office |
| CFS-3912 | Trespassing | After : 08/25/2020 11:30 Before : 08/25/2020 11:50 | Marble, James Robert | Northwest Area |
| CFS-3911 | Found Property | After : 08/25/2020 11:27 Before : 08/25/2020 11:27 | Marble, James Robert | |
| CFS-3910 | Vicious Dog | After : 08/23/2020 10:00 Before : 08/24/2020 11:24 | Marble, James Robert | Northwest Area |
| CFS-3909 | VIN Serial Nmbr Inspection | After : 08/24/2020 09:43 Before : 08/24/2020 09:50 | Marble, James Robert | Office |
| CFS-3908 | Victim Notification | After : 08/21/2020 16:31 Before : 08/21/2020 16:44 | Marble, James Robert | Northwest Area |
| CFS-3907 | Theft | After : 08/18/2020 09:31 Before : 08/18/2020 09:31 | Ellington, John Patrick | Northeast Area |
| CFS-3906 | Juvenile Problem | After : 08/22/2020 02:44 Before : 08/22/2020 03:05 | Ellington, John Patrick | School |
| CFS-3905 | Agency Assistance | After : 08/22/2020 01:19 Before : 08/22/2020 02:32 | Ellington, John Patrick | Ravalli County |
| CFS-3904 | Agency Assistance | After : 08/22/2020 02:03 Before : 08/22/2020 02:23 | Ellington, John Patrick | Ravalli County |
| CFS-3903 | Agency Assistance | After : 08/21/2020 23:43 Before : 08/21/2020 23:52 | Ellington, John Patrick | Ravalli County |
| CFS-3902 | Extra Patrol | After : 08/20/2020 23:06 Before : 08/20/2020 23:16 | Ellington, John Patrick | Stevi River Park |
| CFS-3901 | Agency Assistance | After : 08/20/2020 22:53 Before : 08/21/2020 00:26 | Ellington, John Patrick | Ravalli County |
| CFS-3900 | DUI Alcohol or Drugs | After : 08/21/2020 01:31 Before : 08/21/2020 03:27 | Guida, Jacob Rocco | Northwest Area |
| CFS-3899 | Trespassing | After : 08/21/2020 11:15 Before : 08/21/2020 12:49 | Marble, James Robert | Northwest Area |
| CFS-3898 | Transport By L.E.O | After : 08/21/2020 08:57 Before : 08/21/2020 11:19 | Marble, James Robert | Office |
| CFS-3897 | Trespassing | After : 08/20/2020 10:07 Before : 08/20/2020 10:26 | Marble, James Robert | Northwest Area |
| CFS-3896 | Litter, Pollution, Public Health | After : 08/20/2020 09:05 Before : 08/20/2020 09:10 | Marble, James Robert | Southeast Area |
| CFS-3895 | Criminal Mischief | After : 08/20/2020 09:00 Before : 08/20/2020 09:00 | Guida, Jacob Rocco | Southeast Area |
| CFS-3894 | Agency Assistance | After : 08/20/2020 00:02 Before : 08/20/2020 01:33 | Ellington, John Patrick | Ravalli County |
| CFS-3893 | Alarm | After : 08/20/2020 08:45 Before : 08/20/2020 09:05 | Marble, James Robert | School |
| CFS-3892 | Violation of Parenting Plan | After : 08/20/2020 14:01 Before : 08/20/2020 15:37 | Marble, James Robert | Creekside Subdivision |
| CFS-3891 | Cruelty to Animals | After : 08/19/2020 13:59 Before : 08/19/2020 14:21 | Marble, James Robert | Southeast Area |
| CFS-3890 | Disorderly Conduct | After : 08/19/2020 08:22 Before : 08/19/2020 09:09 | Marble, James Robert | North Main |
| CFS-3889 | Civil Issue | After : 08/19/2020 07:16 Before : 08/19/2020 08:41 | Marble, James Robert | Northwest Area |
| CFS-3888 | Alarm | After : 08/17/2020 18:15 Before : 08/17/2020 18:49 | Marble, James Robert | School |
| CFS-3887 | Traffic Hazard | After : 08/17/2020 17:55 Before : 08/17/2020 17:55 | Marble, James Robert | Ravalli County |
| CFS-3886 | Traffic Complaint | After : 08/17/2020 17:45 Before : 08/17/2020 17:54 | Marble, James Robert | General Area |
| CFS-3885 | Animal Noise | After : 08/17/2020 14:46 Before : 08/17/2020 15:41 | Marble, James Robert | Northeast Area |
| CFS-3884 | Agency Assistance | After : 08/15/2020 02:03 Before : 08/15/2020 02:16 | Ellington, John Patrick | General Area |

