

MINUTES

TOWN OF CLYDE PARK

COUNCIL MEETING

DECEMBER 9, 2024

The Public Hearing for Resolution to Raise Water Rates meeting was called to order by Mayor Sydney Wiley at 7:00 pm. Council members present were Brian Eckenrod, Dave Sarrazin, James Walsh and Roger Chandler. Teresa Saari was absent.

GUESTS: Persons in attendance: Luke Miller, Dee Parks, David Papadopoulos, Nancy McIlhattan, Skip McIlhattan, Cindy Good, Zach Skogen, Carla Williams, Vanessa Myrstol, Shaun Jones, Becca Pinson, Richard O'Haire, Parker Connell, Rebecca Timm, Richard Suisse

Mayor Wiley presented to the Council and the public a packet of information outlining the Water Rate Increase. Tonight's meeting is the second of two required public hearings.

1. Bobbi Shular presented the Rate Analysis , prepared by C/T Stacy Mills, which showed the need for a rate increase based on the standard measures of Debt Service, Operations & Maintenance, Staffing, and Reserves; and the section of the Montana Code Annotated, which requires Municipalities to regularly raise rates to keep ahead of demand. The original estimate was \$88 per month which included replacement of \$50,000 used from the reserve account for the water main project on First Street. Bobbi and Stacy suggested spreading that out to two years which dropped the increase to \$77. Bobbi and Stacy answered questions for clarification.
2. Other issues presented during public comment included an observation about the lead and copper survey project by Vanessa Myrstol, and Carla Williams commented on the water taste. Vanessa was concerned that her house hadn't been reviewed for the lead and copper survey because she left messages to schedule someone to help inspect and fill it out and hadn't gotten a response. Carla Williams was still concerned about the taste of her water despite having filters. The results of testing done at Beca Pinson's house (who had commented at the previous meeting and Brian Eckenrod, Council member and temporary Town Water Operator had arranged to conduct additional tests) were presented and were normal. Becca's house is near Carla's.
3. Richard Suisse commented that he drinks his water right out of the tap and finds the water to be the best tasting of any place he's ever lived.
4. A concern was raised about new development and providing water. Part of the justification for adjusting the water rates regularly is to prepare for future demand and development; and the on-going efforts of finding and repairing leaks in the system, locating and developing more sources of water, and adequately maintaining the current system are included in the Preliminary Engineering Report that is being done by Great West Engineering to develop a future plan and find financial Assistance.

The Public hearing adjourned at 8:05 pm

TOWN COUNCIL MEETING M

PLEDGE OF ALLEGIANCEINUTES

MOMENT OF INSPIRATION: Read by C/T Stacy Mills

OPEN FORUM

MAYORS REPORT:

Mayor Wiley called on the council members to treat each other with respect and understanding. Mayor Wiley turned time over to Attorney Jon Hess for comments.

Attorney Jon Hess commented on the following:

1. Variance on the mayor's ice machine. For issues of encroachment you generally use a license agreement (or "encroachment license") to grant a right of way, not a variance.
2. Suggested the town needs parameters around when we grant variances in order to protect the city from litigation. If you grant a variance for one person, people feel you need to grant a variance for all.
3. Some items were passed in the November council meeting that were not on the agenda. You cannot vote on issues without an agenda because of Montana's right to open meetings. Violating open meeting laws has severe legal consequences including getting the action reversed and legal fees. The public has a right to participate in and know what is being discussed. Attorney Hess suggested those items be put on a future agenda.
4. The state legislature has increased the limit for when you have to submit contract work out to bid to \$80,000. The only legislature that can approve contracts is the Town Council. Contactors that are bidding on these projects must have work comp and liability insurance.

The Mayor continued with her update.

1. Mayor Wiley would like to schedule a Town Hall Forum in mid to late January. This forum would include a review of the challenges and accomplishments of the past year, present the Strategic Plan and Capital Improvement Plan, the Fire Department issue, Street Treatment, Fireworks and other issues for comment and possible voting; as well as speakers on topics of interest. Attorney Hess noted that if there are more than 2 council members in attendance then it would become a council meeting and would need to be posted to the public with an agenda.
2. The towns of Clyde Park and Wilsall want to get together with Clyde Park Rural Fire Department and Park County Rural to work with Dispatch as to what department responds where. The medical vehicle that is in Clyde Park belongs to the town of Wilsall. The vehicle will continue to stay in Clyde Park so Zach Skogen can continue to use it to respond to emergencies. There is potentially an open bay at Clyde Park Rural Fire Department that we could keep the vehicle in. This vehicle is also better for traffic accidents because of the signs and cones in the back of the vehicle.
3. Mayor Wiley and C/T Stacy received an application for both water operator and town through Job Services out of Bozeman. Will schedule an interview with the applicant.
4. The Great West Preliminary Engineering Report (PER) Check list is on pause at this moment.
5. MCEP Grant Award: We received the grant so the PER is now fully covered.
6. Shields Valley Christmas Fair and Parade was a success
7. Internet service updated for a lower monthly fee to a business plan which has already been impactful. It has been decided we can drop the phone line at the water facility.

Treasurer's Report: This report was presented by C/T Stacy Mills.

1. Rewriting application with analyzer expansion as priority #1; and painting and improving the town hall as priority #2. Small grants requiring 20% match, have emphasized multiple times it

for small municipal projects that rarely receive grant monies. The town received a bid for \$8000 to paint the exterior of the building. C/T Mills will need to get a report completed by the end of next week.

2. SLFRF (ARPA) coronavirus funds: C/T Mills received an email that the funds were used for the springboxes and fence around the well house had a report due in 2022 which hasn't been done
3. An Audit for the town will be scheduled in 2025.

