

City of White Sulphur Springs

The regular meeting of the City Council was held on October 02, 2023 at 7:00 P.M. Mayor Rick Nelson called the meeting to order with the following members present:

Ron Coleman
Lee Blanchard
Pattie Berg
Rick Ellison

A. Call Meeting to Order

B. Roll Call

C. Pledge of Allegiance to Flag

D. Public Comment: Public comment will be accepted on public matters not listed on this agenda and are within the jurisdiction of the City Council and having a significant interest to the public. During a regular session, there will be time after each agenda item for comment about that item.

1. Step up to the podium and state your name and address for the record.
2. Please limit your comments to THREE (3) minutes.

The Mayor asked if there were any Public Comment. There was not.

E. Read & Approve - Accept or Reject Minutes

1. July 3rd Regular Session

Possible Motion: Move to Accept Minutes as presented or as amended

The Mayor asked if there was a motion to approve or reject the Regular Session minutes from July 3rd as presented. Lee Blanchard motioned to approve the Regular Session July 3rd minutes as presented. Ron Coleman seconded the motion. All said Aye. Motion carried and passed.

2. August 1st Regular Session

Possible Motion: Move to Accept Minutes as presented or as amended

The Mayor asked if there was a motion to approve or reject the Regular Session minutes from August 1st as presented. Pattie Berg motioned to approve the Regular Session August 1st minutes as presented. Lee Blanchard seconded the motion. All said Aye. Motion carried and passed.

3. August 15th Regular Session and Work Session

Possible Motion: Move to Accept Minutes as presented or as amended

The Mayor asked if there was a motion to approve or reject the Regular Session and Work Session minutes from August 15th as presented. Pattie Berg motioned to approve the Regular Session and Work Session August 15th minutes as presented. Ron Coleman seconded the motion. All said Aye. Motion carried and passed.

4. August 29th Preliminary Budget Session

Possible Motion: Move to Accept Minutes as presented or as amended

The Mayor asked if there was a motion to approve or reject the Preliminary Budget Session minutes from August 29th as presented. Rick Ellison motioned to approve the Preliminary Budget Session August 29th minutes as presented. Ron Coleman seconded the motion. All said Aye. Motion carried and passed.

5. September 5th Regular Session

Possible Motion: Move to Accept Minutes as presented or as amended

The Mayor asked if there was a motion to approve or reject the Regular Session minutes from September 5th as presented. Lee Blanchard motioned to approve the Regular Session September 5th minutes as presented. Pattie Berg seconded the motion. All said Aye. Motion carried and passed.

6. September 19th Regular Session and Work Session

Possible Motion: Move to Accept Minutes as presented or as amended

The Mayor asked if there was a motion to approve or reject the Regular Session and Work Session minutes from September 19th as presented. Ron Coleman motioned to approve the Regular Session and Work Session September 19th minutes as presented. Pattie Berg seconded the motion. All said Aye. Motion carried and passed.

F. Receive/Accept Reports

1. Sheriff's Report – Sheriff Jon Lopp

The September COMM Report was emailed to the Council for review.

2. City Court Report – City Judge Lori Sorenson

No Report.

3. Animal Control Report – Marc Pryor

Marc Pryor said that there was one dog bite reported. Marc Pryor said that he transported three dogs to the Stafford Animal Shelter in Livingston, of which two have been adopted within 48 hrs. The Stafford Animal Shelter donated 24 kennels and Marc Pryor picked them up and they will be used in the new animal shelter for dogs and in the older animal shelter for the cats. Marc Pryor said that the animal shelter area is now fenced in. Marc Pryor said that electrical, heating, and then the interior of the new building will be the next items to finish up.

4. Housing Report – Terry Taylor

No Report.

G. Unfinished Business - Items for Discussion and/or Action

H. New Business- Items for Discussion and/or Action

1. Montana League of Cities and Towns – Proposed Dues Increase

Discussion and/or Action

Consider the League proposal for a Dues increase to stabilize services and assistance provided to members and obtain additional resources for growing needs. Proposal: Graduated increase from \$0.48/person to \$2.00/person over a 3-yr period. This will impact the City budget if approved at the League meeting on October 12th.