| Key | Nature | When Occurred | Responsible Officer | Area |
|----------|----------------------------------|---|-------------------------|----------------------|
| CFS-3883 | Criminal Mischief | After : 08/14/2020 03:09 Before : 08/14/2020 03:48 | Ellington, John Patrick | North Main |
| CFS-3882 | Civil Issue | After : 08/12/2020 17:11 Before : 08/12/2020 17:19 | Guida, Jacob Rocco | Northeast Area |
| CFS-3881 | Officer Advice | After : 08/12/2020 17:08 Before : 08/12/2020 17:19 | Ellington, John Patrick | North Main |
| CFS-3880 | Disturbance, General | After : 08/09/2020 09:13 Before : 08/09/2020 09:58 | Marble, James Robert | |
| CFS-3879 | Alcohol Offense | After : 08/19/2020 17:25 Before : 08/19/2020 18:38 | Guida, Jacob Rocco | Creamery Park |
| CFS-3878 | Structure Fire | After : 08/18/2020 19:12 Before : 08/18/2020 21:41 | Marble, James Robert | Northwest Area |
| CFS-3877 | Theft of Belongings from Vehicle | After : 08/08/2020 19:31 Before : 08/08/2020 19:31 | Marble, James Robert | Ravalli County |
| CFS-3876 | Traffic Violation | After : 08/18/2020 11:58 Before : 08/18/2020 11:58 | Marble, James Robert | South Main |
| CFS-3875 | Criminal Mischief | After : 07/31/2020 00:00 Before : 08/03/2020 17:00 | Marble, James Robert | Lewis and Clark Park |
| CFS-3874 | Motor Vehicle Theft | After : 08/18/2020 11:13 Before : 08/18/2020 11:13 | Marble, James Robert | Northwest Area |
| CFS-3873 | Disorderly Conduct | After : 08/13/2020 19:42 Before : 08/13/2020 19:44 | Marble, James Robert | Southwest Area |
| CFS-3872 | Found Property | After : 08/09/2020 11:30 Before : 08/09/2020 13:25 | Marble, James Robert | Lewis and Clark Park |
| CFS-3871 | 911 Open Line | After : 08/17/2020 11:09 Before : 08/17/2020 11:26 | Marble, James Robert | North Main |
| CFS-3870 | Burglary | After : 08/16/2020 16:05 Before : 08/16/2020 17:15 | Marble, James Robert | Northwest Area |
| CFS-3869 | Criminal Mischief | After : 08/14/2020 15:44 Before : 08/14/2020 16:41 | Marble, James Robert | School |
| CFS-3868 | Dog at Large | After : 08/14/2020 13:18 Before : 08/14/2020 14:31 | Marble, James Robert | North Main |
| CFS-3867 | Juvenile Problem | After : 08/14/2020 12:11 Before : 08/14/2020 12:32 | Marble, James Robert | Northwest Area |
| CFS-3866 | Alarm | After : 08/14/2020 11:51 Before : 08/14/2020 12:08 | Marble, James Robert | School |
| CFS-3865 | 911 Hang Up | After : 08/14/2020 11:32 Before : 08/14/2020 11:51 | Marble, James Robert | Northeast Area |
| CFS-3864 | Suspicious Person, Circumstance | After : 08/13/2020 21:00 Before : 08/14/2020 07:00 | Ellington, John Patrick | South Main |
| CFS-3863 | Officer Advice | After : 08/14/2020 17:33 Before : 08/14/2020 18:56 | Ellington, John Patrick | North Main |
| CFS-3862 | Welfare Check | After : 08/13/2020 15:10 Before : 08/13/2020 16:11 | Marble, James Robert | Northeast Area |
| CFS-3861 | Disorderly Conduct | After : 08/14/2020 18:21 Before : 08/14/2020 18:55 | Ellington, John Patrick | Northeast Area |
| CFS-3860 | Domestic Disturbance | After : 08/13/2020 14:06 Before : 08/13/2020 14:17 | Marble, James Robert | Northeast Area |
| CFS-3859 | Transport By L.E.O | After : 08/12/2020 12:15 Before : 08/12/2020 13:29 | Marble, James Robert | General Area |
| CFS-3858 | Abandoned Vehicle | After : 08/10/2020 15:05 Before : 08/10/2020 15:05 | Marble, James Robert | |
| CFS-3857 | Suspicious Person, Circumstance | After : 08/14/2020 02:57 Before : 08/14/2020 03:16 | Ellington, John Patrick | General Area |
| CFS-3856 | Suspicious Person, Circumstance | After : 08/14/2020 02:47 Before : 08/14/2020 02:56 | Ellington, John Patrick | General Area |
| CFS-3855 | Abandoned Vehicle | After : 08/14/2020 02:40 Before : 08/14/2020 02:43 | Ellington, John Patrick | Lewis and Clark Park |
| CFS-3854 | Disturbance, General | After : 08/13/2020 20:10 Before : 08/13/2020 21:19 | Ellington, John Patrick | North Main |

| Key | Nature | When Occurred | Responsible Officer | Area |
|----------|---------------------------------|---|-------------------------|----------------------|
| CFS-3853 | 911 Open Line | After : 08/10/2020 12:57 Before : 08/10/2020 13:02 | Marble, James Robert | Northeast Area |
| CFS-3852 | Abandoned Vehicle | After : 08/13/2020 17:51 Before : 08/14/2020 01:04 | Guida, Jacob Rocco | Lewis and Clark Park |
| CFS-3851 | Suspicious Person, Circumstance | After : 08/13/2020 19:01 Before : 08/13/2020 19:01 | Ellington, John Patrick | Northeast Area |
| CFS-3850 | Agency Assistance | After : 08/12/2020 23:05 Before : 08/13/2020 01:09 | Ellington, John Patrick | Ravalli County |
| CFS-3849 | Intimidation | After : 08/10/2020 16:31 Before : 08/10/2020 16:31 | Marble, James Robert | Office |
| CFS-3848 | Stalking | After : 08/07/2020 08:46 Before : 08/07/2020 10:52 | Marble, James Robert | Northeast Area |
| CFS-3847 | Disorderly Conduct | After : 08/08/2020 21:22 Before : 08/08/2020 21:45 | Ellington, John Patrick | North Main |
| CFS-3846 | Suspicious Person, Circumstance | After : 08/06/2020 22:15 Before : 08/06/2020 22:36 | Ellington, John Patrick | South Main |
| CFS-3845 | 911 Open Line | After : 08/07/2020 18:49 Before : 08/07/2020 19:15 | Ellington, John Patrick | General Area |
| CFS-3844 | City Ordinance Violation | After : 08/06/2020 08:59 Before : 08/06/2020 09:02 | Marble, James Robert | Northwest Area |
| CFS-3843 | Assault | After : 08/07/2020 00:31 Before : 08/07/2020 01:14 | Guida, Jacob Rocco | North Main |
| CFS-3842 | Alarm | After : 08/05/2020 20:26 Before : 08/05/2020 20:41 | Ellington, John Patrick | Home |
| CFS-3841 | Agency Assistance | After : 08/05/2020 18:11 Before : 08/05/2020 22:05 | Ellington, John Patrick | Ravalli County |
| CFS-3840 | Intimidation | After : 08/02/2020 15:00 Before : 08/02/2020 15:30 | Marble, James Robert | Airport |
| CFS-3839 | Suspicious Person, Circumstance | After : 08/01/2020 18:42 Before : 08/01/2020 19:03 | Marble, James Robert | North Main |
| CFS-3838 | Agency Assistance | After : 08/01/2020 14:30 Before : 08/01/2020 14:45 | Ellington, John Patrick | Ravalli County |
| CFS-3834 | Suspicious Person, Circumstance | After : 08/01/2020 23:49 Before : 08/02/2020 00:42 | Ellington, John Patrick | Northwest Area |
| CFS-3833 | Weapon Offense | After : 08/02/2020 00:35 Before : 08/02/2020 00:41 | Ellington, John Patrick | Northeast Area |
| CFS-3832 | Assault | After : 08/01/2020 18:05 Before : 08/01/2020 20:26 | Ellington, John Patrick | North Main |

