

City of White Sulphur Springs

The regular meeting of the City Council was held on February 21, 2023 at 6:00 P.M. Mayor Rick Nelson called the meeting to order with the following members present:

Ron Coleman
Rick Ellison
Lee Blanchard

A. Call Regular 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.

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

1. Capital Improvement Plan (CIP) – Survey Documents

Discussion and/or Action

Continued from February 7th: Discussion regarding Capital Improvement Plan (CIP) survey draft and advertising in order to obtain resident feedback for revisions to the prior Comprehensive CIP with Gt. West.

Accept Public Comment

Obtain consensus on completeness of survey and comments as to advertising poster and provide direction to Gt West as to additions/deletions and moving on with next steps.

The Mayor asked if the Council was good with how the survey looks and are ready to have Great West Engineering move forward. The Council said that they were good with it. The Mayor asked if there was a motion. Lee Blanchard motioned to have the Mayor move forward on Great West Engineering on the CIP Survey. Ron Coleman seconded the motion. All said Aye. Motion carried and passed.

2. Montana Department of Transportation – Ted Jones – Request a permanent through traffic street closure of 5th Ave SW between the streets of SW Hancock St and SW Garfield St.

Discussion and/or Action

Continued from February 7th: Discussion regarding need for street closure requested by Montana Department of Transportation (MDT) as to their property located between SW Hancock and SW Garfield which straddles 5th Ave SW and their plans for development of this property.

Accept Public Comment

Possible Motion: Move to grant street closure and bring matter back for formal Resolution; or Move to continue matter for further discussion.

The Mayor said that this item is tabled for Susan Wordal to be able to update and gather up more information. This will be on the next Agenda March 6th.

3. PUBLIC HEARINGS ON ORDINANCE PROPOSALS

a. Continued 1ST Reading: Ordinance 2023-1: Street Numbering

Discussion and/or Action

Continued from February 7th: Consider proposed Ordinance 2023-1 altering language in §1.5.4 of the WSS City Code to conform to the methodology being employed by the Meagher County Rural 9-1-1 Addressing project, which is upgrading to a GIS addressing protocol for locating structures.

Accept Public Comment

Possible Motion: Move to Adopt Proposed Ordinance 2023-1 as written (or as amended) and set for 2nd Reading. OR, Move to continue 1st Reading to another date.

The Mayor, City Attorney, Council, and Great West Engineering GIS Specialist, Matt Blassic, discussed the 1st Reading of Ordinance 2023-1A (Amended), an Ordinance Amending Title 1, Chapter 5, Section 4 of the White Sulphur Springs Code of Ordinance as to method of numbering buildings, and making amendments as to style and form for purposes of reference and codification. There were questions from the last meeting and Matt Blassic answered (in red) the questions, concerns and had handed out of copy from the email for the Council for review. Susan Wordal included the amended language (in green) adding that “in accordance with a Next-Generation 911 (NG9-1-1) process across the state” and “Whereas, such change to the methodology will be effective from the implementation of the NG9-1-1 system”. Section 2, Method of Numbering Buildings (E) was discussed and the language “street start” was stricken out with red and the language in green was added as “point of origin of the street or avenue, such as but not limited to Central Avenue or Main Street” and the part of “(i.e., 0.5 mile street = 100-500 address range)” was stricken out in red and language was added in green of, “and numbering will use an address range employing a “100-block” numbering structure and shall increase numerically as the street/avenue increases in distance from the point of origin”. The Mayor asked if there was a motion to approve the amended Ordinance 2023-1A. Rick Ellison motioned to adopt the proposed Ordinance 2023-1A as amended. Lee Blanchard seconded the motion. All said Aye. Motion carried and passed.

