

TOWN OF WHITEHALL
P. O. BOX 529
WHITEHALL, MT 59759
OCTOBER 15TH, 2019

The Whitehall Town Council held their regular meeting in the Council Chambers at 207 East Legion Street, Tuesday, October 15th, 2019. The Meeting was held on Tuesday due to Columbus Day.

PRESENT: Council Members: Shawn Hoagland, Logan Reiff, Katy James, Gary Housman, Mayor Mary Hensleigh and Town Clerk/Treasurer Summer Fellows.

VISITORS: Dale Morse, Bridget Morse, Lori Young and Marty Keogh.

Mayor Mary Hensleigh called the Council Meeting to order at 7:00 P.M.

Roll Call was taken. All Council Members were present except for Francine Janik and Roy McBride who were excused.

The Pledge of Allegiance was recited.

IV. AGENDA APPROVAL:

Katy James made motion to approve the Agenda with Logan seconding.

THE MOTION PASSED UNANIMOUSLY.

V. APPROVAL OF MINUTES:

Gary motioned to approve the September 2019 Minutes with Logan seconding. Katy James had a few corrections.

THE MOTION PASSED UNANIMOUSLY.

VI. REPORTS:

Mayor's Report:

Mayor: The next Council meeting will be held on Tuesday, November 12th at 7pm due to Veteran's Day on Monday, November 11th. Town Hall will be closed on November 5th, 11th, 28th and 29th. Scream's Come True will be held at Town Hall October 18th and 19th and 24th and 25th.

Officer's Reports:

Attorney's Report:

No Report.

Clerk / Treasurer's Report:

Summer Fellows: I have several different projects going on. I've been working on Cemetery software and checking information. I'm trying to finish the audit and Todd will be here Thursday. Court has been very busy. We cleaned the Cemetery last Tuesday and the Amendment to Chapter 38 is in effect. There will be two available seats open in January 2020 that are in Ward's 1 and 2. And last, we are still in negotiations with the Whitehall Road Improvement Project.

Public Work's Report:

Summer Fellows: Kory gave me his report. All the sprinklers have been blown out and the sewer pivot. The Judges platform was completed and the hydrants on 1st, Legion and Valley View have been flushed. Potholes have been done on 1st and 2nd street, the plow truck has been put together with a new transmission, the sander is put on and is ready to go.

Fire Chief's Report:

Summer: There were a few call outs, mostly accidents.

Sheriff's Report:

No report.

Committee / Board Reports:

Planning Board: Recording issues. See packet.

Recreational Complex Board: No Meeting.

Pool Board: No Meeting.

Trees, Parks and Cemetery:

Mayor: The Board asked me if I would write a Grant for improvements for the Bike Park. I did but, we did not get the Grant monies. So, we will have to come up with another way to fund that and move from there. Silver Tower Park sprinklers have been installed. Cost of the sprinklers were \$1500. That's going to make Silver Tower Park look great. Fall clean up at the Cemetery was October 8th and they did a great job and I appreciate it. Fall Festival was discussed that was this past weekend. There were a few discussions on the Budget. The dog stations at Legion Park were proposed by the Chamber and they wrote a Grant for that and they did that so those dog stations will be going up in the Park.

Water/Sewer/Garbage:

Katy James read the minutes. See packet.

Streets/Alley/Sidewalks:

Katy James read minutes. See packet. (Recording issues)

T.I.F.F:

Bridget Morse: We had our meeting on September 18th. Everyone was present with two guests Kory and Maxine. There was no public comment. We just went over our different projects we are working on and all the Grant projects. Full Circle Tire is done with theirs and turned in the bill. It looks good. Kory talked to the Power Company about the light poles to be at the Pool. We don't have any more updates. That's actually a project and a Grant. Borden's is finishing up their painting and benches. The Rec Complex fence is finished. It looks really nice and Calvin Johnson did those. Then there was the Pullman Project held from the month before and after a lot of discussion, we motioned to allocate \$8,950 toward that which will be further down on your Agenda for you guys to vote on. We felt that was a bigger stretch for us to make a decision on our own. We voted on that and we are passing it on to you guys to vote on. That would come out of our "to be determined" budget and there are funds there. Mary talked about what she found out about banners for the street and that is one of our projects. We had a bunch of questions. Recording issues.

CTAC: No Report.

VII. Public Comment:

Marty Keogh read a letter addressed from Maxine Samuelson. See packet.

VIII. Consent Agenda:

Development Permit

Bill Pullman / 2 Main Street / Utility Shed / approved.

Booster Club / High School Sign / changed to electric sign / approved.