Accept Public Comment

*Possible Motion: Move to authorize the Mayor or a designee to vote in favor of this proposal.
OR, Move to authorize the Mayor or designee to oppose the increase.*

The MT League of Cities & Towns have not kept up with the inflation since at least 1981 and costs of services have been increasing ever since and will be asking for a vote to help with more resources, in the October annual League Conference. The increased dues necessary to cover both existing deficiencies and build capacity for providing long-term member services would be accomplished by raising League memberships due from the current \$.48/per person to \$2/per person over a 3-year phased in period. This proposal must be approved by the full membership at the annual meeting to be held during the conference lunch on October 12, 2023 in Helena. By pooling resources, the League can provide the support and advocacy necessary to create and defend efficient and effective municipal government. They are asking the League for the support of Cities & Towns when the proposal is put for a vote. The Mayor asked if there was a motion of support. Pattie Berg motioned to authorize the Mayor or a designee to vote in favor of this proposal in behalf of the City. Lee Blanchard seconded the motion. All said Aye. Motion carried and passed.

2. PUBLIC HEARING: Budget Amendments 2022-2023 by Resolution

a. Accounts 2342 and 2810 Data Entry Corrections: Resolution 2023-11

Discussion and/or Action

Fund 2342 Volunteer Fire Department – Relief Account: No appropriation appeared to reflect the expenditure. Fund 2810 Police Reserve Training: No appropriate appeared to reflect the expenditure. Corrections reflect the appropriation, which originates from a check from the State in the single amount of \$4,684.00, is split to reflect an appropriate of \$2,342.00 into the VFD fund and \$2,342.00 into the Police Training fund.

Accept Public Comment

Possible Motion: Motion to approve Resolution 2023-11

Funds 2342 (Fire Protection – Firemen’s Pension) and 2810 (Police Training) to reclassify claims from Due to Others Liability to expenditure accounts and recognize the additional-deductions for City’s contribution flowing through the FDRA fiduciary fund (7120). Money received from the State should be posted in the account as revenue and then when the County provides documentation on use of funds then it can be remitted to them as an expenditure, (the revenue and expenditure must be shown).

The Mayor asked if there was a motion to approve,

RESOLUTION NUMBER 2023 - 11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITE SULPHUR SPRINGS, MONTANA, APPROVING AND ADOPTING AMENDMENTS TO THE FINAL BUDGET FOR FISCAL YEAR 2022-2023; AMENDMENT OF APPROPRIATIONS AND EXPENDITURES FOR THE FUNDS AS ENUMERATED.

WHEREAS, The City of White Sulphur Springs is authorized under §7-6-4021 Montana Code Annotated (MCA) to amend its budget as necessary to reflect changes or adjustments necessary to properly reflect revenue, appropriations to specific funds and expenditures from those funds, and to do so by resolution; and

WHEREAS, a public hearing on the proposed budget amendments deemed necessary was set by public notice for October 2, 2023 and was held on that date and time as reflected in the notice; and

WHEREAS, the Volunteer Fire Department Relief Account, identified as Fund 2342, does not reflect the appropriation, only the expenditure of \$2,342.00; and

WHEREAS, the Police Reserve Training Account, identified as Fund 2810, likewise does not reflect the appropriation, only the expenditure of \$2,342.00; and

WHEREAS, the origination of these two expenditures is the result of funds from the State Auditor’s Insurance Apportionment Payment, which were combined in a single payment to the City of White Sulphur Springs in the amount of \$4,684.00, which payment should be accounted as revenue in Fund 7120; and

WHEREAS, The City Council, upon the recommendation of the City Auditors and to conform to new Government Accounting Standards, desires to properly reflect the revenues received from the State Auditor’s Insurance Apportionment Payment and properly reflect their appropriation to the identified fund and the corresponding expenditure of those funds as indicated.

