

The regular meeting of the Town Council was held November 13, 2023 in the Council Chambers at 6:30 pm. A review of claims took place at 6:00 pm.

Mayor Roni Phillips

Councilors: Thomas McCloskey, Stephanie Quick, Bessie Spangler, Shirley Iwata, Wanda James, Kelly Dillon

Clerk Brenda Schneider

Rodney Goins, Public Works Superintendent

Scott Dodd, Fire Chief

Andy Short, County Planner

Citizens: Sherry Goins, Wade Gooden, Heather Gooden, Mark Quinn, Laurie Quinn

There being a quorum present Roni Phillips, Mayor, called the meeting to order. Roni Phillips Mayor, asked for additions/corrections to the minutes of the October 9, 2023 regular meeting. Kelly Dillon made a motion to approve the minutes as written of the October 9, 2023 regular meeting; Stephanie Quick seconded. MOTION passed 4 ayes, 0 nays, 2 abstain, 0 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-abstain, Shirley Iwata-aye, Wanda James-abstain, Stephanie Quick-aye, Bessie Spangler-aye.

CORRESPONDENCE

The Town received a letter from the Mineral County Performing Arts Council for the donation to the Shakespear in the Parks.

PUBLIC COMMENT

The new owners of the Old School introduced themselves and were welcomed to the community.

COUNCIL REPORTS

Wanda James read the October Animal report. Staff issued 3 citations this month for dogs at large. Hopefully it will resolve the ongoing issues.

Stephanie Quick read the October Water report. All routine sampling and testing completed. Staff are currently assisting a resident on 5th Ave as they deal with a ruptured service line. Progress continues towards the final repair of the line. The leak detection company found 2 leaks and made recommendations to the owner. Staff have provided the information so the resident can turn the water on and off as needed to save money and unnecessary wear and tear of our system until the repairs are made.

Shirley Iwata read the October Court report. 1 initial appearance, 9 omnibus hearings, 1 Status hearing, 1 appearance, 2 Change of Plea, 2 Jury instruction hearings, and 2 Jury trials. Criminal Trespass to vehicles, Theft of Labor or Services or Use of property, Disorderly conduct and Dogs running at large. Wayne Cashman, Undersheriff, reported that things are running well at the Sheriff's Department. Council is pleased that there has been more patrolling in town.

Kelly Dillon read the October Streets report. The radiator for the dump truck was finally repaired and picked up. The parts for the steering column have finally arrived and the dump truck has been returned to service. The plow has been attached and the truck is ready for winter service. The black top work has been completed by Shadow Asphalt. Arizona Ave has been resurfaced and patch work was completed on Illinois Ave. Staff installed a new drain system on Illinois Ave to allow storm water to drain from the area and prevent blacktop deterioration. Staff will finish minor grading issues and fill as the ground settles in the area. Leroy Godin has removed a hazardous tree over the roadway at Riverside Ave and 7th street west. He will continue to prune

Town owned trees throughout town and keep them safe and healthy. Rodney Goins reported that the foam insulation has been sprayed by NAPA in the 4 bays at the Mullan Road Shop. He reported that two proposals for heating system upgrades for the Mullan Road Shop. He will present them at the December meeting.

Thomas McCloskey read the October Parks report. The irrigation systems in all of our parks have been blown out and winterized for the season. The bathrooms have been closed and winterized for this year. There is now a porta potty at the skatepark for the winter. After the heavy snow fell this month, staff noticed that the trees in our town parks were in need of pruning. Staff collected numerous large branches which had broken out of the trees. Staff also received a call from a concerned resident on 3rd Ave West stating that tree limbs were falling very close to his house. Leroy Godin has begun to prune a large number of Town owned trees around our roads and parks. Several Hazardous trees have already been pruned and 1 removed entirely and the work will continue as time allows to ensure that our trees are safe and healthy for years to come. Discussed that area around Timberman Park will be used to stage the equipment, pipe, and materials for the Sewer Improvements Project in 2024. They will not be allowed in the baseball fields because of the underground sprinkler system. This could affect the 2024 sport events at the park.