Dana Burnet / 407 E. First / wood and chain link fence / approved.

Eli Clarkson / 2 Cindy Lane / 6-foot vinyl privacy fence / Variance granted / approved.

USDA Forrest Service / 601 ½ Legion / replace fence back to historical style / approved.

Rachael and Darrell Wanner / 506 Valley View / retaining wall and driveway / approved.

Katy made a motion to approve the Consent Agenda with Gary seconding.

THE MOTION PASSED UNANIMOUSLY.

IX. PRESENTATIONS

Jason Crawford with Triple Tree Engineering: We've been working on the water project over the last several years and I thought I would come down here and give an update on where things are at. Briefly, it's a \$1.7-million-dollar project to make improvements to the water system with uranium. You guys have received \$1.2 million in Grant funds so far and we applied to the USDA for the projected 2020 fiscal

year cycle and I've had quite a few conversations with the USDA (United States Department of Agriculture) on exactly what that means. If we are looking at funding toward the beginning of 2020 or the end. Mostly so I can have that conversation with DEQ (Department of Environmental Quality) which I have and as you guys know you are under Administrative Order to get this project complete by a certain date. That certain date is by August of next year 2020. This funding delay has obvious impacts on the schedule. We were hoping to be well into design about now. I did get in touch with DEQ and had that conversation with them. They were happy to hear the progress. I gave them a progress update on where we are at thus far and they indicated that they would entertain a schedule adjustment based on where you are at today. They requested that we submit a formal schedule adjustment proposal. I put that together and did submit that to DEQ basically asking them for another year to December 2021. Mostly so we don't have to go through this again. I think that's plenty of time and that we can get it done. Those last few months will help us wrap up final reporting. There's a lot of different reporting that is required based on agencies and we can get that done. I'm waiting to hear back on that. Again, I think we can get the project done before then and if they come back and push us on tightening on that deadline, I'll do that but they seem to be alright with the progress we are making thus far. So ultimately, we are waiting on USDA funds to get the project going. I've been coordinating with RD (Rural Development) with Karen Sanchez. She's the State engineer with RD and Laura Sadler. I believe Summer has been coordinating with her as well. We'll have to submit updated financials and they'll require some additional financial documents I'll talk about in a minute. If we can continue to keep them updated, I believe you guys will be on the top of the list for funding for 2020. We'll do our part on the engineering with giving them the information they need from our perspective and it sounds like Summer has been doing it from the financial side as well. I have coordinated with Kory, Summer and a few others on the additional projects that have developed since we put this whole application together since we started this process. There has been an inspection done on the tank recently that has indicated that the interior of the tank does need to be recoated. Kory's indicated that he would like to include that into the current project. And there are a couple more additional items. From my understanding there's 2000 feet roughly of existing asbestos concrete pipe that's remaining in the system that would be a good idea to get rid of out of the system. Then, there's a little loop we can make for a fairly decent price I think if you do it now to help to make the system more efficient. So, those three projects would be really good ones added into this water project then we are doing them all at once. There's a lot of efficiencies associated with getting that stuff taken care of right now as opposed to going through this whole process again in a year. I did coordinate with the RD with USDA to figure out what it would take to get those projects into the current application and to be considered into the current funding package. USDA and RD want an updated PER (Preliminary Engineering Report). They want the updated environmental report and then I'll have to send out the section 106 letters again. It's just an agency letter of environmental considerations. Those items need to be done to get that into the project. I had that conversation with a few of the folks here several months ago back when TSEP (Treasure State Endowment Program) was offering planning Grant dollars that were available on first come first serve basis and we did get applied to that. You guys were awarded a \$15,000 planning Grant from that to help with the update of the PER and the additional items we talked about earlier. The bottom line is to get those additional projects into the existing project we need to update the PER and I did put together an additional task order. To do that work we are estimating it to be about \$30,000 to update the PER, update the environmental report and send out those section 106 letters again. I think I got the letter over to Summer last week and hopefully you all had time to consider that and really your approval on that task order contract would

get me going on PER and getting the information to RD sooner rather than later. RD did indicate that it would be best to get them as much information sooner than later as soon as we can to make sure that we are funded early in 2020 rather than later 2020.

X. Unfinished Business:

A. Discuss Business License, Nuisances, Streets, Alleys and Sidewalks. (Tabled)

B. Ordinance addition to Chapter 38 for Recreational Vehicles inside of Town Proper became effective as of October 9th, 2019.

