



**Stevensville Town Council Meeting
Agenda for
THURSDAY, OCTOBER 08, 2020
7:00 PM**

North Valley Public Library Community Room – 208 Main

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: 837 2979 9424

Passcode: 226661

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.
4. Approval of Minutes
5. Approval of Bi-Weekly Claims
 - a. [Claims](#) #16229-16270
6. Administrative Reports
 - a. Airport
 - b. Building Department
 - c. Finance
 - d. Fire Department
 - e. Parks & Recreation
 - f. Police Department
 - g. Public Works
7. Guests
 - a. Brian Osowski, AMKO Advisors - RE: Water/Sewer Bond Re-funding Analysis
8. Correspondence
9. Public Hearings
10. Unfinished Business
 - a. Discussion/Workshop: Resolution No. 387E, amending Town Council Rules
11. New Business
 - a. Discussion/Decision: Resolution 483, adopting fees for the Parks & Recreation 2020 Scarecrow Festival
 - b. Discussion/Decision: Public Works General Labor/Operator Position Description
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:

Claims #16229-16270

* ... Over spent expenditure

Claim	Check	Invoice #/Inv Date	Vendor #/Name/ Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
16229		141	CNA SURETY	105.00					
MT Public Employee Position Bond \$30,000 11/04/20 to 11/04/21									
	FY 20-21	11/04/20	Surety bond UB Clerk	26.25*			5210 430510	520	101000
	FY 20-21	11/04/20	Surety bond UB Clerk	26.25*			5310 430610	520	101000
	FY 20-21	11/04/20	Surety bond Treasurer	6.57*			5210 430510	520	101000
	FY 20-21	11/04/20	Surety bond Treasurer	6.56*			5310 430610	520	101000
	FY 20-21	11/04/20	Surety bond Treasurer	13.12*			1000 410550	520	101000
	FY 20-21	11/04/20	Surety bond Court Clerk	8.75*			1000 410360	520	101000
	FY 20-21	11/04/20	Surety bond Town Clerk	8.75*			1000 410550	520	101000
	FY 20-21	11/04/20	Surety bond PD Clerk	8.75*			1000 420100	520	101000
16250		1436	Maureen M. O'Connor	1,500.00					
	October 20	10/01/20	Monthly Compensation	1,500.00*			1000 410360	350	101000
16251		1696	First Call Computer Solutions,	2,100.00					
	69188	10/01/20	Admin-Monthly Fee	315.00*			1000 410550	356	101000
	69188	10/01/20	PD-Monthly Fee	315.00*			1000 420100	356	101000
	69188	10/01/20	C-Monthly Fee	105.00*			1000 410360	356	101000
	69188	10/01/20	BD-Monthly Fee	105.00*			2394 420531	356	101000
	69188	10/01/20	FD-Monthly Fee	105.00*			1000 420410	356	101000
	69188	10/01/20	Sewer-Monthly Fee	525.00*			5310 430610	356	101000
	69188	10/01/20	Water-Monthly Fee	525.00*			5210 430510	356	101000
	69188	10/01/20	Airport-Monthly Fee	105.00*			5610 430300	356	101000
*** Claim from another period (9/20) ****									
16252		957	FIRE APPARATUS REPAIR, LLC	1,926.16					
	5482	09/21/20	FD=Brakes 2510	1,926.16*			1000 420460	232	101000
*** Claim from another period (9/20) ****									
16253		1702	DE Lage Landen Finance Services,	55.02					
	69640589	09/20/20	Printer lease	51.02*			2940 410550	320	101000
	69640589	09/20/20	Late Fee	4.00*			2940 410550	320	101000
*** Claim from another period (9/20) ****									
16254		1753	Heavens Best Carpet	400.00					
	154703	09/26/20	Carpet Cleaning Town Hall	400.00*			1000 411201	360	101000
*** Claim from another period (9/20) ****									
16255		1122	Bitterroot Wireless Inc.	10.99					
	10067964	09/17/20	PD Batteries	10.99*			1000 420100	210	101000
*** Claim from another period (3/20) ****									
16256		1122	Bitterroot Wireless Inc.	40.00					
	10066029	03/09/20	PD Flash Drive	40.00*			1000 420100	210	101000

* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
			*** Claim from another period (12/19) ****					
16257	1122	Bitterroot Wireless Inc.	23.18					
	10065105	12/02/19 Water Meter Computer DC Jack	23.18			5210 430540	210	101000
			*** Claim from another period (9/20) ****					
16258	1061	WESTERN BUILDING CENTER	15.62					
	15100156	09/28/20 4 1x2 8' & 1 lb screws	15.62*			1000 411201	230	101000
			*** Claim from another period (9/20) ****					
16259	230	Verizon Wireless	432.38					
	9863091270	09/18/20 Cell Phone - Mayor	46.64*			1000 410200	340	101000
	9863091270	09/18/20 Cell Phone - PD	139.92*			1000 420100	340	101000
	9863091270	09/18/20 Cell Phone - BD	108.87*			2394 420531	340	101000
	9863091270	09/18/20 Cell Phone - H2O	58.90*			5210 430510	340	101000
	9863091270	09/18/20 Cell Phone - Sewer	58.90*			5310 430610	340	101000
	9863091270	09/18/20 Cell Phone - Airport	19.15			5610 430300	340	101000
			*** Claim from another period (9/20) ****					
16260	728	HDR ENGINEERING, INC.	20,972.88					
	1200293069	09/10/20 3rd Street Improvements	8,999.02*			2820 430200	350	101000
	1200294832	09/15/20 Water Sys Prelim Eng Repor	4,629.58*			5210 430510	350	101000
	1200294833	09/15/20 Misc Svc Contract Pool	1,201.23*			4000 460430	930	101000
	1200294833	09/15/20 Misc Svc Contract BF Estat	6,143.05*			2250 410210	350	101000
16262	E	59 BITTER ROOT DISPOSAL	499.80					
	3524118	10/01/20 Court solid waste	5.00*			1000 410360	340	101000
	3524118	10/01/20 H2O Dept TH facility	29.99*			5210 430510	340	101000
	3524118	10/01/20 Sewer Dept TH facility	29.99*			5310 430610	340	101000
	3524118	10/01/20 PD solid waste	14.99*			1000 420100	340	101000
	3524118	10/01/20 TH solid waste	14.99*			1000 411201	340	101000
	3524118	10/01/20 BD solid waste	5.00*			2394 420531	340	101000
	3523949	10/01/20 Street solid waste	149.94*			1000 430200	340	101000
	3523949	10/01/20 Sewer plant solid waste	49.98*			5310 430640	340	101000
	3523949	10/01/20 Parks	199.92*			1000 460430	340	101000
			*** Claim from another period (9/20) ****					
16263	E	8 RAVALLI ELECTRIC CO-OP	97.18					
	Sep 20	09/29/20 Airport Utilities - Lights 2/3	64.79			5610 430300	340	101000
	Sep 20	09/29/20 Airport Utilities - Water Pump	32.39			5610 430300	340	101000
			*** Claim from another period (9/20) ****					
16265	1667	Owens Law Firm, PLLC	3,275.40					
	2998	10/01/20 Town Legal Services	2,034.00*			1000 411100	350	101000
	2999	10/01/20 Prosecuting Atty Services	1,241.40*			1000 411100	352	101000

* ... Over spent expenditure

Claim	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
*** Claim from another period (9/20) ****								
16266		1210 Knife River Corporation	264,241.04					
AIP 3-30-0044-013-2019 - Pavement Reconstruction and New Midfield								
Knife River Pay Application RFR#5 Airport 10% match \$26,724.04 FAA Grant 90%								
\$240,516.30								
Knife River was also paid the 1% State Tax by mistake on Claim 16160 = \$2,999.33 deducted from this bill								
	RFR #5	09/24/20 Pavement & New Midfield 90%	240,516.33			5620 430300	950	101000
	RFP #5	09/24/20 Pavement & New Midfield 10%	26,724.04			5610 430300	950	101000
	RFP #5	09/24/20 1% State tax 90%	-2,699.39			5620 430300	950	101000
	RPF #5	09/24/20 1% State tax 10%	-299.94			5610 430300	950	101000
16267		206 DEPARTMENT OF REVENUE	2,699.39					
AIP 3-30-0044-013-2019 - Pavement Reconstruction and New Midfield								
	RFP #6	10/02/20 1% State tax 90%	2,429.45			5620 430300	950	101000
	RFP #6	10/02/20 1% State tax 10%	269.94			5610 430300	950	101000
*** Claim from another period (9/20) ****								
16268		1747 Copper Shark	1,785.00					
	Job 1372	09/25/20 PD-Wiring of New Police Offi	1,785.00*			1000 420100	350	101000
*** Claim from another period (9/20) ****								
16269		690 Core & Main LP	382.71					
	M941449	09/02/20 Blue Paint	42.00*			5210 430550	230	101000
	M976700	09/10/20 Meter Pit Riser 15x12	183.52*			5210 430550	230	101000
	N030168	09/22/20 199-240-50MM 3G XTR	132.27*			5210 430550	230	101000
	N089898	09/29/20 6 Valve Box Riser	24.92*			5210 430550	230	101000
*** Claim from another period (9/20) ****								
16270		77 THATCHER COMPANY OF MONTANA	511.20					
	351589	09/04/20 2 55 g drum T-Chlor 12.5	431.20*			5210 430540	220	101000
	351589	09/04/20 Container Deposit	80.00*			5210 430540	220	101000
		# of Claims	20	Total:	301,072.95			
Total Electronic Claims			596.98	Total Non-Electronic Claims	300475.97			