Roni Phillips read the October Fire Department report. 17 Emergency Calls in October (6 EMS, 4 FIRE, 7 Traffic/MVC, 0 Rescue) and 2 Fire Trainings and 2 Medical. 6 calls in Town limits, 11 calls in Rural District.

- B10/01 MVC- Car vs. Deer- i90 East Bound MM44.5
- 10/03 MVC- Car vs. Deer- i90 East Bound MM53
- 10/04 FIRE- Escaped Burn- Wildland- 1609 Brockway Lane
- 10/07 EMS- Lift Assist- 304 2nd Ave East
- 10/14 MVC- Car vs. Deer- i90 East Bound MM48
- 10/14 FIRE- Vehicle Fire- 33 Diamond Road
- 10/17 EMS- Active Seizure- 177 Miller Lane
- 10/22 EMS- Suicidal Adult- 122 Tami Drive East
- 10/23 EMS- Lift Assist- 304 2nd Ave East
- 10/25 MVC- Multi- Vehicle Crash- 4th Ave and California
- 10/25 MVC- Single Vehicle and Tree on Roadway- i90 West Bound MM52
- 10/26 EMS- Lift Assist- 304 2nd Ave East
- 10/26 MVC- Single Vehicle- i90 West Bound MM45
- 10/26 MVC- Single Vehicle- i90 East Bound MM56
- 10/29 FIRE- Semi Trailer Fire- i90 West Bound MM44
- 10/29 EMS- Adult with leg pain- 3839 Diamond Road
- 10/30 FIRE- Reported Structure, Slash Pile- Area of West Fall Road

We had two fire trainings at the Superior Fire Station. This month's focus was on Driver training and scene set up and control. There were 2 EMS/QRU Trainings in Superior. This month's trainings focused on Patient Assessment.

25 Firefighters on the Roster. We are still holding strong with 2 Junior Firefighters. There has been some interest in some community members wanting to join and help on our Rescue Division, we welcome all shapes and styles of Fire Fighters to continue to provide the best possible coverage. I have talked to Mike Johnston of WRI about trainings in the spring to complement our Rescue Corps.

We are pleased to announce that we now have our first Paramedic on staff. He comes with 30 plus years of experience in the Fire Service and is a fantastic addition to our department. We have also been working very hard to get our data recording and analysis up to par over the past few months. Please see attached example of data extrapolation and graph for the year 2022. Looking forward to getting more and being able to maximize our resources looking for ways to better serve our communities.

The Town has received the final ISO rating report. The ISO rating is 5/5X. The fire department has a plan in place to work towards improving the ISO rate in the few years.

Discussed firefighter gear and the cost of outfitting a firefighter. It currently costs an estimated \$9,000 to outfit a firefighter.

The Fire Chief asked the Council about allowing a desk for the DES/LEPC coordinator in the corner of the training room. Council agreed.

Recap of 2022 emergency calls—Total number of calls 100 Town and 95 Rural District. 30 Fire, 61 motor vehicle, 93 Medical Assist and 11 other.

Bessie Spangler read the October sewer report. All routine sampling and testing are completed. Staff conducted approx. 6 locate requests for the month. Staff was notified via telemetry alert phone contact of alarm condition at the final lift station. Staff found one pump jammed and tripped off line, and the other clogged with debris. Both pumps were pulled, blockages cleared, and put back on line. Fall hot spot flushing was completed and the flush trailer was winterized for the season.

COUNCIL CONCERNS

Mayor Phillips met with the Superior Lions Club and they are willing to work with the town to keep horses out of Eva Horning Park during the Rodeo. The Lions Club asked if the town has snow fence that could go around the entire park. The Town does not, but snow fence will be priced. More discussions will be held with the Lions Club.

Wanda James stated that the recycling center is well run and the volunteers are great.