b. 2nd Reading: Ordinance 2023-2: Public Works Superintendent

Discussion and/or Action

Consider proposed Ordinance 2023-2 altering language in §1.7.1, §1.7.7, §4.4.2, §8.1.2, §8.1.4, §8.1.14, §8.1.19, §8.1.20, §8.1.24, §8.1.29, §8.1.32, §8.2.10, §8.2.20, §8.1.21, §8.1.24, §8.1.29, §8.2.2, §8.2.4, §8.2.5, §8.2.6, §8.2.7, §8.2.9, §8.3.1, §8.3.2, §8.3.3, §8.3.4, §8.3.5, §8.3.10, §8.5.2, §8.5.6, §8.5.10, of the WSS City Code to change the word “Superintendent” as used therein to “Supervisor” or “Public Works Supervisor” and make other adjustments consistent with this change to conform to the City’s current job description and usage for this position; and revise the duties assigned under §1.7.7, and make other changes in style for codification as appropriate.

Accept Public Comment

Possible Motion: Move to Adopt Proposed Ordinance 2023-2 as written (or as amended) and set for 2nd Reading. OR, Move to continue 1st Reading to another date.

The Mayor, City Attorney, and Council discussed the 2nd Reading of Ordinance 2023-2, an Ordinance amending White Sulphur Springs Code of Ordinance to alter language in 1.7.1 thru 8.5.10, to change the word “Superintendent” as used therein to “Supervisor” or Public Works Supervision” or make other adjustments consistent with this change to confirm to the City’s current job description and usage for this position and usage for this position; and revise the duties assigned to the Public Works Supervisor under 1.7.7 and making amendments as to style and form for purposes of reference and codification. The Mayor asked if there was a motion to adopt the proposed Ordinance 2023-2. Lee Blanchard motioned to adopt the proposed Ordinance 2023-2 as written. Ron Coleman seconded the motion. All said Aye. Motion carried and passed.

c. **2nd Reading: Ordinance 2023-3: Weeds**

Discussion and/or Action

Consider proposed Ordinance 2023-3 altering language to Title 4, Chapter 3 on Weeds to establish dates for compliance and dates for warning letters, establish a height for ground growth, and establish a process for application to the Mayor for an exception on a case-by-case basis; and make other changes in style as appropriate.

Accept Public Comment

Possible Motion: Move to Adopt Proposed Ordinance 2023-3 as written (or as amended) and set for 2nd Reading. OR, Move to continue 1st Reading to another date.

The Mayor, City Attorney, and Council, discussed the 2nd Reading of Ordinance 2023-3, an Ordinance amending Title 4, Chapter 3 as to weeds and vegetation to establish dates for compliance and dates for warning letters, establish a height for ground growth, and establish a process for application to the Mayor for an exception on a case-by-case basis, and making amendments as to style and form for purposes of reference and codification. The Mayor asked if there was a motion to adopt Ordinance 2023-3. Ron Coleman motioned to adopt the proposed Ordinance 2023-3 as written. Lee Blanchard seconded the motion. All said Aye. Motion carried and passed.

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

1. **Employment Practices Coverage Renewal 2023**

Discussion and/or Action

White Sulphur has coverage with MMIA via endorsement. It is time to submit a renewal application. Legislative changes from 2021 may result in a need for revision, although currently there is no indication we need to make any changes. We have made no changes since our policy was adopted in 2020.

Accept Public Comment

Possible Motion: Move to authorize the City Clerk to submit our existing policy for renewal of Employment Practices Coverage.

The Mayor, City Attorney, and Council discussed the Employment Practices Coverage (EPC) renewal application via endorsement. MMIA will review the application and associated documentation and determine whether the City meets the underwriting criteria to maintain the endorsement and they will notify the City if there are any changes that are necessary to receive approval for the endorsement. It was mentioned that due to recent legislative changes, a number of MMIA member-owners will be required to update the personnel policy regarding weapons in the workplace; and recommended to update the drug and alcohol testing policy specific to marijuana testing only in reference to employees who have a Commercial Driver's License (CDL) or in situations where an employee appears to be under the influence. The policies must be updated and approved by the Council prior to submitting the renewal application. The application and documents for MMIA to review no later than closing of March 1st. MMIA can work with the City to help with the process and provide an extension if needed. The Mayor asked if there was a motion to authorize the employment practices coverage renewal. Lee Blanchard motioned to authorize the City Clerk to submit the City's existing policy for renewal of the Employment Practices Coverage. Ron Coleman seconded the motion. All said Aye. Motion carried and passed.