10/07/20
14:09:39

TOWN OF STEVENSVILLE
Fund Summary for Claims
For the Accounting Period: 10/20

Page: 4 of 5
Report ID: AP110

Fund/Account	Amount
1000 GENERAL	
101000 Cash - Operating	\$10,403.94
2250 PLANNING	
101000 Cash - Operating	\$6,143.05
2394 BUILDING CODE ENFORCEMENT	
101000 Cash - Operating	\$218.87
2820 GAS APPORTIONMENT TAX	
101000 Cash - Operating	\$8,999.02
2940 ECONOMIC DEVELOPMENT	
101000 Cash - Operating	\$55.02
4000 CAPITAL IMPROVEMENTS	
101000 Cash - Operating	\$1,201.23
5210 WATER	
101000 Cash - Operating	\$6,193.38
5310 SEWER	
101000 Cash - Operating	\$696.68
5610 AIRPORT	
101000 Cash - Operating	\$26,915.37
5620 AIRPORT PROJECT	
101000 Cash - Operating	\$240,246.39
Total:	\$301,072.95

10/07/20
14:09:39

TOWN OF STEVENSVILLE
Claim Approval Signature Page
For the Accounting Period: 10 / 20

Page: 5 of 5
Report ID: AP100A

ORDERED that the Town Treasurer draw a check/warrant on the Town of Stevensville.

Council

Council

Council

Council

Mayor

Date Approved _____

File Attachments for Item:

b. Building Department

MONTHLY REPORT

Building Department

September 2020

<u>Permits Issued</u>	<u>Fees Collected</u>
<u>Building</u> (3 permits)	
1. NSFR	\$1,844.40
2. New Commercial Building	\$0
3. Renovation/Remodel	\$100.00
4. Demo	\$0
<u>Electrical</u> (6 permits)	
1. NSFR	\$2,200.00
2. New Commercial Building	\$0
3. Renovation/Remodel	\$114.00
4. Demo	\$0
<u>Mechanical</u> (7 permits)	
1. NSFR	\$2,185.00
2. New Commercial Building	\$0
3. Renovation/Remodel	\$555.00
4. Demo	\$0
<u>Plumbing</u> (8 permits)	
1. NSFR	\$2,241.00
2. New Commercial Building	\$0
3. Renovation/Remodel	\$0
4. Demo	\$0
Total permits issued:24	Total fees collected: \$9,239.40
<u>Activities</u>	
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>	
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 – September 2020

Calls for the Month of September: 52

Calls for Stevensville Town: 29

Calls for Stevensville Rural: 22

Mutual Aid: 1

Medical Response: 41

Fire Calls: 10

Motor Vehicle Crash: 1

Total Calls: 52

Calls for the Year to Date: 482

Calls for Stevensville Town: 216

Calls for Stevensville Rural: 249

Mutual Aid: 17

Medical Response: 354

Fire Calls: 103

Motor Vehicle Crash: 25

Total Calls: 482

File Attachments for Item:

e. Parks & Recreation



October 8, 2020 Report to Council

Here's what's happening in your parks:

Lewis and Clark Park:

- ◆ 3 Pavilion rentals
- ◆ Early fall trimming and clean up

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:

- ◆ 1 Pavilion rental
- ◆ Walk & Talk event took place on September 26, 2020

Creamery Garden Park:

- ◆ Started fall clean up, working to winterize irrigation lines

Veteran's Park:

- ◆ Working with the American Legion Veterans and Garden Club to complete renovations
- ◆ Storytelling and Music Event took place on September 17, 2020

Pool:

- ◆ HDR is working on a repair plan and we are expecting to receive that soon

Upcoming Events:

- ◆ Scarecrow on Bike Path Oct. 16-Oct. 31, 2020
- ◆ StoryWalk on Bike Path (Halloween Themed) Week of October 19, 2020

Other:

- ◆ Assisting Public Works with park and cemetery maintenance and early fall clean up
- ◆ Working with Lori Lewis to figure out if we can facilitate a safe "Turkey Trot" 5K race for Thanksgiving

Sincerely,

Bobby Sonsteng
Parks and Recreation Director

File Attachments for Item:

f. Police Department

**TOWN OF STEVENSVILLE
POLICE DEPARTMENT ACTIVITY REPORT
September 2020**

MONTHLY REPORT:

We are moving forward with the process in seeking out a 4th officer. I am hoping to have the 4th position hired by end of October depending on unforeseen setbacks that we have been experiencing.

Our newest Officer will be in his final week of field training the first week of October. I expect him to be released from field training at the end of that week.