UNFINISHED BUSINESS None

SIDEWALK ORDINANCE--DISCUSSION

Council discussed the various sidewalk ordinances from last month. Council discussed the Town of Ennis sidewalk ordinance. The ordinance is simple and commonsense. Discussed including the section regarding unsafe sidewalks from the Cascade ordinance. The draft will be on the December agenda. Thomas McCloskey made a MOTION to draft a sidewalk ordinance based on the Town of Ennis sidewalk ordinance and include a section on unsafe sidewalks based on the Town of Cascade ordinance for the December meeting; Shirley Iwata seconded. MOTION passed 6 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

SEWER SYSTEM IMPROVEMENTS PROJECT UPDATE

The Clerk gave an update on the Sewer System Improvements Project. The Town's Engineers are working on the design and plans for the project, which were submitted to the Montana Department of Environmental Quality in October 2023. MDEQ approval is needed before the project can be advertised for bids. The MDEQ review will take at least 60-90 days. The project will be bid in February 2024. Construction should start around June 2024. We are planning for construction to be completed by December of 2024. The total estimated project cost has increased to \$5,439,400. This is \$795,205 more than we currently have. The Town currently has 4,644,295 in committed funds for the project. The Town can choose to phase the

project, but still looking for ways to complete the entire project. The cost increase is mostly due to inflation and higher construction and material costs with every City, Town, and County bidding projects at the same time and not enough contractors. Also, during design, we contacted MDEQ and located as-built drawings of the lagoons that show rip rap and 1-foot cover soil over the liner that will need to be removed and a portion disposed of at a landfill. The cover soil will have biosolids mixed in and will need to be hauled to a landfill in Missoula. This added a significant cost. The pricing for a 2-story headworks screen in front of the deep lift station to protect the pumps also increased costs. We are bidding the entire project and the headworks building as an Additive Alternate than can be awarded if funding is available or not. The Clerk reported that it is possible to get a State Revolving Fund loan. The current interest rate is 2.5% and term cannot exceed 30 years. The Clerk also reported that the Town could use more of the Replacement and Depreciation funds. The Engineer sent a letter to the state requesting that the Town be put on the priority list. This will not obligate the Town to a loan, it just gets us on the list. We are continuing to look for more funding sources. We are still trying to complete the project without raising rates, if possible. Council discussed the project and the consensus was to work towards completing the entire project without phasing, if possible.

NEW BUSINESS

SOIL CONSERVATION DISTRICT—APPOINT TOWN REPRESENTATIVE

The Clerk reported that the Jo Spangler of the Soil Conservation district has requested the Council table the appointment to the board. The Board is reviewing their policy and want to make sure they are in compliance with the policy. Tabled.

FEMA LETTER OF FINAL DETERMINATION AND UPDATING TOWN OF SUPERIOR FLOODPLAIN REGULATIONS

Andy Short reported that the Letter of Final Determination (LFD) from FEMA for the new flood study has been received. The Town of Superior will have 6 months to adopt new floodplain regulations. Andy Short will have the draft of the new ordinance with DNRC on the new language for the regulations at the December meeting. The current ordinance will need to be repealed at the same time the new ordinance is enacted, so that they both go in effect at the same time. The ordinances will require two readings and would go into effect 30 days if passed after the second reading.

HB 355 INFRASTRUCTURE FUNDING AND PRIORITY LIST

Council discussed the HB 355 Infrastructure Funding and required project priority list for projects within the Town of Superior. The legislature enacted HB 355 funding for infrastructure for cities and towns. The Town of Superior will receive \$85,702. The law requires that the Town develop a prioritized list of projects by December 31, 2023. Once we have the list completed the Town must hold a public hearing before project applications are submitted to Commerce. This is not a competitive grant. The Town can apply for the funding after the hearing is held. The hearing would be held during the January or February meeting. Per the new law Priority is given to projects that maintain or repair publicly owned drinking water systems, publicly owned wastewater treatment systems, and municipal fire suppression systems that are independent of a water system. The funds can also be used for maintenance or repair of **existing** streets, roads, street lights, and public grounds and buildings. No new construction. There is a required 25% match. The matching funds must be generated from local revenues and be equal to no less than 25% of the **total** project cost. According to the State we cannot use the ARPA grants or other grants as a match. They will

allow us to use the Fuel tax money as a match for street paving. For example, sewer project at the 5.4 million would require the town have a match of \$1.3 million generated from local revenues. Even if the town is allowed to count the US Treasury fiscal recovery funds that we received and are using for the sewer project, we would still be short a lot. A question if the town could use a SRF loan as part of the match was discussed in the webinar. The state's best answer was maybe, possibly. The Engineer is contacting the state for more information to see if there is another possibility. It may be easier to use the funds for a smaller project just because of the match requirement. The town has funds available in the water and depreciation fund and the fuel tax funds that can be used as the matching funds.