NOW THEREFORE BE IT RESOLVED THAT:

The City of White Sulphur Springs City Council hereby authorizes, approves, and adopts the above-stated amendments to the 2022-2023 Final Budget for Revenue Fund 7120, and the appropriations and expenditures to Funds 2342 and 2810 as identified, which shall be effective immediately.

Pattie Berg motioned to approve Resolution 2023-11. Lee Blanchard seconded the motion. All said Aye. Motion carried and passed.

b. Account 3094 Date Entry Corrections: Resolution 2023-12

Discussion and/or Action

Fund 3094 relates to repayment of a bond for purchase of a fire truck. No further milling is required for this repayment as the item is complete. The funds collected are redirected to the General fund.

Accept Public Comment

Possible Motion: Motion to approve Resolution 2023-12.

Fund 3094 (Bond Series), the City is no longer assessing property tax mills and should be deemed closed moving forward in the accounting system and the remaining funds collected should be transferred into the General fund.

The Mayor asked if there were a motion to approve,

RESOLUTION NUMBER 2023 - 12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITE SULPHUR SPRINGS, MONTANA, APPROVING AND ADOPTING AMENDMENTS TO THE FINAL BUDGET FOR FISCAL YEAR 2022-2023; AMENDMENT OF APPROPRIATIONS AND EXPENDITURES FOR THE FUNDS AS ENUMERATED.

WHEREAS, The City of White Sulphur Springs is authorized under §7-6-4021 Montana Code Annotated (MCA) to amend its budget as necessary to reflect changes or adjustments necessary to properly reflect revenue, appropriations to specific funds and expenditures from those funds, and to do so by resolution; and

WHEREAS, a public hearing on the proposed budget amendments deemed necessary was set by public notice for October 2, 2023 and was held on that date and time as reflected in the notice; and

WHEREAS, Account 3094 relates to a bond series for which the City is no longer assessing property tax mills; and

WHEREAS, certain of the County Option Taxes (motor vehicle assessments) have continued to be allocated to this fund since the property tax levy ended due to an automated system entry error and should be redirected to the General Fund as the County Option Taxes are not otherwise restricted to a specific purpose and are more appropriately deposited in the General Fund; and

WHEREAS, Fund 3094 should be deemed closed, and funds allocated to this account should be transferred or redirected to the General Fund; and

WHEREAS, The City Council, upon the recommendation of the City Auditors, desires to properly reflect the closing of Fund 3094 and the redirection or transfer of the County Option Taxes inadvertently allocated to Fund 3094 as indicated.

NOW THEREFORE BE IT RESOLVED THAT:

The City of White Sulphur Springs City Council hereby authorizes, approves, and adopts the above-stated amendments to the 2022-2023 Final Budget reflecting the closing of Fund 3094 and the redirection or transfer of funds from the County Option Taxes to the General Fund, and associated accounting changes which shall be effective immediately.

Pattie Berg motioned to approve Resolution 2023-12. Lee Blanchard seconded the motion. All said Aye. Motion carried and passed.

3. Christmas Stroll 2023 -- Chamber --Kate Martin

Discussion and/or Action

Consider a request to shut down Main Street from 6:00 to 9:30 p.m. on December 8th for Christmas Stroll 2023. Also, whether to grant an alcohol/open container waiver for the period of the Stroll

Accept Public Comment

Possible Motion: Move to allow Main Street to be closed from 6-9:30 p.m. on December 8th for Christmas Stroll 2023. Separate Motion: Move to grant an alcohol/open container waiver for the Christmas Stroll.

Kate Daily, Vice President of the Meagher County Chamber, approached the Council requesting a street closure for the Christmas Stroll December 8th from 5:00 pm to 9:00 pm with no open container waiver. All of the street permits and the map have been submitted. Rick Ellison motioned to allow Main Street to be closed from 5:00 pm to 9:00 pm on December 8th for the Christmas Stroll. Lee Blanchard seconded the motion. All said Aye. Motion carried and passed.

4. 2 Basset Brewery -- Pedlet Variance Renewal -- Barry Hedrich

Discussion and/or Action

Consider renewal of variance request for awning/pedlet patio space. Due to construction delays, the new space still remains unfinished. Current anticipated opening for new space is Spring of 2024.