Report generated on 09/03/2020 by James R. Marble
Nova - A Motorola Solutions Product

File Attachments for Item:

g. Public Works

August 2020

Public Works Administrative Report

Water treated 33,583,000 gallons

Monthly & Quarterly sampling done

Installed 4" water main valve at school

Repaired water service at 416 5th Street & 409 Riverside Street

Yearly water samples taken

Monthly reports to State of Montana

Had State inspection on water system

Sewer treated 6,271,000

State & EPA reports sent

Sewer system inspection at Burnt Fork Place

Filling drying beds with sludge

Monthly & weekly sewer samples taken

Streets: New street signs installed on 2nd and College Street

Parks: Pumped down pool to do leak test, baby pool big leaker

Generators serviced by Cat Equipment Sewer plant & Well house

File Attachments for Item:

Discussion/Decision: Late fee's on utility bills, non-payment service suspensions during COVID-19 pandemic emergency



Stevensville Town Council Meeting

Agenda Item Request

To Be Submitted BEFORE Noon on the Wednesday before the Council Meeting

| | |
|---|--|
| Agenda Item Type: | Unfinished Business |
| Person Submitting the Agenda Item: | Brandon E. Dewey |
| Second Person Submitting the Agenda Item: | |
| Submitter Title: | Mayor |
| Submitter Phone: | |
| Submitter Email: | |
| Requested Council Meeting Date for Item: | 9/10/2020 |
| Agenda Topic: | Discussion/Decision: Late fee's on utility bills, non-payment service suspensions during COVID-19 pandemic emergency |
| Backup Documents Attached? | Yes |
| If no, why not? | |
| Approved/Disapproved? | Approved |
| If Approved, Meeting Date for Consideration: | 9/10/2020 |
| Notes: | |

ALL ACCOUNTS
Primary Accounts Only

SECTIONS: ALL

SERVICES: WATER O&M SEWER O&M OTHER WATER BOND SEWER BOND HELP 4 U WATER
HELP 4 U SEWER WATER ASSIST SEWER ASSIST LATE FEE OVERPAYMENT

| | | | |
|----------------------------------|------------|-----------------------------|-----------------|
| Total Accounts in System: | 889 | | |
| Accounts With: | | | |
| Zero Balance: | 577 | | |
| Credit Balance: | 72 | | |
| Balance: | 240 | Total Balance: | 34538.18 |
| Current Balance: | 239 | Current Balance: | 18024.44 |
| Past Due 30: | 38 | Total Past Due 30: | 8126.66 |
| Past Due 60: | 14 | Total Past Due 60: | 3430.23 |
| Past Due 90: | 15 | Total Past Due 90: | 2091.23 |
| Past Due 120+: | 16 | Total Past Due 120+: | 2865.62 |

ALL ACCOUNTS
Primary Accounts Only

SECTIONS: ALL

SERVICES: WATER O&M SEWER O&M OTHER WATER BOND SEWER BOND HELP 4 U WATER
HELP 4 U SEWER WATER ASSIST SEWER ASSIST LATE FEE OVERPAYMENT

| | | | |
|----------------------------------|------------|-----------------------------|-----------------|
| Total Accounts in System: | 889 | | |
| Accounts With: | | | |
| Zero Balance: | 578 | | |
| Credit Balance: | 73 | | |
| Balance: | 238 | Total Balance: | 30846.23 |
| Current Balance: | 237 | Current Balance: | 20925.06 |
| Past Due 30: | 38 | Total Past Due 30: | 5428.08 |
| Past Due 60: | 14 | Total Past Due 60: | 2746.87 |
| Past Due 90: | 15 | Total Past Due 90: | 885.40 |
| Past Due 120+: | 16 | Total Past Due 120+: | 860.82 |

ACCOUNTS WITH GREATER THAN ZERO BALANCES

Primary Accounts Only

SECTIONS: ALL

SERVICES: WATER O&M SEWER O&M OTHER WATER BOND SEWER BOND HELP 4 U WATER
 HELP 4 U SEWER WATER ASSIST SEWER ASSIST LATE FEE OVERPAYMENT

Total Accounts in System: 315

Accounts With:

Zero Balance:

Credit Balance:

Balance: 315

Current Balance: 315

Past Due 30+: 85

Past Due 60+: 47

Past Due 90+: 30

Past Due 120+: 19

Total Balance: 55151.85

Current Balance: 37559.59

Total Past Due 30+: 17592.26

Total Past Due 60+: 8612.12

Total Past Due 90+: 5085.80

Total Past Due 120+: 2901.57

File Attachments for Item:

b. Discussion/Decision: Resolution No. 387E, amending Town Council Rules



Stevensville Town Council Meeting

Agenda Item Request

To Be Submitted BEFORE Noon on the Wednesday before the Council Meeting

| | |
|---|--|
| Agenda Item Type: | Unfinished Business |
| Person Submitting the Agenda Item: | Dempsey Vick |
| Second Person Submitting the Agenda Item: | |
| Submitter Title: | Council Member |
| Submitter Phone: | |
| Submitter Email: | |
| Requested Council Meeting Date for Item: | 9/10/2020 |
| Agenda Topic: | Discussion/Decision: Resolution No. 387E, amending Town Council Rules |
| Backup Documents Attached? | Yes |
| If no, why not? | |
| Approved/Disapproved? | Approved |
| If Approved, Meeting Date for Consideration: | 9/10/2020 |
| Notes: | |

Resolution No. 387E

A RESOLUTION AMENDING TOWN COUNCIL RULES FOR THE TOWN OF STEVENSVILLE

WHEREAS on March 24, 2016 the Town Council revised and adopted Council Rules by Resolution No. 387; and

WHEREAS on March 23, 2017 the Town Council amended Council Rules by Resolution No. 387A; and

WHEREAS on September 24, 2018 the Town Council amended Council Rules by Resolution No. 387B; and

WHEREAS on November 8, 2018 the Town Council amended Council Rules by Resolution No. 387C; and

WHEREAS, on February 13, 2020 the Town Council amended Council Rules by Resolution No. 387D; and

WHEREAS the Town Council is desirous of amending Council Rules to implement a time limit for public comment; and

WHEREAS the Town Council determines that in the best interest of a free society to allow public comment, time limits need to be implemented to allow an equal participation of all members of the public that attend meetings of the Council; and

WHEREAS changes to the rules encourage public participation in meetings without limiting the quality or content of the meeting and subject material.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Stevensville, hereby amends the Council Rules as revised, as attached to this resolution.