Mayor: We are working with Pit Printers and notices are going to be similar to water shutoff notices. So, it's going to be a duplicate. They have five days to remove any vehicle in violation or they will be fined \$50 first offence. We are just waiting on getting those and we will tag all those vehicles. We are not talking about vehicles that you take to work everyday and are moved on a regular basis. We are talking about RV's, trailers and vehicles that have been parked there for years and need to be removed from Town Proper.

Summer: And to add to that, I think the other street that people are looking at is the street going to the school. We've got semi's, horse trailers and all kinds of stuff that are blocking crosswalks and people trying to get around the corner to see kids. I think that is something else people are wanting to get addressed.

XI. New Business:

A. Discuss and vote on passing the General Fund for Resolution.

Logan made a motion to discuss and vote of passing the General Fund for Resolution with Shawn seconding.

Summer: The General Fund is balanced now, as you can see on the expenditure side, we plan on spending \$429,352.00. That does not mean we have to spend it but that is proposed. Summer continues going over the General Budget. (See packet and recording).

Shawn: Where does this task order fall from our last discussion?

Summer: It falls under water.

(recording issues)

Discussion continues about General Fund.

B. Discuss and vote on awarding Bill Pullman T.I.F.F. District funds for Main Street Park.

Logan motioned to discuss and vote awarding T.I.F.F. District funds to Bill Pullman for Main Street Park with Shawn seconding.

Shawn: Are those funds a one-time thing going toward the beautification?

Mayor: Yes, just like the other funds we awarded to Full Circle Tire, Bill Brown and Stageline Pizza.

Shawn: Completely separate discussion from the ongoing maintenance. Did the Chamber pick that up? Where did we end up on that?

Mayor: We aren't there yet. That's a totally separate topic.

Shawn: Ok.

Mayor: Bill will be here in January and February and he will come and talk to the Council about what his vision is. He got approved for his shed and that will be going up. He wants to add a couple of arches and put in some benches. He wants to get the grass established before anything goes on at the Park.

Shawn: That's this allocation from the T.I.F.F. that's going to help with this correct?

Mayor: Correct. I know there were concerns about if whether he was going to lease it to the Town or lease it to the Chamber and I told him that the Town doesn't have the man power or the money to take on another Park and so his idea was to have another movie premier night that he would host. He did it for the Museum and they raised about \$12,000 and so that's what he's proposing to do for this Park but he will come and talk to us after the first of the year about that. This is just for the beautification that is blight.

Marty Keogh: I have a question. Is this going to be known as the Main Street Park or just a description?

Mayor: It's just a description.

Marty: I was just curious.

Mayor: I believe he calls it green space or something like that. It's up to him what he calls it because it's his property. We just did it so people could get a visual but I'm pretty sure everyone in Town is aware what is going on there.

THE MOTION PASSED UNANIMOUSLY.

C. Discuss and vote on new Public Works employee.

Mayor: Kory, Summer and Myself did the interview last week and we have offered the job to Ronald Noe. I think he is going to be an excellent employee. He has to give two weeks' notice at his current job and so he will be coming to work in two weeks at the end of the month.

Gary: How come we are going to have three this winter when we've always had 2 every other year? Another one quit?

Mayor: No. Arnie retired. There's no other that I know of.

Gary: Do we need three in the winter?

Mayor: Yes.

Gary: We don't have any lawns to mow.

Mayor: That's true.

Gary: And that Hill, Pump Hill should be graded by the County.

Mayor: Oh, ok.

Gary: They should be maintained by the County instead of the City. I don't know how we got roped into that.

Summer: That's a County road.

Gary: Yeah but the City spends thousands of bucks on that thing. That's what he says. I don't think we need another man. We got to use our employees a little smarter or something.

Mayor; Well, they are spread pretty thin.

Gary: There's nobody in Whitehall watched more than these City employees and everybody hears about it so there is something wrong. I hear about it from everybody. I don't know if everybody else does. I think they are the most watched people in Town.

Logan: They are definitely watched that's for sure.

Katy: If you are a public employee, County or State they are always going to be watched.

Gary: I think two people is enough for the winter.

Mayor: Well, not really with everything.

Gary: There's been two people ever since I've been on the Council in the winter and three in the summer.

Summer: Scott was on in the winter.

Gary: Not very long.

Summer: No, he was. He worked for the Town for over a year. He's the only one that was on a full year. Then he quit and we got Don.

Mayor: And then we run into the problem with people taking their vacations and they usually take them during the winter time and so if Kory takes his two weeks, we are left with one person and if that person gets sick, we are left with none.

Gary: I thought they took them in the summer.

Mayor: There's too much to do in the summer to take vacations.