Accept Public Comment

Possible Motion: Motion to renew variance on awning/pedlet for Two Basset Brewery.

Barry Hedrich, 2 Bassett Brewery, approached the Council requesting the renewal of the variance on the awning/pedlet for the winter months (October-April). Barry Hedrich will submit the variance permit to the City office. Ron Coleman motioned to approve the renewal variance permit on the awning/pedlet for 2 Bassett Brewery. Rick Ellison seconded the motion. Ron Coleman, Lee Blanchard, and Rick Ellison said Aye. Pattie Berg said Nay. Motion carried and passed.

5. Sewer Connection Relocation and Tap Waiver – 514 E. Larime property -- Wayne/Deb Deal

Discussion and/or Action

Consider request for relocation of sewer service line connection into alley between Larime and Washington Streets and east to 6th Ave. NE to address original line running through property to the east now owned by Steenson's as permission granted to Wm. Deal terminated with his death. Proposal is for installation of a service line at the new owner's expense rather than a main extension on Larime. Suggestion is to waive Tap Fee as this is a relocation of existing service and the service line will not require new owners to work with DEQ as it would for the main extension, but will require them to pay for all other costs of installation.

Accept Public Comment

Possible Motion: Move to authorize installation of service line in alley between Larime and Washington Streets and east to 6th Ave. NE for service to 514 E. Larime at owner's expense and waiver of City Tap Fee.

The Mayor, Council, and City Attorney discussed the proposed sewer line relocation on Larime Street. Granting a variance to allow the sewer line to be run down the alley between Larime Street/Washington Street/and East to 6th Ave or extend the sewer main by two or more blocks to reach them was discussed. It was discussed to allow the new sewer line and waive the sewer tap fee, but the other costs for the plan and Engineer review and work would still be the owner's responsibility. Lee Blachard motioned to authorize the installation of the service line in the alley between Larime and Washington Street and east to 6th Ave. NE for service to 514 Larime at the owner's expense and waiver of City Tap Fee upon submission of the plans submitted and approved by the City Engineer. Ron Coleman seconded the motion. All said Aye. Motion carried and passed.

6. Resolution 2023-10 – Submission of Sealed Bids for Installation of Heating and Electrical for New City Shop.

Discussion and/or Action

Consider formal Resolution 2023-10 to authorize, retroactively, the consensus decision made at the September 21, 2023 meeting to publish a call for bids for completion of the City Shop by installing heating and electrical.

Accept Public Comment

Possible Motion: Move to approve Resolution 2023-10.

The Mayor, Council, and City Attorney discussed,

RESOLUTION NO. 2023-10

A RESOLUTION OF THE CITY OF WHITE SULPHUR SPRINGS, MONTANA, CALLING FOR THE SUBMISSION OF SEALED BIDS FOR INSTALLATION OF HEATING AND ELECTRICAL FOR NEW CITY SHOP BUILDING.

WHEREAS, the City Council has authorized construction of a new City Shop Building; and

WHEREAS, the contractor has completed the construction of the 3200 sq. foot building, but such construction of the building did not include the installation of heating and electrical; and

WHEREAS, the City staff have determined a basic plan for heating and electrical needs for the new City Shop building; and

WHEREAS, the City Council, by consensus at a regular meeting on September 19, 2023, authorized the City Clerk and the Mayor to initiate a closed bid process for this project.

NOW, THEREFORE BE IT ORDAINED AND RESOLVED BY THE CITY OF WHITE SULPHUR SPRINGS, MONTANA as follows:

The City of White Sulphur Springs shall, through a closed bid process, obtain bids for installation of heating and electrical for the New City Shop building. The advertisement of the Call for Bids shall be published as required by law and bids shall be due by Friday, October 13, 2023, at 5:00 p.m. at City Hall, 105 W. Hampton St., PO Box 442, White Sulphur Springs, MT, 59645. Sealed bids will be opened at the regularly scheduled Council meeting on October 17, 2023, at which time the bids shall be reviewed and the Council may reject any and all bids or may award the bid to the highest bidder over the minimum bid set. Upon payment, title shall be transferred to the highest bidder and all rejected bidders shall be so notified.