PASSED AND ADOPTED by the Town of Stevensville, Montana this 10th day of September, 2020.

APPROVED:

ATTEST:

Brandon E. Dewey, Mayor

Jenelle S. Berthoud, Town Clerk

PART I. General Provisions

Section 1.

These rules are supplementary to the provisions of Title 7, Chapter 1, Part 41, Montana Code Annotated (hereinafter MCA), Title 7, Chapter 5, Parts 41 and 42, MCA and Title 2, Chapters 2 and 3, MCA and Chapter 2 of the Stevensville Municipal Code (hereinafter SMC), as they relate to procedures for conducting meetings and public hearings before the Town Council of the Town of Stevensville.

Section 2.

To assure effective participation by all members of the Council and to protect the right of participation by all individuals appearing before the Council, all Council meetings and hearings shall be conducted in general conformance with "Robert's Rules of Order", except as otherwise provided by law.

Section 3.

A majority of those present and voting may suspend any of these rules or Robert's Rules.

Section 4.

Amendments to the Stevensville Town Council Rules for the Conduct of Council Meetings and Business shall require an affirmative vote of three fourths of Town Council members.

Section 5.

When a Council Meeting is in session, all communication concerning public matters between council, staff, and the public shall be openly performed and subject to public inspection and record keeping.

PART II. Duties of the Presiding Officer

Section 1.

The presiding officer of the Council shall be the Mayor who shall arrange the meeting agenda in accordance with Part IV, coordinate the affairs of the Council, and preside at all meetings of the Council.

Section 2.

In the absence or disability of the Mayor, the President of the Council shall serve as its presiding officer and may vote as other members of the council. In the absence of the Mayor and of the President of the Council, the Council shall select one of its number to serve as its temporary presiding officer.

Section 3.

The Town Clerk shall record and maintain the minutes of the Council's proceedings, showing the vote of each member upon every question, or if failing to vote, indicating that fact; shall keep records of its examinations and other official actions; shall summarize briefly and accurately the substance of all matters proposed, discussed or decided; shall record the names and addresses of all persons appearing before the Council; shall, subject to the direction of the Council and presiding officer, conduct the correspondence of the Council; shall file said minutes and records in the office of the Council, which minutes and records shall be a public record; and shall be the custodian of the files and records of the Council.

Section 4.

The Presiding Officer shall interpret and apply the rules. If the Presiding Officer's ruling is challenged by a majority of those Council members present and voting, the current meeting shall recess, and the Council shall take up the question and issue a parliamentary ruling.

PART III. Meetings

Section 1.

Regular meetings of the Council shall be held on the second and fourth Thursday of each month at 7 PM in the Council Chambers of Town Hall, or at such other time and place as designated by the Council.

If the regular meeting day is on a recognized holiday the Council shall, with proper notice, set an alternate day for the meeting.

In January of each year, the Council shall, after having established a schedule of the time, date and place of regular meetings for the year, cause a notice of the same to be published in the *Bitterroot Star*.

The notice and agenda of all regular meetings of the council shall be posted by the Town Clerk on the Town Hall bulletin board located at 206 Buck Street, Stevensville, Montana, no later than 5:00 p.m. on the Thursday prior to the regularly scheduled Council meeting. Additionally, the Clerk shall provide copies of the notice, agenda, and supporting documents to each of the Council members, be made available to the *Bitterroot Star*, and posted on the Town Hall "notice board" and the Town of Stevensville website.

Section 2.

Special meetings of the Council may be called in accordance with Sections 7-5-4102(1) (c) and 7-5-4122, MCA.

Section 3.

To ensure public participation all meetings of the Council shall be open to the public except as provided in Section 2-3-203, MCA.

Section 4.

A majority of the members of the council constitute a quorum for the transaction of business, but a less number may meet and adjourn to any time stated and may compel the attendance of absent members, under such rules and penalties as the council may prescribe MCA §7-5-4121. The affirmative vote of a majority of the members physically present at a lawful meeting of the Council shall be necessary to adopt or reject any motion, resolution, or ordinance or pass any measure unless a greater number is required by law.

PART IV. Agenda

Section 1.

All reports, communications, ordinances, resolutions, contract documents, or other matters to be submitted to the Council, shall be submitted by 12 o'clock noon on the Wednesday immediately preceding the Thursday agenda publishing deadline to the Town Clerk.

- A late submission deemed necessary by the Mayor shall be delivered to the Town Clerk with a list of matters according to the order of business.
- Copies of the submissions and list shall be provided to each member of the Council no later than 5 p.m. on the Thursday preceding the Council meeting.

All Agenda Items to be considered by the Council shall be submitted via forms available from the Town Clerk or on the Town's website.

- The Mayor, with the assistance of the Town Clerk, shall prepare all council agendas.
- In addition to the Mayor, any one Council member may submit an item of business for consideration by the council.
- Any member of the public may submit an item for consideration by the Council.
- The Mayor must approve all agenda items before they are added to the agenda.
- The Mayor may delay the addition of any agenda item submission to the agenda in order for the submission to be reviewed by the Town's attorney in a timely manner.
- Any two Council members may override the Mayor's objection to adding of any agenda item by jointly requesting that the item be placed on the agenda.
- The Mayor may elect to revise the agenda by adding an item for consideration, provided the revised agenda shall be posted and distributed no less than 48 hours before the meeting.

PART V. Order of Business

Section 1.

The presiding officer shall prepare the Council agenda, which shall be in substantially the following form and order of business:

1. Call to order and Roll Call
2. Pledge of Allegiance
3. Public Comment (Public comment from citizens on items that are not on the agenda)
4. Approval of Minutes
5. Approval of Claims
6. Administrative Reports
7. Guests
8. Correspondence
9. Public Hearings
10. Unfinished Business
11. New Business
12. Executive Report
13. Town Council Comments
14. Board Reports
15. Adjournment

Council members may, by voting to “Suspend the Council Rules,” consider and act upon routine and/or administrative items not on the agenda.