Summer: So, ok. If there's an employee management problem that you are seeing or hearing Gary, we need to have a meeting. Let's use me as an example. If you are hearing things about me, then I get the right to have a private meeting or not and that's where the Council and the Mayor discuss those options. We can't sit here and name employees. In general, we can like you did Gary. You didn't mention any names. We can't name employees or we are looking at getting ourselves sued if we start mentioning names in a public meeting without giving that person a right to privacy.

Gary: What I am saying though is are you sure we need three employees this winter?

Summer: Am I sure?

Gary: Yeah, I guess or Mary said so.

Mayor: Yes, I'm sure.

Logan: Three full time employees.

Summer: If we've got all the pump houses that need to be repainted...

Gary: (Interrupting Summer) They aren't going to paint them in the winter.

Summer: Then we are going to have somebody else to come in and do that. The old Town Hall needs to be fixed. There are projects that need to be done that when one guy is doing garbage Mondays, Wednesdays and Fridays, that doesn't leave a lot of time for the other guy that is by himself to do these projects.

Mayor: We are going to train the new employee in the garbage truck also. This summer, every other week they will switch off between mowing, weed eating and garbage because doing strictly mowing and weed eating all summer long is really a burn out. Its very hard and it's hard enough to get employees but we are trying to mix it up so it's not so tedious.

Katy: Did we lay somebody off last winter?

Summer: No.

Gary: You canned him or something. I don't know.

Katy: It was last winter or something. What was our reason for cutting back?

Mayor: There were budget concerns.

Katy: Ok. Do we have that same situation this year?

Summer: I scheduled everyone in year-round this year with wages but that is not my call. That is your call.

Mayor: His salary has been budgeted and approved.

Gary: Is that a Council thing to hire a new man?

Mayor: No, that's the Mayor's job.

Summer: The Council has to approve it. You can approve it or you don't have to approve it, that's your guys' call.

Logan: So, I would like just for the future, if we are hiring someone, maybe have a Council member in there because we have to defend them. We get talked to a lot about these employees. I have no complaints about any of them, I think they are great but people come to us and want information and we need to be able to defend. Obviously, we have the Mayor that chose to do this and this person is qualified but it would be nice to have a Council person in there so we know and a name isn't just coming at us. I trust that you made the right choice.

Mayor: We checked his references.

Logan: I'm not second guessing any of that. I think it would just be nice to be in there if there is an interview. Send an email out to us just so we can be there and that we know and can support the decision.

Mayor: Yes, that's totally doable.

Summer: We can have an interview committee.

Logan: I think that would be helpful.

Mayor: And like all employees, he's on a six month, what's it called Summer?

Summer: Probation. But like I said that is not my call.

(Recording issues)

Katy: What will not be able to get done through the winter months?

Mayor: Well, the alleys would not get done and any of these extra projects would not get done.

Gary: Mayor Mary, you said the alleys were graded by Joe Davis.

Mayor: When I'm talking about alleys in the winter, Public Works trims and clean up the alleys. I wasn't talking about grading.

Logan: I'm wondering if Kory could put together a list of some projects he has for Public Works. I assume that's a lot and I'm not disagreeing with the third person added. I just think it would be great because people are posting on Facebook and calling us and we can know what is getting done. A lot of times we don't know what's on the list.

Mayor: Well, next Council meeting we can have him put that together.

Logan: That would be great and helpful for me. That way we know what the projects are.

Gary: I would recommend that we table it until the next meeting. Is that possible?

Mayor: That's a little hard to do. I've offered him the job and he's put in his two weeks' notice.

Shawn: Yeah, it sounds like a done deal.

Gary: So, we don't have anything to say then.

Summer: Actually, you do. You can vote it down, table it or whatever but we need to let that employee know and we might lose that employee because of that.

Mayor: And we didn't have a whole long line of people.

Gary: If you need painting done, you could hire somebody to paint. Keep all the benefits out of it. Maybe somebody could paint it cheaper than we could.

Mayor: Well, that's easier said than done. Just trying to get quotes done on the repairs down at City Court took us three months or more. People are busy. Independent contractors don't even call us back and we felt lucky to get one bid. Trying to get all these projects done is not easy and People just don't call you back. I don't know if they don't need the work but there's not a lot of luck in that department.

Gary: I think we should table it and get Kory here to tell us what kind of a load he's got and see if he needs another person. If we have to put this guy out for a month we have to.

Katy: When did you have the interview and when did you offer the job?

Mayor: The interview was last Wednesday and we offered him the job Thursday.

Katy: I think it's kind of unfair and I'm with Gary. We were not given an opportunity to be able to discuss this and have a little more information provided if we truly needed a third person.