We have promoted Officer Ellington to Corporal and he and Officer Guida were awarded with life saving ribbons for their actions in saving a person's life who had attempted suicide.

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: 79

Key	Nature	When Occurred	Responsible Officer	Area
CFS-4027	Medical Emergency	After : 09/25/2020 13:11 Before : 09/25/2020 13:13	Marble, James Robert	Northwest Area
CFS-4026	Counterfeiting	After : 09/18/2020 09:43 Before : 09/18/2020 10:17	Marble, James Robert	South Main
CFS-4025	Burglary	After : 09/18/2020 07:44 Before : 09/18/2020 08:04	Marble, James Robert	Southeast Area
CFS-4024	Suspicious Person, Circumstance	After : 09/18/2020 06:43 Before : 09/18/2020 06:49	Marble, James Robert	Northeast Area
CFS-4023	Parking Problem	After : 09/17/2020 08:12 Before : 09/17/2020 08:58	Marble, James Robert	
CFS-4022	Officer Advice	After : 09/15/2020 21:31 Before : 09/15/2020 22:00	Marble, James Robert	Northwest Area
CFS-4021	Attempted Burglary	After : 09/15/2020 21:05 Before : 09/15/2020 21:50	Marble, James Robert	Southwest Area
CFS-4010	Welfare Check	After : 09/29/2020 19:27 Before : 09/29/2020 20:34	Marble, James Robert	North Main
CFS-4009	Threatening	After : 09/30/2020 21:39 Before : 09/30/2020 22:00	Guida, Jacob Rocco	Northeast Area
CFS-4008	911 Open Line	After : 09/30/2020 18:08 Before : 09/30/2020 18:39	Guida, Jacob Rocco	School
CFS-4007	Agency Assistance	After : 09/30/2020 19:47 Before : 09/30/2020 19:56	Ellington, John Patrick	South Main
CFS-4006	Parking Problem	After : 09/30/2020 19:07 Before : 09/30/2020 19:17	Ellington, John Patrick	Southwest Area
CFS-4005	Fraud	After : 09/29/2020 19:07 Before : 09/29/2020 20:24	Marble, James Robert	
CFS-4004	Follow up	After : 09/29/2020 19:09 Before : 09/29/2020 19:26	Marble, James Robert	Ravalli County
CFS-4003	Information Report	After : 09/20/2020 03:30 Before : 09/20/2020 09:30	Marble, James Robert	Ravalli County
CFS-4002	Kidnapping	After : 09/21/2020 16:04 Before : 09/21/2020 16:04	Marble, James Robert	School
CFS-4001	Transport By L.E.O	After : 09/09/2020 11:50 Before : 09/09/2020 16:06	Marble, James Robert	Office
CFS-3999	Obstructing a Peace Officer	After : 09/27/2020 02:26 Before : 09/27/2020 04:56	Ellington, John Patrick	North Main
CFS-3998	Disturbance, General	After : 09/26/2020 21:44 Before : 09/26/2020 22:11	Ellington, John Patrick	Northwest Area
CFS-3997	Agency Assistance	After : 09/26/2020 18:49 Before : 09/26/2020 19:31	Ellington, John Patrick	Ravalli County
CFS-3996	Agency Assistance	After : 09/26/2020 02:33 Before : 09/26/2020 03:34	Ellington, John Patrick	North Main
CFS-3995	City Ordinance Violation	After : 09/26/2020 00:17 Before : 09/26/2020 00:21	Ellington, John Patrick	North Main
CFS-3994	Intoxicated Person	After : 09/25/2020 22:44 Before : 09/26/2020 00:14	Ellington, John Patrick	General Area
CFS-3993	Officer Advice	After : 09/25/2020 22:43 Before : 09/25/2020 23:47	Ellington, John Patrick	Northeast Area