Unscheduled Matters: An item that is not listed on the agenda for the current meeting may be addressed during the Council comments section of the Agenda. As a general rule, no matter of significant interest to the public shall be decided by the Council without prior notice to the public as a scheduled Council agenda item.

Section 2.

The order of business may be adjusted by consent of the Council by Suspension of the Council Rules by a majority of the Council Members Present.

PART VI. Rules of Council Debate

Section 1. Debate

Council debate shall proceed in accordance with the following rules:

1. Every member desiring to speak shall address the presiding officer and, upon recognition, shall confine himself/herself to the question under debate, avoiding abusive and indecorous language.
2. A member, once recognized, shall not be interrupted when speaking unless it is to call him to order, or as herein otherwise provided. If a member, while speaking is called to order, he/she shall cease speaking until the question of order is determined, and, if in order, he/she shall be permitted to proceed.
3. Order of rotation in matters of debate or discussion shall be at the discretion of the presiding officer.

Section 2. Motion to Reconsider

A motion to reconsider any action may be made at any time before or during the second regular meeting after such action is taken. Such a motion may be made only if it has been regularly placed on the agenda by a Council Member who voted with the prevailing side in the original vote on the item. Approval of a motion to reconsider requires two-thirds of those members present and voting.

Section 3. Potential Conflicts of Ethics or Interests

Any member of the Council who has an interest in a matter before the Council as defined by the laws of the State of Montana (Title 2, Chapter 2, MCA) or as advised by the Town Attorney shall not participate in the debate, nor vote in the matter, nor seek to influence the vote of members of the Council. Any Council member attempting to so participate may be censured by a majority vote of the remaining members of the Town Council. "Censured" is defined as a formal resolution of the legislative body reprimanding a member for specified conduct. It is an official reprimand or condemnation for improper conduct pursuant to §7-5-4103, §7-5-4109 MCA.

If the presiding officer of the Council has an interest in a matter pending before the Council, as defined by the laws of the State of Montana or as advised by the Town Attorney, he/she shall yield the chair to a member of the Council during the course of debate and decision concerning the matter in which he/she has an interest.

Section 4. Motions

After a motion is duly made and seconded by the Council, no person shall address the Council without first securing the permission of the presiding officer.

Refer to Exhibit A for sample motions.

Section 5. Consideration of Section by Section

Any member desiring that a measure be considered section by section may request, stating how the matter is to be divided. After consideration section by section, the entire measure, as amended, shall be voted upon.

PART VII. Presentation to the Council (Other Than a Public Hearing)

Section 1.

The general manner in which items other than public hearings are handled by the Council shall be as follows:

1. The presiding officer or staff member presents the item to the Council along with a brief summary of the matter for discussion, with or without recommendation.

2. For purpose of clarification, Council Members, after recognition by the presiding officer, may direct questions to the presiding officer or staff member.
3. Upon recognition by the presiding officer, comments from the applicant will be heard by the Council.
4. After recognition by the presiding officer, Council members may direct questions to the applicant.
5. All testimony shall be directed to the presiding officer.
6. The Council may, upon a proper motion and second, vote on the matter at hand or table the matter until a date certain.

Part VIII. Voting.

All contracts, service agreements, grant acceptance, ordinances, and resolutions require a roll call vote.

Any action of the Council shall be by roll call vote.

The Mayor has the authority to break tie votes with the exception of when the Council is selecting its officers, when the Council is voting to appoint a Council member as its representative to a board, committee, or commission.

When a Council member is acting as a Presiding Officer during the absence of the Mayor, they have the ability to vote in the same manner as they would as a Council member.

PART IX. Public Hearings

Section 1.

The Council may conduct public hearings or may appoint a committee or hearing officer for that purpose as provided in Section §7-1-4131, MCA. When heard by the Council the items will be presented to the Council in the same format as described in PART VII.

In addition, when public hearings and public interest matters are being heard and it is anticipated that a large number of citizens may wish to present Public Comment, the presiding officer, with the consent of the Council, may, prior to opening the hearing, establish reasonable guidelines, including reasonable time limits for presentations, for the conduct of the hearing. The presiding officer shall explain these guidelines to the audience prior to taking Public Comments.

Section 2.

The Council shall not be bound by the strict rules of evidence, but may exclude irrelevant, immaterial, incompetent, or unduly repetitious Public Comment. The ruling of the presiding officer may be overruled by a majority vote of the Council.

Section 3.

The proponents or opponents, their agent or attorney, may submit petitions and letters during or prior to the closing of the hearing and the same shall be entered by reference into the minutes and considered as other Public Comment received at the hearing.

Section 4.

Following the presentation of all comments, the Council may:

1. Continue the hearing from day to day or to a date certain to allow additional information to be submitted to the Council as a body on any unresolved issues;
2. Close the public hearing and proceed to Council debate of the matter; or
3. Close the hearing and continue the Council debate and vote to a date certain.

A public hearing which has been formally closed may not be reopened. If additional information is required before a decision can be made, the Council, upon motion duly made, seconded and passed, may call for an additional public hearing which hearing shall be duly noticed, specifying date, time, place and subject matter of the hearing.

PART X. Addressing the Council

Section 1.

The public is invited to speak on any item under discussion by the Council after recognition by the presiding officer. The speaker should step to the lectern or front of the room and, for the record, give his/her name and address and, if applicable, the person, firm, or organization he/she represents.

Prepared statements are welcomed and should be given to the Town Clerk to become part of the public record. All prepared statements shall become a part of the hearing record.

Comments are to be directed to the presiding officer. **Comments on non-agenda items shall be limited to five (5) minutes. Comments on agenda items shall be limited to eight (8) minutes.**

Section 2.

While the Council is in session, the members must preserve order and decorum. A member shall not delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its presiding officer.

Any person making personal, impertinent or slanderous remarks or who shall become abusive or disruptive during the Council meeting shall be forthwith barred from further presentation to the Council by the presiding officer, unless permission to continue is granted by a majority vote of the Council.