CSO Report: This was reported by Council member Eckenrod.

Water:

1. 11Pulling bids for the analyzer at the well house for chlorine. A professional will calibrate and install a new quill on December 30. Council member Eckenrod and CSO Bob Queen will record this calibration and installation.
2. Council member Chandler mentioned that there are businesses that should be required to have a town business license

Animals:

1. Reminders for animals have been mailed.

Site Permits: Nothing to report.

Cemetery/Park: Nothing to report.

Street:

1. Cars and 4 wheelers are driving around the speed bumps. Concrete bollards and signs will be put in place to stop people from doing this. Council member Chandler suggested putting reflective strips on the bollards.

Visitor Comments on Non-Agenda Items:

1. Richard Suisse, 107 5th St E, commented that his water is awesome, the best he's ever had. He's wondering what the white residue at the bottom of his glass is? Several people affirmed that it is calcium, which is common in hard water.

Standing Committee Report:

Budget & Finance: Nothing to report

Public Works: Nothing to report

Parks & Recreation: Nothing to report

Streets and Alleys: Nothing to report

Planning, Zoning, and Subdivision: Nothing to report

Solid Waste: Nothing to report

Consent Agenda:

These items may all be accepted by a single motion, or individual items may be motioned to be moved off for further discussion before approval:

1. **Minutes of the November 2024 Meeting.** Motion made by Council member Chandler to accept the November 2024 minutes as written. Seconded by Council member Sarrazin. Motion approved and passed.
2. **Claim Warrants and Financial Reports.** Motion made by Council member Eckenrod to approve the financials as written. Second by Council member Chandler. Motion approved and passed.

Unfinished Business:

1. Snow Plowing/Removal bids: Want to solicit bids so everyone gets a fair chance, once we've gotten bids the council can choose which contract to approve. Council member Chandler suggests we raise the minimum snow fall on the street and make sure they don't plow until the storm is over to save money. He also mentioned he would potentially plow. C/T Mills is going to follow up with MMIA Workman's Comp to make sure the town council members are covered for any work they do. Attorney Hess mentioned that any work the council member does is to be strictly volunteer.
2. Variance application from Glenn's market: Ice machine is a pre-existing encroachment on the sidewalk. Attorney Hess suggests a license agreement be written up and approved by council. Attorney Hess will send a draft of the license agreement for the council to review. Council has tabled this until they can review the draft.
3. Fire Department: This next step is to hold a public hearing to hear from the town what they want to do. Mayor Wiley is looking at February to hold this meeting.
4. Site Permit at 406 Lathrop: Council member Eckenrod made a motion to approve the site permit to replace and extend an existing porch. Motion seconded by Council member Sarrazin. Motion approved and passed.
5. Question from Richard Suisse: Does he need a permit to demo his barn with a potential to rebuild in another area of his property? Attorney Hess requested Mr. Suisse to bring his plans to him to review. He then can advise the council whether a permit is required.

New Business:

1. Water Rate Resolution:
 - a. Council member Eckenrod brought up the idea of a program for helping retirees on a fixed income with the water increase. C/T Mills mentioned that there are two ways fixed income can be handled.
 - i. Outside organizations but most have been dissolved.
 - ii. Consider creating a program that allows people below a specific income rate that charges the amount of water they actually use, not the current rate of 4000 gallons.
 - b. Attorney Hess mentioned there are towns that pay entirely by usage.
2. Council agreed on the lower rate increase of \$77.91 for the ¾" line presented at the start of the meeting. Councilmember Chandler made the motion to approve the new water rates as listed at \$77.91. Council member Sarrazin seconded the motion. Motion approved and passed.

3. Hwy 89 and Park Sidewalk Clearing: Council members discussed the use and payment of Deputy CSO Bob Queen's 4 wheeler for snow clearing on Hwy 80, Park Street and 1st Street to the school. After the discussion Council member Chandler motioned to approve the use and payment of Deputy CSO Bob Queen's 4 wheeler for snow clearing on sidewalks along Hwy 89, Park Street and 1st Street to the school. Council member Walsh seconded the motion. Motion passed and approved.
4. Request for Special Meeting to establish mission goals, strategic plans and revisions to the CIP on January 6th at 7:00pm. Council member Eckenrod made the motion to hold a Special Meeting to establish mission goals, strategic plans and revisions to the CIP on January 6 at 7:00pm. Council member Chandler seconded the motion. Motion passed and approved.
5. Council Conduct and Meeting Conduct: Council member Saari presented a letter to the council and asked Council member Walsh to read it before the Council. This letter was written to encourage each council member to review the Code of Conduct as it applies to town council meetings and put forward a bulleted list to adopt the "Council Rules of Conduct. Council member Eckenrod made the motion to review and agree to follow the rules of conduct and council debate presented by Council member Saari. Council member Walsh seconded the motion. The motion is approved and passed.
6. Meeting Packets. Council members Chandler and Sarrazin would like to receive a paper packet prior to the Town Council meetings. Mayor Wiley proposed that special envelopes of the paper packet can be picked up after 5:00 pm the Friday before the Town Council meeting at the Town Hall or at Glenn's Market instead of delivering them to their homes. Council members Eckenrod and Walsh will continue to receive the information electronically. Council member Eckenrod made the motion to provide meeting packets for those that request them and have all necessary information distributed within 48 hours of the council meeting. Council member Chandler seconded the motion. Motion approved and passed. Motion made by Council member Chander to adjourn the meeting. Seconded by Council member Sarrazin Motion passed.

Mayor

Clerk