Key	Nature	When Occurred	Responsible Officer	Area
CFS-3992	Suspicious Person, Circumstance	After : 09/25/2020 23:11 Before : 09/25/2020 23:22	Ellington, John Patrick	North Main
CFS-3991	Suspicious Person, Circumstance	After : 09/25/2020 22:31 Before : 09/25/2020 22:36	Ellington, John Patrick	Lewis and Clark Park
CFS-3990	Suspicious Person, Circumstance	After : 09/25/2020 20:39 Before : 09/25/2020 21:02	Ellington, John Patrick	Northeast Area
CFS-3989	Animal Problem	After : 09/25/2020 19:58 Before : 09/25/2020 20:40	Ellington, John Patrick	General Area
CFS-3988	Intoxicated Person	After : 09/25/2020 18:21 Before : 09/25/2020 18:36	Ellington, John Patrick	Southwest Area
CFS-3987	Extra Patrol	After : 09/25/2020 02:02 Before : 09/25/2020 02:12	Ellington, John Patrick	General Area
CFS-3986	Suspicious Person, Circumstance	After : 09/25/2020 01:00 Before : 09/25/2020 01:13	Ellington, John Patrick	Lewis and Clark Park
CFS-3985	Assault with a Weapon	After : 09/24/2020 17:15 Before : 09/24/2020 19:50	Marble, James Robert	North Main
CFS-3984	911 Open Line	After : 09/23/2020 19:20 Before : 09/24/2020 19:47	Ellington, John Patrick	Northeast Area
CFS-3983	VIN Serial Nmbr Inspection	After : 09/22/2020 11:30 Before : 09/22/2020 11:43	Guida, Jacob Rocco	Office
CFS-3982	Extra Patrol	After : 09/19/2020 20:50 Before : 09/19/2020 21:16	Ellington, John Patrick	North Main
CFS-3981	Suspicious Person, Circumstance	After : 09/19/2020 00:46 Before : 09/19/2020 01:01	Ellington, John Patrick	General Area
CFS-3980	Medical Emergency	After : 09/18/2020 21:35 Before : 09/18/2020 23:17	Ellington, John Patrick	Northwest Area
CFS-3979	Traffic Accident with Damage	After : 09/18/2020 19:55 Before : 09/18/2020 20:26	Ellington, John Patrick	South Main
CFS-3978	Disturbance, General	After : 09/18/2020 17:27 Before : 09/18/2020 18:35	Ellington, John Patrick	School
CFS-3977	Lost Property	After : 09/16/2020 17:00 Before : 09/16/2020 17:15	Marble, James Robert	South Main
CFS-3976	Welfare Check	After : 09/17/2020 21:42 Before : 09/17/2020 22:51	Ellington, John Patrick	North Main
CFS-3975	Criminal Mischief	After : 09/18/2020 00:24 Before : 09/18/2020 00:28	Ellington, John Patrick	North Main
CFS-3974	Agency Assistance	After : 09/17/2020 23:35 Before : 09/18/2020 00:31	Guida, Jacob Rocco	Northeast Area
CFS-3973	Agency Assistance	After : 09/18/2020 20:38 Before : 09/18/2020 20:49	Ellington, John Patrick	Ravalli County
CFS-3972	Missing Person	After : 09/17/2020 01:14 Before : 09/17/2020 02:53	Ellington, John Patrick	Northwest Area
CFS-3971	Dead Body	After : 09/16/2020 21:57 Before : 09/16/2020 21:57	Marble, James Robert	North Main
CFS-3970	911 Hang Up	After : 09/15/2020 10:45 Before : 09/15/2020 11:15	Marble, James Robert	South Main
CFS-3969	Traffic Violation	After : 09/14/2020 15:13 Before : 09/14/2020 15:38	Marble, James Robert	North Main
CFS-3968	Agency Assistance	After : 09/14/2020 14:00 Before : 09/14/2020 15:23	Marble, James Robert	Ravalli County
CFS-3967	911 Open Line	After : 09/14/2020 10:30 Before : 09/14/2020 10:51	Marble, James Robert	North Main
CFS-3966	Civil Standby	After : 09/10/2020 08:23 Before : 09/10/2020 11:05	Marble, James Robert	Northwest Area
CFS-3965	911 Open Line	After : 09/09/2020 10:59 Before : 09/09/2020 11:24	Marble, James Robert	North Main
CFS-3964	Structure Fire	After : 09/08/2020 09:24 Before : 09/08/2020 09:42	Marble, James Robert	Southwest Area
CFS-3963	Burglary	After : 09/08/2020 08:03 Before : 09/08/2020 09:24	Marble, James Robert	Southeast Area