PART XI. Ordinances and Resolutions

Section 1.

Ordinances and resolutions must be introduced by a member of the Council or the Mayor.

- If the draft ordinance is approved by the Mayor, it shall then be placed on the Council agenda for first reading, with second reading and final adoption by the Council occurring at least twelve (12) days after the first reading and provisional adoption.
- After being adopted, the ordinance shall be posted on the Town's posting board and copies shall be made available to the public by the Clerk of the Council.
- The reading of the ordinance's title and number shall be sufficient to constitute a reading and an actual oral pronouncement of each word contained therein of the proposed ordinance shall be waived unless required by a majority vote of the Council.

Section 2.

All ordinances, except emergency ordinances, shall become effective thirty (30) days after the second reading and final adoption. All resolutions and emergency ordinances shall become effective immediately, unless a delayed effective date is specified.

Prior to the next regularly scheduled Town Council meeting, all ordinances and resolutions approved by the Town Council must either be vetoed by the Mayor, signed by the Mayor, or returned to the Town Clerk without the Mayor's signature. -

If an ordinance or resolution is not signed or vetoed by the Mayor prior to the next regularly scheduled meeting, the ordinance or resolution will go into effect without the Mayor's signature. In the Mayor's absence, the Council President may sign ordinances and resolutions, except those ordinances or resolutions the Mayor requests not be signed.

Section 3.

Resolutions adopting or amending the town's budget and resolutions setting usage, license, and permit fees shall be adopted only after notice given in accordance with §7-1-4127, MCA and a public hearing held thereon.

Section 4.

Details relating to Emergency Measures shall be handled in accordance with §7-5-4204, MCA, Details relating to emergency measures.

- The nature of the emergency must be expressed in the preamble or body of the ordinance
- The ordinance must receive two-thirds vote of all members present and voting

- An emergency ordinance can only be passed if it is immediately necessary for the preservation of the peace, health and safety of the citizens of Stevensville
- An ordinance passed as an emergency ordinance shall remain effective for no more than ninety (90) Days

PART XII. Election of Council President

Section 1.

Prior to the first regularly scheduled Town Council meeting in January following a general municipal election, any member of the newly organized Town Council who wishes to be a candidate for Council President shall notify the Town Clerk, in writing or via e-mail, of her/his desire to be President. The Town Clerk shall communicate the desire to become Council President to the Town Council and the Mayor.

Section 2.

The election of Town Council President shall be taken up as an item of new business on the agenda of the first regular Town Council meeting January following the municipal election. The election of Council President will be by voice vote recorded. A majority vote of Town Council is required to elect a nominee.

Section 3.

If a candidate(s) fails to obtain a majority, new nominations will be allowed after two successive votes fail to produce a majority. Unsuccessful candidates may be nominated.

Section 4.

If the position of Council President is vacated, the Town Council shall elect a new Council President at the first regularly scheduled meeting after the vacancy occurs.

PART XIII. Absences of a Town Council Member for more than 10 days

A Town officer desiring to be absent from the Town continuously for ten (10) calendar days or more shall submit a written or electronic request for permission to be absent to the Town Clerk's office. The request shall be directed to the Town Council members and the Mayor. The Town Clerk shall forward a copy of the Town officer's request to be absent to each Town Council member and the Mayor. If three (3) or more Council members have an objection to the absence, they may object, in writing or via e-mail, within three (3) calendar days after a copy of the request for absence has been sent to the Town Council membership.

If no written objection is filed, the request shall be deemed approved. Pursuant to Section 7-4-4111, MCA entitled, "Determination of Vacancy in Municipal Office," this provision shall be

applicable to all Town officers who are elected or appointed to a term of office, and this shall be the Town Council's mechanism for giving its consent pursuant to Section 7-4-4111 (5), MCA, and shall provide for objecting parties to show cause for objection to request for absence.

After three (3) calendar days, the Town Clerk will notify the Town Officer of approval or objection.

PART XIV. Town Council Procedures for filling a Vacancy in an Elected Town Office

Section 1.

All vacancies within the Town of Stevensville shall be filled in accordance with §7-4-4112, MCA, Filling of vacancy and § 2-118, SMC.

Whenever Town Council has sufficient advance notice of a future vacancy in an elected office, Town Council shall attempt to fill the vacancy in advance of the actual vacancy in order to prevent an elected office from incurring a period of vacancy. A vacating Council member may vote for their replacement, if available.

Section 2.

Pending an election and qualification, the council shall appoint a person within 30 days of the vacancy to hold the office until a successor is elected and qualified.

Vacancies on the Council may be filled by an application process as described in Section 3.

The Town Council may determine the method of filling a vacancy of the Mayor's Office using one of the following methods at the next available council meeting.

In the case of a Mayor who has vacated office before a successor is appointed or elected, the Town Council may, by a majority vote of its members, appoint the Town Council President to act as Mayor until a successor is either appointed, elected by Special Election or elected during the next General Municipal Election.

If a Mayor gives advance notice that he will vacate the office, the council may fill the office as follows:

- Appointment of the Council President to the office of Mayor until such time as a Special Election or General Municipal Election can be held.
- By an application process as described in Section 3.

Section 3.

As soon as the Mayor or Town Council President becomes aware of a vacancy in an elected Town Office, or as soon as the Mayor or Town Council President receives official notice that an elected Town Office will become vacant at a specified date in the future, the Mayor or Town Council President shall

make arrangements with the Town Clerk to publicly announce the vacancy using the same manner of advertising as when publicizing a public meeting, and the Town of Stevensville website.

The Town Clerk will receive written applications from citizens interested in applying to fill the vacancy in the elected office for ten calendar days from the date of the first public announcement by the Town Clerk's office.

The public announcement issued by the Town Clerk's office shall identify all the statutory established qualifications for an individual to be eligible to hold the vacant office.

The Town Clerk, in conjunction with the Town Attorney, shall prepare an application form for use by applicants interested in being selected to fill the vacant position if a preapproved application is not available. The application once prepared, shall be submitted to the Town Council at a regularly scheduled council meeting for approval for use. The application, once approved by the Town Council, shall be maintained for future use and reviewed for accuracy before being used to fill a vacancy.

The application form shall request information as to the full name and address of the applicant, as well as all information necessary to determine if the applicant meets the statutorily established qualifications to fill the office.