Public Comment, a couple that is considering purchasing the property that a barn sits within the street right of way, approximately 13 ft + 3ft set back = 16 ft, of 8th Ave NW/Hampton Street West, was wondering how to best handle this situation. The Mayor said that the previous owner had begun the process of doing a land swap (engineering a slight jog in the street) with the City but never completed it. The Mayor said that the couple can come up to his office and review the paperwork from the previous owners and come up with a plan to present to the Council at the next meeting.

G. Comments/Discussion

1. Future Business

2. Mayor's Comments—Rick Nelson

The Mayor, Clerk-Treasurer, and Great West Engineering (Jessica Salo and Craig Erickson) had a meeting on February 15th at 10:00 am to discuss the City's water fund financials and funding scenarios for Transmission Project EDUs calculation based on meter size and existing rate structure, the last rate increase was done in the 2016/2017 FY. The Mayor said that the cost of doing business has gone up, the meter cost has increased, curb stops has gone up, pit meters have increased, and the City's reserves are low. There will be a public hearing meeting on March 21st at 5:30 pm regarding the proposed improvements to the City of White Sulphur Springs' water system (PER draft). The Mayor said that there are some infrastructure funding that will be available through President Biden's Bipartisan Infrastructure Law (BIL). The Mayor said that the Parks Advisory Committee presented the Springs Park Baseball Field User Agreement form. Susan Wordal said that she would like a copy of the agreement form for review. The Mayor said that the City has received one of the two (Townsend Tire) decorative light poles and are waiting to receive the other replacement pole (Spa Motel/Garden Shop) and then they will be installed. Susan Wordal will look into the status of reimbursement to the City of the decorative light poles that were knocked over. The Mayor said that the City ended up with 34 deer that were trapped and harvested this year.

3. Council Comments/Discussion

a. President of the Council—Ron Coleman

b. Council Member—Lee Blanchard

There was a discussion about the status/solution options of Willow Creek Reservoir, Cat Walk (valve is connected), pond turbidity and not being able to flush it out. The City is going to test pre reservoir and after the reservoir to isolate what is the problem. There was a discussion on the noise with the Jake brakes using compression release engine brakes.

c. Council Member—Pattie Berg

d. Council Member—Rick Ellison

There was a discussion about the next phase of water line replacement transmission project that concerns that were brought up to him from Trent Townsend about crossing the ditch in spring time and he does not want to lose his ability of using his pivot line. The Mayor said that the City would be burrowing under his line and not be disrupting his water line.

H. Council Review of Financials

I. Claims Signing/Motion to Approve the Bills

J. Motion/Vote to Adjourn the Meeting

K. Claims Signing/Motion to Approve the Bills

Pay the Bills

Accounting Claim Check #'s 19008-19033 February 1 thru February 21, 2023 for \$40,316.50

Accounting Journal Vouchers January 1 thru January 31, 2023 for \$2,833.05

Payroll & Electronic Checks February 1-14 for \$6,176.81

Utility Billing System Adjustments Journal Vouchers - not until March

Received a copy Budget Expenditure/Revenue January 2023

The Mayor and Council received the Pay the Bills for February 1, 2023 thru February 21, 2023 and were presented for Council's approval, along with the monthly January 1, 2023 thru January 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. Ron Coleman 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. Ron Coleman motioned to adjourn the meeting. Lee Blanchard seconded the motion. All said Aye. Meeting adjourned at 7:00 pm.



Michelle Stidham—Clerk-Treasurer



Mayor – Rick Nelson