Key	Nature	When Occurred	Responsible Officer	Area
CFS-3962	Alarm	After : 09/04/2020 09:43 Before : 09/04/2020 09:43	Marble, James Robert	School
CFS-3961	Sex Offense	After : 09/04/2020 08:42 Before : 09/04/2020 08:42	Marble, James Robert	Southeast Area
CFS-3960	Noise Complaint	After : 09/12/2020 23:49 Before : 09/13/2020 00:11	Ellington, John Patrick	Southwest Area
CFS-3959	Welfare Check	After : 09/12/2020 23:35 Before : 09/12/2020 23:58	Ellington, John Patrick	South Main
CFS-3958	Fire	After : 09/12/2020 21:23 Before : 09/12/2020 21:45	Ellington, John Patrick	Southeast Area
CFS-3957	Civil Issue	After : 09/11/2020 17:44 Before : 09/11/2020 18:01	Ellington, John Patrick	South Main
CFS-3956	Parking Problem	After : 09/11/2020 16:55 Before : 09/11/2020 16:59	Ellington, John Patrick	North Main
CFS-3955	Parking Problem	After : 09/11/2020 12:14 Before : 09/11/2020 12:33	Ellington, John Patrick	Northeast Area
CFS-3954	Traffic Accident with Damage	After : 09/04/2020 22:00 Before : 09/05/2020 09:00	Ellington, John Patrick	Northeast Area
CFS-3953	Suspicious Person, Circumstance	After : 09/10/2020 19:23 Before : 09/10/2020 19:28	Ellington, John Patrick	Northeast Area
CFS-3952	Officer Advice	After : 09/10/2020 16:46 Before : 09/10/2020 16:54	Guida, Jacob Rocco	Southeast Area
CFS-3951	Traffic Accident with Damage	After : 09/10/2020 17:04 Before : 09/10/2020 17:48	Ellington, John Patrick	Southwest Area
CFS-3950	911 Open Line	After : 09/09/2020 10:59 Before : 09/09/2020 11:24	Guida, Jacob Rocco	North Main
CFS-3949	911 Hang Up	After : 09/05/2020 18:36 Before : 09/05/2020 19:17	Ellington, John Patrick	Northeast Area
CFS-3948	Child Abuse or Neglect	After : 09/05/2020 16:48 Before : 09/05/2020 18:52	Ellington, John Patrick	Southeast Area
CFS-3947	Suspicious Person, Circumstance	After : 09/05/2020 00:52 Before : 09/05/2020 01:07	Ellington, John Patrick	Northeast Area
CFS-3946	Citizen Assist	After : 09/05/2020 00:17 Before : 09/05/2020 00:37	Ellington, John Patrick	General Area
CFS-3945	Suspicious Person, Circumstance	After : 09/04/2020 23:43 Before : 09/05/2020 00:06	Ellington, John Patrick	General Area
CFS-3944	Welfare Check	After : 09/04/2020 19:03 Before : 09/04/2020 19:51	Ellington, John Patrick	Southeast Area
CFS-3943	Agency Assistance	After : 09/03/2020 21:05 Before : 09/03/2020 23:23	Ellington, John Patrick	Ravalli County
CFS-3942	PFMA	After : 09/02/2020 18:49 Before : 09/02/2020 20:18	Ellington, John Patrick	Northeast Area
CFS-3941	Civil Standby	After : 09/03/2020 18:29 Before : 09/03/2020 18:34	Ellington, John Patrick	Northeast Area
CFS-3940	911 Hang Up	After : 09/03/2020 17:40 Before : 09/03/2020 18:13	Ellington, John Patrick	Southwest Area
CFS-3939	911 Open Line	After : 09/02/2020 14:45 Before : 09/02/2020 15:00	Marble, James Robert	Creekside Subdivision
CFS-3938	Unsecured premises	After : 09/03/2020 02:52 Before : 09/03/2020 03:24	Ellington, John Patrick	North Main

Report generated on 10/05/2020 by James R. Marble
Nova - A Motorola Solutions Product

File Attachments for Item:

g. Public Works

**TOWN OF STEVENSVILLE
PUBLIC WORKS ACTIVITY REPORT
September 2020**

UTILITIES REPORT

Water Production

	<i>This Month</i>	<i>Last Month</i>
<i>Gallons Produced</i>	23,465,000	33,583,000

- 💧 Water main and service connections for Burnt Fork Place complete
- 💧 3 meter readings for property closings
- 💧 Monthly and Yearly water samples were taken and the State Reports sent
- 💧 Meter pit repair on Park Ave.

Waste Water Treatment

	<i>This Month</i>	<i>Last Month</i>
<i>Gallons Treated</i>	5,225,000	6,271,000

- 💧 Monthly and Weekly sewer samples, EPA & State reports sent.
- 💧 Sewer mains jetted
- 💧 2 operators visiting from Wyoming toured our plant
- 💧 Digester #3 mud valves repaired
- 💧 UV System cleaned & lamps serviced

STREETS & TRANSPORTATION

- 💧 Utility locates for 6th Street & College Street / 5th Street & College Street
- 💧 New sander installed on dump truck

CEMETERY'S

- 💧 1 grave opened and closed
- 💧 Headstone mark-outs
- 💧 Mowing & irrigation maintained

PARK MAINTENANCE

- 💧 Weed control, mowing, & irrigation was done in the parks

File Attachments for Item:

Discussion/Workshop: 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:	Brandon Dewey
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	10/8/2020
Agenda Topic:	Discussion/Workshop: Resolution No. 387E, amending Town Council Rules
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	10/8/2020
Notes:	

Agenda Item: Unfinished Business
Discussion/Workshop: Resolution No. 387E, amending Town Council Rules

Other Council Meetings

Exhibits

A. Previous Packet Information

This agenda item provides Council with the ability to discuss and workshop changes to their Council Rules.

Background:

The Town Council has recently discussed changes to their Council Rules that include implementing time limits on public comment and how the Council fills vacancies.