The Town Clerk will review the written application in order to determine if an applicant meets the minimum qualification to fill the office as specified by State Law.

A list of all applicants, as well as a status of their eligibility, will be submitted by the Town Clerk to Town Council at its next regularly scheduled or special meeting after the application deadline. Each Town Council Member is entitled to select for interview or nomination a final slate of candidates.

All members of the Town Council who choose to apply for the Office of Mayor via the application process shall recuse themselves from the interview and selection process. The remaining members of the Town Council will complete the interview and selection process.

All applicants shall be interviewed using the same interview questions, without the presence of another applicant. No applicant shall be afforded an advance copy of the interview questions.

Upon completion of the interview process, each member of the Town Council will evaluate each applicant and then nominate an applicant for final selection via a majority vote of Town Council, in accordance with §7-4-4112, MCA Filling of Vacancies and § 2-118, SMC. The successful applicant shall be sworn in at the earliest convenient time and date to assure continuity in Town government.

File Attachments for Item:

Discussion/Decision: Painting of Yellowjackets on sidewalks by the Stevensville High Booster Club (Fran Schmitz)

AGENDA ITEM _____

___ Unfinished New Business

To Be Submitted BEFORE Noon on the Wednesday before the Council Meeting

Submission Date 8/25/2020 Time: 9:30am

Person Submitting the Agenda Item Mayor ___ Yes ___ No

Council Member Submitting the Agenda Item Request? Name
Initial _____

2nd Council Member Submitting the Agenda Item Request? Name
Initial _____

If you are a Citizen is Submitting the Agenda Item Request please print your Name

Name Fran Schmitz - Stevensville Booster Club President

Citizen's Contact Phone Number: 777-3579 Citizen's email address: stevensvilleboosterclub@gmail.com
225-304-3947

Requested Council Meeting Date for Item: 9/10/2020

Agenda Topic: Painting yellow jackets on sidewalks on Main Street

Backup Documents Attached Yes ___ No

If no, why not?

Approved/Disapproved, If Approved, Meeting Date for Consideration 9-10-20

Mayor Signature [Signature] Date 9-2-20

Requestor Contacted Date ___ - ___ - ___ Time ___ by Whom _____

If this request is disapproved, please list the date it will be placed before the council. Date ___ - ___ - ___

If the request is not valid, please annotate the reason it is not a valid item for consideration.

STEVENSVILLE BOOSTER CLUB

PO BOX 626

STEVENSVILLE, MT 59870

stevensvilleboosterclub@gmail.com



August 25, 2020

Town of Stevensville
206 Buck St
Stevensville, MT 59870

Dear Mayor and Council,

Stevensville Booster Club has been working hard to connect our town with our students and raise moral for our Fighting Yellowjackets. In May, 2020 we purchased flags to be hung in town and now hope, with your approval, to work toward getting Yellowjackets painted on the sidewalks of Main Street.

Our students and town deserve the opportunity to show Pride in our Yellowjacket Nation. Booster feels this is just one small way we can do that.

We thank you for supporting our efforts and look forward to a continued relationship in support of our Stevensville student body.

Sincerely,

A handwritten signature in black ink, appearing to read 'Fran Schmitz', with a large, stylized flourish.

Fran Schmitz
Stevensville Booster Club - President

File Attachments for Item:

b. Discussion/Decision: Upgrade of phone systems for all facilities



Stevensville Town Council Meeting

Agenda Item Request

To Be Submitted BEFORE Noon on the Wednesday before the Council Meeting

| | |
|---|--|
| Agenda Item Type: | New Business |
| Person Submitting the Agenda Item: | Brandon E. Dewey |
| Second Person Submitting the Agenda Item: | |
| Submitter Title: | Mayor |
| Submitter Phone: | |
| Submitter Email: | |
| Requested Council Meeting Date for Item: | 9/10/2020 |
| Agenda Topic: | Discussion/Decision: Upgrade of phone systems for all facilities |
| Backup Documents Attached? | No |
| If no, why not? | Proposals are still being prepared and will be submitted to the Council supplementary to the meeting packet. |
| Approved/Disapproved? | Approved |
| If Approved, Meeting Date for Consideration: | 9/10/2020 |
| Notes: | |

File Attachments for Item:

c. Discussion/Decision: Resolution No. 481, Requesting Distribution of Bridge and Road Safety and Accountability Program Funds for the Town of Stevensville, Montana Fiscal Year 2020-2021



Stevensville Town Council Meeting

Agenda Item Request

To Be Submitted BEFORE Noon on the Wednesday before the Council Meeting

| | |
|---|---|
| Agenda Item Type: | New Business |
| Person Submitting the Agenda Item: | Brandon E. Dewey |
| Second Person Submitting the Agenda Item: | |
| Submitter Title: | Mayor |
| Submitter Phone: | |
| Submitter Email: | |
| Requested Council Meeting Date for Item: | 9/10/2020 |
| Agenda Topic: | Discussion/Decision: Resolution No. 481, Requesting Distribution of Bridge and Road Safety and Accountability Program Funds for the Town of Stevensville, Montana Fiscal Year 2020-2021 |
| Backup Documents Attached? | Yes |
| If no, why not? | |
| Approved/Disapproved? | Approved |
| If Approved, Meeting Date for Consideration: | 9/10/2020 |
| Notes: | |

RESOLUTION NO. 481

**REQUESTING DISTRIBUTION OF
BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY PROGRAM
FUNDS FOR THE TOWN OF STEVENSVILLE, MONTANA
FISCAL YEAR 2020-2021**

WHEREAS, the Bridge and Road Safety and Accountability Account requires the Montana Department of Transportation to allocate accrued funds to cities, towns, counties, and consolidated city-county governments for construction, reconstruction, maintenance, and repair of rural roads, city or town streets and alleys, bridges, or roads and streets that the city, town, county, or consolidated city-county government has the responsibility to maintain; and,

WHEREAS, a city, town, county, or consolidated city-county government that requests funds under the Bridge and Road Safety and Accountability Account must match each \$20 requested with \$1 of local government matching funds; and,

WHEREAS, a city, town, county, or consolidated city-county government requesting distribution of allocated funds may make such a request to the Department of Transportation between March 1 and November 1 of the year the funds were allocated; and,

WHEREAS, the project(s) to be funded is for Road Maintenance in the Town of Stevensville; and,

WHEREAS, the local match for the allocated funds has been budgeted from the General Fund; and

NOW THEREFORE BE IT RESOLVED, by this Town Council of the Town of Stevensville that the Fiscal Year 2020-2021 distribution of its share of the allocated Bridge and Road Safety and Accountability funds to be used for the projects identified herein.