This measure is effective upon passage.

Pattie Berg motioned to approve Resolution 2023-10. Lee Blanchard seconded the motion. All said Aye. Motion carried and passed.

I. Comments/Discussion

1. Future Business

2. Mayor's Comments—Rick Nelson

The next Council meeting will be a continuation of the Fee Schedule.

The City Crew worked about 100 hours, fuel and equipment, on the Houston Street sewer issue. The property owners' shared line was an old Orangeburg (clay) pipe, wood fiber, cardboard/tar, and PVC (bedded on 2X4 boards) that had backed up their sewer three times.

The Mayor spoke with MMIA about the Houston Street sewer issue, and they denied the claim against the City from the property owners, more than one service was connected as a shared line. DEQ's definition classified it as a main because more than one service was connected to it. MMIA said that the line did not fit the definition of what a sewer main is, that in order for it to be considered a main line it has to be at least 6 inch in diameter and be maintainable and it was not, so the claim was denied.

3. Council Comments/Discussion

a. President of the Council—Ron Coleman

The weather is supposed to be good so the City Crew will be able to fix up/grind up and work on 5th Street and work on any other street before the snow starts to fly.

The Mayor said that the City Crew plans on rolling Crawford Street again, work on the torn up Houston Street, and hot patch the bad spots on 4th & 5th. The City Crew has a map for streets to work on projects scheduled for this next Spring/Summer.

b. Council Member—Lee Blanchard

Nothing else.

c. Council Member—Pattie Berg

Inquired about if the Sheriff had an update on the status for obtaining grant funds for Speed Radar Signs.

The Mayor said that he has not heard. It was asked about when will the mowing on the tall grass in the easement around Arrowhead Circle be done. The Mayor said that the old tractor is still down waiting to find replacement parts, possibly the community service people could weed eat the area.

d. Council Member—Rick Ellison

Would like to Congratulate Rocky Vinton on his work accomplishments on what he has been able to get done and what he will be working on and that he appreciates it. Several stop signs have brush/trees limbs blocking the signs and maybe the community service people could trim around the signs. There was a discussion on

when there is a heavy rain the street towards Lind Lane there is good drainage running along the ditch but some of the road approaches (by 6th Street/Carwash/Washington Street/Vocal Bank/Jesse Peppers) were built without culverts and causes storm water to run across the street. The Mayor said that when Great West Engineering starts to work on the City's Storm Water PER this will be addressed. Susan Wordal will review and look into what might be able to be done for now.

J. Council Review of Financials

The Council received a copy of the Budget Expenditure/Revenue for August.

K. Claims Signing/Motion to Approve the Bills

Pay the Bills

Accounting Claim Check #'s 19331-19385 September 1-29 for \$70,280.21

Accounting Journal Vouchers August 1-31 for \$2,272.22

Payroll & Electronic Check #'s 9556-9589 September 1-29 for \$36,616.04

Utility Billing System Adjustments Journal Vouchers August 1-31 for \$302.53

Utility Billing System Adjustments Journal Vouchers September 1-29 for \$65.57

Received a copy Budget Expenditure/Revenue August 2023

08-1-2023 thru 09-30-2023 were presented for Council's approval. The Mayor and Council received the Pay the Bills and the monthly August 1, 2023 thru August 31, 2023 Budget Expenditures/Revenues. The Mayor asked if there is a motion to pay the bills. Rick Ellison motioned to pay the bills as presented. Lee Blanchard seconded the motion. All said Aye. Motion carried and passed.

L. Motion/Vote to Adjourn the Meeting

The Mayor asked the Council if there is a motion to adjourn the meeting. Lee Blanchard motioned to adjourn the meeting. Rick Ellison seconded the motion. All said Aye. Meeting adjourned at 8:10 pm.



Michelle Stidham
City Clerk-Treasurer



Mayor – Rick Nelson