At their September 24, 2020 Town Council meeting, these items were referred to a Committee of the Whole Meeting. Because there is a small amount of business to complete on the October 8, 2020 regular agenda, the Mayor has scheduled this workshop at the regular meeting to make best use of the time available.

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s):

MOTION

I move to:

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.

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

Culbertson Hall 235-A

P.O. Box 170535

Bozeman, MT 59717

Office: 406-994-6694

Cell: 406-570-4259

FAX: 406-994-1905

email: daniel.clark@montana.edu

Website: msulocalgov.org

The Montana State University Extension
is an ADA/EO/AA/Veteran's Preference
Employer and Provider of Educational Outreach

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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Brandon E. Dewey

From: Scott B. Owens
Sent: Thursday, September 24, 2020 3:00 PM
To: Bob Michalson
Cc: Jaime Devlin; Robin Holcomb; Dempsey Vick; Brandon E. Dewey
Subject: RE: [EXTERNAL] RE: Elected office vacancy

Bob:

As discussed, I do not believe that Part XIV, Section 1 of the Town Council rules runs contrary to Montana State Law.

Specifically, Part XIV, Section 1 of the Town Council Rules for Stevensville states:

“Whenever Town Council has sufficient 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 Council may adopt any rules for Council business that are not inconsistent with Montana law.

On this point, Montana law states (in the relevant part):

“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.” Sec. 7-4-4112(1), MCA.

Montana law discusses vacancies after they have occurred and details a process for filling the vacancy. However, there is no language limiting a council from developing rules in regards to anticipating a vacancy.

I have spoken with Dan on this issue as well. After discussing this issue, we agree there are pros and cons associated with this rule; however, there is nothing preventing the council from implementing this rule.

This rule was adopted into the Council Rules by a prior Council. As it stands, this is the rule and I do not believe it is inconsistent with Montana law.

Finally, this is a council rule and can be amended if the Council so chooses. The Council may keep it, delete it, or amend it. Of course, if amending, this language should be sent for legal review.

Please let me know you have any further questions.

Respectfully,

Scott B. Owens
City Attorney
406-422-5744

File Attachments for Item:

Discussion/Decision: Resolution 483, adopting fees for the Parks & Recreation 2020 Scarecrow Festival



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 Dewey
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	10/8/2020
Agenda Topic:	Discussion/Decision: Resolution 483, adopting fees for the Parks & Recreation 2020 Scarecrow Festival
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	10/8/2020
Notes:	

Agenda Item: New Business

Discussion/Decision: Resolution 483, adopting fees for the Parks & Recreation 2020 Scarecrow Festival

Other Council Meetings

Exhibits

A. Res. 483

This agenda item provides Council with the ability to approve the entry fees charged for the Parks & Recreation Program 2020 Scarecrow Festival.

Background:

The Parks & Recreation Department is facilitating the 2020 Scarecrow Festival as scaled back arts & culture event. To cover costs for providing the event, the Department is charging for entry's at rates comparable to past event fees.

Entry Fees are as follows:

1. Standard Scarecrow Entry: \$25.00
2. 8th Grade or under Entry: \$15.00

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): do not approve Resolution 483

MOTION

I move to: approve Resolution 483, adopting fees for the Parks & Recreation 2020 Scarecrow Festival.

RESOLUTION NO. 483

**A RESOLUTION ADOPTING FEES FOR THE PARKS & RECREATION 2020
SCARECROW FESTIVAL**

WHEREAS, the Stevensville Municipal Code provides that usage rates, service charges, and license and permit fees be appropriately set by resolution of the Town Council; and

WHEREAS, the Town Council periodically sets fees and charges for various services provided by the Town; and

WHEREAS, the proposed rates and charges provide the financial resources to operate the festival and offset costs to the Parks & Recreation Department.

NOW, THEREFORE, BE IT RESOLVED by the Stevensville Town Council that the rates and charges herein be affirmed and adopted as set forth below:

1. Standard Scarecrow Entry: \$25.00
2. 8th Grade or under Entry: \$15.00

Passed and adopted by the Town Council of the Town of Stevensville, Montana, this ____ day of _____, 2020.

Approved:

Attest:

Brandon E. Dewey, Mayor

Jenelle S. Berthoud, Town Clerk

File Attachments for Item:

b. Discussion/Decision: Public Works General Labor/Operator Position Description



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 Dewey
Second Person Submitting the Agenda Item:	
Submitter Title:	Mayor
Submitter Phone:	
Submitter Email:	
Requested Council Meeting Date for Item:	10/8/2020
Agenda Topic:	Discussion/Decision: Public Works Labor/Operator Position Description
Backup Documents Attached?	Yes
If no, why not?	
Approved/Disapproved?	Approved
If Approved, Meeting Date for Consideration:	10/8/2020
Notes:	

Agenda Item: New Business

Discussion/Decision: Public Works General Labor/Operator Position Description

Other Council Meetings

Exhibits

A. General Labor/Operator Position Description

This agenda item provides Council with the ability to approve the position description of a General Labor/Operator for the Public Works Department

Background:

Since the COVID-19 pandemic began, the Town has been challenged in meeting workload demands with available staffing due to situations where isolation or quarantine are necessary. Further, the recent resignation of a Public Works Assistant will leave the department temporarily short handed as we recruit to fill the vacancy.