Gary: How do the rest of you feel?

Logan: It's complicated. I feel the same way that we should have a say to some degree but also this guy put in his two weeks. It's not fair to do to him either.

Gary: I think we should have been in the loop somehow.

Logan: Can we have a special meeting with Kory?

Summer: You are the Council. You guys just let me know the time or the date.

Shawn: Well, we just approved the budget and he's in there.

Mayor: Yes.

Summer: Yes.

Shawn: What's the ramifications if we run into the same budget constraints we ran into last winter?

Summer: Anyone can be rifted. That is a chance we all take, even myself. If we got into a situation for a couple of months there wasn't enough work, I could be rifted until the next fiscal year. It would stink but it could happen.

Mayor: We have the six-month window for probation.

Gary: You laid one guy off last winter, right?

Summer: Because of budget constraints.

Gary: Why were we going to put him on part time then? Something like that.

Summer: I'll have to look in the minutes I'm not sure.

Gary: I'm pretty sure there wasn't enough work.

Mayor: It wasn't due to lack of work it was budget constraints.

Gary: We use to be a one-man Town and we had the same amount of people 10 years ago.

Summer: Gary, if you don't mind me saying but since you brought this up but one minute the Public Works is being crucified because they want to bid something out and then your next breath your saying lets have someone come in and paint. Maybe I'm out of line but we need to come together in some kind of meeting to come to an understanding of what it is exactly the Council wants from Public Works and what exactly they want from my office. I don't think you can compare 10 or 20 years ago to what's

happening today. We are getting more and more dumped on us. I'm now Clerk of Court for crying out loud. That's at least 15 hours a week I'm finding out just with Court stuff. I've got a highly recommended letter from the Judge saying what a good job I'm doing, yay, yay, yay, but more importantly his concern is how can I keep doing three full time jobs because that is what I'm doing.

Mayor: And it's the Mayor's job to hire and fire.

Summer: Upon Council approval.

Mayor: It's the Council's job to know the money is there for this hire.

Shawn: Agreed but there is still discussion that could be had about where that money is spent. Whether it's this or saving it in a rainy-day fund.

Summer: Well, the Council has to approve everything. Whoever is hired the Council has to approve that.

Shawn: What does he cost?

Summer: I'd have to write a report. He's starting out at \$15 an hour and if he gets his CDL that's \$16-something. If he gets his water and sewer license, that's a dollar each for those licenses and the total package of vacation, sick and personal time plus \$800 a month for insurance. It's probably starting out as a \$36,000 a year job.

Shawn: Ok.

Summer: And like I said, right, wrong or indifferent everybody needs to understand when we bring in this water treatment plant and it starts the process of building, we are going to have one person delegated to that. I don't know what the answer is.

Shawn: Keep him productive. All eyes are on it.

Katy: I do have one little comment Summer. Back last January I made the comment when you said you were going to be the Clerk of Court, I made the suggestion that we really and truly should have advertised for that position instead of dumping it on you because you already have a full time job taking care of the Town stuff.

Summer: Problem is the Town did not have the funds to hire another part time person.

Katy: Can the Court do that? Cover the costs of that?

Summer: It's in the General Budget. So therefore, if we want to up the General Fund to bring in a part time person. But I can tell you right now the Judge is probably going to pick me over anyone else coming in.

Katy: That's fine but, there again I am reminding you and everybody else that I made the suggestion that the Town should have published that. Same thing with this one and give the Council a chance to approve that.

Summer: This was published in the paper.

Katy: The hiring of this person, I understand that but, I don't recall the City Clerk being published.

Summer: The Judge doesn't have to publish he can actually appoint somebody to be his Clerk.

Katy: I want to clarify that. We keep hearing how you are overloaded and everything.

Summer: I'm trying to make a point. One minute the Public Works is being told one thing and then another.

Katy: Ok, That's fine. Just giving my report.

Mayor: Ok, we are getting off track. Is there anymore discussion on Public Works?

Shawn Hoagland and Logan Reiff voted to approve the hiring of a new Public Works employee with Gary Housman and Katy James opposing. Mayor Mary Janacaro-Hensleigh voted to approve, breaking the tie.

XII. BILL/ CLAIM APPROVAL LIST TO BE SIGNED BY ALL COUNCIL MEMBERS

Logan made a motion to approve the bill claim approval list with Katy seconding.

THE MOTION PASSED UNANIMOUSLY.

XIII. Adjourn:

Logan made a motion to adjourn the meeting at 8:22pm with Shawn seconding.

Mayor Mary Hensleigh

Date

Town Clerk Treasurer

Date