The following is a proposed list of projects.

1. Sewer Improvements Project—Lagoons upgrade, etc.
2. Sewer Improvements—Headworks Project (Hopefully included in #1)
3. Water Well #1 building improvements
4. Backup Power for Water Well #3
5. Water System Upgrades—Phase 3 (Would need a new PER)
6. Sewer Lift Station upgrades (Not part of the Project in #1)
7. Sewer generator building improvements
8. Mullan Road Sewer Line slip joint repair
9. Water System--Replace multiple water valves around town
10. Water System-Water line and fire hydrant to Timberman Park & Lagoons
11. Street Paving—various locations around town
12. Re-Pave Eva Horning Parking Lot (near picnic area, skatepark)

There will be more discussion and finalize the list at the meeting in December.

LEGAL None

CLERKS BUSINESS

Prepared minutes.

Updated Utility customer accounts as needed.

Prepared and mailed utility bills.

Posted daily receipts and made daily deposits.

Prepared and mailed past due and remaining balance utility letters.

Transmitted and posted the ACH utility payments.

Prepared and mailed final UB customer bills.

Prepared Agenda and Notes from the Clerk.

Uploaded Agenda to website. Posted Agenda.

Prepared and delivered council packets.

Prepared claims and checks.

Prepared payroll and reports and ACH.

Prepared monthly Tax vouchers and receipts.

Uploaded checks to the Wells Fargo positive pay as part of the fraud protections.

Updated software.

Updated Website

Grant searches.

Updated Agenda Subject Index

Uploaded Minutes to website.

Completed cash reconciliation for SVFRA.

Prepared Cash reconciliation and financial reports.

Work with HRC and CDBG on HRC building project and grant.
Work with Engineer on sewer project.
Set up new water and sewer accounts.
Completed meter change outs at received from Public Works
Updated RF meter information in UB accounts as received from Public Works
Work on Annual Financial report FY 22/23
Prepared and mailed monthly statement for plant investment fees
Prepared and mailed monthly statement for 50/50 sidewalk fee
Work with HRC and MC Food Bank on the CDBG Planning Grant application.
Submitted the CDBG Planning Grant application for the Food Bank.
Completed the Annual Financial Report for Fiscal Year 2022-2023.
Submitted the Annual Financial Report for Fiscal Year 2022-2023 to the state.
State accepted the Annual Financial Report for Fiscal Year 2022-2023.
Set up file for FW LWCF grant application for the swimming pool project.
Ordered 2023 IRS forms.
Webinars training on State Library website.
Webinar PFAS settlement.
Work on RRGL grant startup paperwork—Sewer project.
Work with HRC on the Food Bank CDBG planning grant application
Submitted the Food Bank CDBG planning grant application.
Set up file for CDBG Planning grant for the food bank project.
Webinar on HB355 infrastructure funding.
Set up file for HB355 infrastructure funding.
Work on quarterly newsletter.

CONSENT AGENDA

Shirley Iwata made a MOTION to approve the Consent Agenda as presented in the amount of Town Claims 37647-37711 in the amount of \$193,026.81 on November 13, 2023, October financial Report, October Cash Reconciliation, October Pledge Securities, October Journal & UB Vouchers, and October, Budget Reports; Wanda James seconded. MOTION passed 6 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

ADJOURNMENT

There being no further business before the Council Kelly Dillon made a MOTION to adjourn until the next regular meeting December 11, 2023; Shirley Iwata seconded. MOTION passed 6 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Thomas McCloskey-aye, Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

Roni Phillips, Mayor

Attest:
Brenda Schneider, Town Clerk