In response, the administration has developed a position description for a General Labor/Operator to assist the Public Works Department on an as needed basis during periods of short staffing and high workload.

The primary reason for a separate position description is to make this role more versatile than the traditional Public Works Assistant role. The General Labor/Operator is not required to hold the water & sewer certifications that the other position requires. However, they are required to hold (or be able to obtain) a Commercial Drivers License.

Due to a situation where one Public Works employee is in self-quarantine pending a contact's COVID-19 test results, there is an immediate need for general labor assistance in the Public Works Department. Looking forward, it is likely that the situation repeats itself as the pandemic evolves.

Under emergency measures of the COVID-19 pandemic, the administration is proceeding to fill the position immediately and asking the Town Council to ratify the position description. The position will be funded through a combination of CAREs ACT funding and budgeted funds. The position will work on-call/as needed with varying schedule and hours depending on demand.

Board/Commission Recommendation: Applicable - Not Applicable

Alternative(s): do not approve the position description

MOTION

I move to: approve the Public Works General Labor/Operator position description.

TOWN OF STEVENSVILLE

PUBLIC WORKS POSITION DESCRIPTION

Class Title: General Labor/Operator

Department: Public Works

Date: 10/01/2020

GENERAL PURPOSE

Provides parks, tree, weed, cemetery, streets and swimming pool maintenance services, may assist in the operation and maintenance of the water treatment plant and wells, and wastewater plant, along with water mains and sewer mains, and performs a variety of technical tasks relative to assigned areas of responsibility.

SUPERVISION RECEIVED

Works under the supervision of the Public Works Supervisor.

SUPERVISION EXERCISED

None.

ESSENTIAL DUTIES AND RESPONSIBILITIES

Performs skilled maintenance work, and operates specialized automotive and/or maintenance equipment, in addition to a wide variety of other equipment. Performs a variety of departmental maintenance duties and performs skilled work in the operation of specialized equipment and vehicles in the operations and maintenance of the Town's cemeteries, parks, streets, water and wastewater systems.

Assist in the implementation of goals and objectives; identify maintenance problems and areas; provide park, tree, weed, cemetery, road maintenance, water and wastewater services; implement policies and procedures.

Perform park, cemetery, road repair and maintenance, assist with water and wastewater repair and maintenance projects; select appropriate equipment and materials to complete the work according to specifications, written and/or verbal instructions, and established procedures; adapt equipment and materials to meet specific requirements of the work to be accomplished; use hand and power tools; communicate; operate some heavy equipment; drive trucks; have good depth

Adopted by Council:

Revised:

PW General Labor/Operator Job Description

perception; walk distances on uneven ground; visually inspect areas for safety; lift 50 pounds or more and climb ladders.

DESIRED MINIMUM QUALIFICATIONS

Education and Experience:

A high school diploma or equivalency is required and two years of relevant experience. Any combination of equivalent education and experience may be considered.

Incumbent must have a satisfactory driving history record and possess or be able to obtain within 60 days of employment, a Class B Montana Commercial Driver License (CDL).

Necessary Knowledge, Skills and Abilities:

Knowledge:

This position is required to possess knowledge of operation of heavy equipment and maintenance, materials, methods and the tools involved in the maintenance and/or repairs of structures such as street and alleys.

Skill to:

Operate pertinent equipment, and perform routine maintenance tasks, using a variety of hand and power tools;

Watch gauges, dials or other indicators to make sure machines are working properly.

Ability to:

Use a variety of hand and power tools.

Perform the variety of skills needed to perform major duties.

Establish and maintain positive working relationships with Town employees, supervisors, and the general public.

Operate a computer.

Perform strenuous manual labor under adverse conditions when necessary.

Quickly and repeatedly adjust the controls of a machine or a vehicle to exact positions.

Adopted by Council:
Revised:

Communicate effectively both verbally and in writing.

PHYSICAL DEMANDS

Ability to sit, stand, walk, kneel, crouch, stoop, squat, crawl, twist, climb, push, pull, lift 50 – 75 lbs., distinguish color, and wear protective apparel; exposure to cold, heat, outdoors, vibration, mechanical hazards, electrical hazards, and traffic hazards.

Employee: _____

Date: _____

Supervisor: _____

Date: _____