That the Council hereby empowers and authorizes the Mayor or other staff to execute such further documents as may be necessary to facilitate the distribution of those funds.

DATED this 10th day of September, 2020, after motion and second at a meeting of the Town Council.

Approved:

Attest:

Brandon E. Dewey, Mayor

Jenelle Berthoud, Town Clerk

File Attachments for Item:

d. Discussion/Decision: Council Rules. (Council Member Michalson)

AGENDA ITEM A

Unfinished New Business

To Be Submitted BEFORE Noon on the Wednesday before the Council Meeting

Submission Date 9-2-2020 Time: 11:50

Person Submitting the Agenda Item **Mayor** Yes No

Council Member Submitting the Agenda Item Request? Name
Micha Initial DM

2nd Council Member Submitting the Agenda Item Request? Name
Initial _____

If you are a Citizen is Submitting the Agenda Item Request please print your Name
Name _____

Citizen's Contact Phone Number: _____ Citizen's email address: _____

Requested Council Meeting Date for Item: 9-10-20

Agenda Topic: Council Rules

Backup Documents Attached Yes No

If no, why not?

Approved/Disapproved, If Approved, Meeting Date for Consideration ____ - ____ - ____

Mayor Signature _____ Date ____ - ____ - ____

Requestor Contacted Date ____ - ____ - ____ Time _____ by Whom _____

If this request is disapproved, please list the date it will be placed before the council. Date ____ - ____ - ____
If the request is not valid, please annotate the reason it is not a valid item for consideration.

**Stevensville Town Council Meetings
Agenda Item Request**

received
9/2/20

df.

To Be Submitted **BEFORE Noon** on the **Wednesday** before the **Council Meeting**

| | |
|---|---|
| Agenda Item Type: | Council Rules |
| Person Submitting the Agenda Item: | Michalson |
| Second Person Submitting the Agenda Item: | |
| Submitter Title: | Council Person |
| Submitter Phone: | |
| Submitter Email: | |
| Requested Council Meeting Date for Item: | 9-10-2020 |
| Agenda Topic: | Change in Council Rules regarding vacancy |
| Backup Documents Attached? | Yes |
| If no, why not? | |
| Approved/Disapproved? | |
| If Approved, Meeting Date for Consideration: | |
| Notes: | |

Notes regarding the agenda item.

Council Rules follow state law regarding the filling of a vacancy on the Town Council and for a vacancy in the Mayor's Office.

Current Council Rules are not in compliance with § 7-4-4112(1) MCA which states:

7-4-4112. Filling of vacancy. (1) When a vacancy occurs in any elective office, this position is considered open and subject to nomination and election at the next general municipal election in the same manner as the election of any other person holding the same office, except the term of office is limited to the unexpired term of the person who originally created the vacancy. Pending an election and qualification, the council shall, by a majority vote of the members, appoint a person within 30 days of the vacancy to hold the office until a successor is elected and qualified.

Current Council Rules allow the following which is not in compliance with the Montana Code Annotated:

Part XIV Town Council procedure for filling a vacancy in an Elected Town Office

Section 1. All vacancies within the Town of Stevensville shall be filled in accordance with § 7-4-4112 MCA, filling of vacancy and § 2-118 SMC.

Whenever Town Council has sufficient advance notice of a future vacancy in an elected office, Town Council shall attempt to fill the vacancy in advance of the actual vacancy in order to prevent an elected office from incurring a period of vacancy. A vacating Council Member may vote for their replacement, if available.

The second paragraph under Part XIV Section 1 is not in compliance with § 7-4-4112(1) MCA.

This being the case, the second paragraph as annotated above needs to be removed from the Council Rules.

[EXTERNAL] RE: Elected office vacancy

Clark, Daniel <daniel.clark@montana.edu>

To: Bob Michalson <bob@townofstevensville.com>

Cc: Kent, Ashley <ashleykent@montana.edu>; MacDonald, Jane <jane.macdonald@montana.edu>

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Bob,

Either the council seat is vacant, or it is not. If it is vacant than the remaining members of the council vote to fill the vacancy. The outgoing is gone and no longer is a council person nor should have a seat on the council to vote on their successor.

Your local policy doesn't make sense to me. I suggest having your city attorney review the policy for legality.

Dan

Dan Clark
Director

MSU Local Government Center

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From: Bob Michalson <bob@townofstevensville.com>

Sent: Friday, June 19, 2020 12:59 PM

To: Clark, Daniel <daniel.clark@montana.edu>

Subject: Elected office vacancy

Dan,

I have a elected official question. According to Stevensville's council rules a council member who is vacating his position can sit and vote on his or her predicesor?. I cannot find this in

From: Bob Michalson
Sent: Friday, June 19, 2020 12:58 PM
To: daniel.clark@montana.edu <daniel.clark@montana.edu>
Subject: Elected office vacancy

Dan,

I have a elected official question. According to Stevensville's council rules a council member who is vacating his position can sit and vote on his or her predicesor?. I cannot find this in state law. Can you give me guidance on this issue please.

7-4-4112. Filling of vacancy. (1) When a vacancy occurs in any elective office, this position is considered open and subject to nomination and election at the next general municipal election in the same manner as the election of any other person holding the same office, except the term of office is limited to the unexpired term of the person who originally created the vacancy. Pending an election and qualification, the council shall, by a majority vote of the members, appoint a person within 30 days of the vacancy to hold the office until a successor is elected and qualified.

(2) If all council positions become vacant at one time, the board of county commissioners shall appoint persons within 5 days to hold office as a city council member. The appointed city council member shall then appoint persons to any other vacant elective offices.

(3) A vacancy in the office of city council member must be filled from the ward in which the vacancy exists.

BOB MICHALSON
COUNCIL PRESIDENT - WARD 2
TOWN OF STEVENSVILLE

BOB@TOWNOFSTEVENSVILLE.COM



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