

The regular meeting of the Town Council was held February 12, 2024 in the Council Chambers at 6:30 pm. A review of claims took place at 6:00 pm.

Mayor Roni Phillips

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

Clerk Brenda Schneider

Rodney Goins, Public Works Superintendent

Andy Short, County Planner

Citizens: Sherry Goins, Shawn Smalley, Drew Hanson

Councilor Shirley Iwata attended the meeting electronically.

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 January 8, 2024 regular meeting Bessie Spangler stated that Wayne Cashman, Undersheriff is not listed as attending the meeting He did attend the meeting. Kelly Dillon made a motion to approve the minutes with the addition of Wayne Cashman, Undersheriff to the list of attendees of the January 8, 2024 regular meeting; Stephanie Quick seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

CORRESPONDENCE

The Clerk read a letter from the Governor's Office awarding the Town of Superior a CDBG Planning Grant in the amount of \$20,060 for a professional architectural report for the Community Food Bank of Mineral County. The Clerk reported that the startup steps for the grant will start soon.

PUBLIC COMMENT

Drew Hanson talked about the Mineral County Recreation Club St Patrick's Day fundraiser. The event will be March 17, 2024. Drew Hanson talked about the location of the event and the various activities planned for the event. The Recreation Club would like to use the streets for a fun run. They will add the Town as an additional insured. The Clerk was instructed to add the use of the streets for a fun run to the March agenda for final approval.

Shawn Smalley introduced himself and stated that he is running for the county commissioner seat for the central district. He talked about his reasons for running.

COUNCIL REPORTS

Wanda James read the January Animal report. Nothing to Report.

Stephanie Quick read the January Water report. All routine sampling and testing completed. Staff repaired several meter readers that were experiencing technical difficulty. Staff advised 2 residents of potential water leaks discovered after meters were read. Staff continue with research, data collection, service record reviews and collection, Town subdivision history, water system history, and more...as part of the continuing efforts to file the required "lead service line inventory" report to the Federal Government. The information requested in this report is extensive and detailed!! Staff will continue, as time allows, to have this report filed by the October 2024 deadline. Staff discovered a leaking 2-inch water main along Diamond Road by the Town Pump travel center. Water usage records indicate that it has been leaking for several weeks. The "in" flow at the final lift station showed a significant increase around the same time. Staff were able to locate, and un earth the set of valves that control the line. A set of tests were

performed to verify that it was in fact our main that was leaking an excessive amount of water into the town sewer system manhole in that area. Preparations were made and materials gathered to make the repair. Staff filed a utility locate request, an encroachment permit for the state highway right of way, and traffic control plan for the project. Staff notified effected residents and Town Pump of the interruption in water service. Upon approval, staff attempted to make the excavation necessary for the repair but ran into an issue with asphalt in the area in excess of 9 inches thick. Our equipment is not capable of cutting that deep. Staff hired the “A Core” company from Missoula who responded and made the necessary cuts in the parking lot. The repair has been completed.

Staff received a 3 am notification call from dispatch of a water emergency at Mineral County Hospital. Upon arrival staff met with hospital maintenance staff who had a ruptured 3-inch water line in the fire suppression system that was flooding the control room and west side wings of the building. Staff assisted maintenance personnel in getting the water shut off. Staff received a call from Austins professional services on 2nd Ave east requesting assistance in shutting off the water to the building which was flooded. A water line had frozen and ruptured on the main floor and flooded the crawl space and main floor. Staff were able to get the water shut off by the meter in the crawl space.

Roni Phillips read the January Court report. 3 initial appearance, 9 omnibus hearings, 8 Status hearings, 1 Order to Show Cause, and 1 Scheduling Conference. No insurance, partner or family member assault, and fail to give notice of accident by quickest means.

Kelly Dillon read the January Streets report. Roadways continue to be treated during inclement weather. Staff has begun preparing the black top maintenance priority list for upcoming paving projects. Final preparations and estimates were finished and the grant application has been filed to remove approx. 34 dangerous trees around town. Due to a few complaints about snowplowing. The Town has a policy for when and the routes for plowing. Rodney Goins presented a draft of a written procedure for the council to review and discuss. The Clerk was instructed to put the snowplowing procedure on the March Agenda.

Roni Phillips read the January Parks report. All is well in the Town Parks. If it doesn't snow soon, we will need to start mowing way sooner than expected.

Roni Phillips read the January Fire Department report. No report submitted.

Bessie Spangler read the January sewer report. All routine sampling and testing are completed. Staff conducted approx. 2 locate requests for the month. During routine daily rounds, staff found a clogged pump at the final lift station. Staff were able to raise the pump, clear the blockage around the impellor, and place the pump back in service.

COUNCIL CONCERNS

Bessie Spangler asked about moving the garbage can from the corner of River Street and Mullan Rd closer to the end of the bridge and installing a dog poop bag dispenser to encourage people who walk their dogs on the trail from the bridge to the fishing access to clean up after their dogs. Dog waste is a big problem on the trail. This will be researched.

UNFINISHED BUSINESS

SEWER SYSTEM IMPROVEMENTS PROJECT UPDATE

The Engineer has been responding to DNRC and DEQ comments and questions. The plan is to bid the project this month at the end of February.

SIDEWALK ORDINANCE—DISCUSSION

Council discussed the draft sidewalk ordinance. Discussed the widths of sidewalks. More research needed.

ORDINANCE NO. 225 –REPEAL OLD FLOODPLAIN REGULATIONS—2nd READING

Mayor Phillips read Ordinance No. 225 repealing old Floodplain regulations. Kelly Dillon made a MOTION to adopt Ordinance No.225 repealing Ordinance 216 old floodplain regulations, second reading; Wanda James seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

ORDINANCE NO. 226 -- FLOODPLAIN REGULATIONS—2nd READING

Mayor Phillips read Ordinance No. 226 establishing floodplain and floodway management within the town. Bessie Spangler made a MOTION to adopt Ordinance No.226 establishing floodplain and floodway management within the town, second reading; Kelly Dillon seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

NEW BUSINESS

PUBLIC HEARING-AMENDED PLAT OF LOT 1 BLK 1 OF KELLY ADDITION, MINOR SUBDIVISION

Mayor Phillips closed the regular meeting at 7:10 pm and open the public hearing at 7:10 pm. Mayor Phillips stated that the purpose of the Public Hearing is to receive public comments on the on an application for a minor subdivision submitted by property owner Glenn Jones. Andy Short, County Planner, presented the Amended Plat of lot 1 of Block 1 of Kelly Addition, Minor subdivision application.

Andy Short, County Planner reviewed the application for the subdivision. Andy Short reviewed the staff report and recommendations. There are 3 variance requests.

Variance No. 1—Request to reduce the minimum lot size for Lot 1A and Lot 1B of the proposed subdivision to be less than the minimum lot of 5,000 square feet. Lot 1A is proposed to be 3,997 square feet and Lot 1B is proposed to be 3,101 square feet. There are two existing homes on one existing lot. The proposed subdivision of the two existing homes will result in proposed Lot 1A and proposed Lot 1B being less than the minimum lot size requirement. Approval of the variance would grant no changes to the existing conditions. Town of Superior Design and Improvement Standards Section 6.8.9.2.10 requires lots to have a minimum area of 5000 square feet. This proposed subdivision seeks to vary from Regulations 6.8.9.10.

Variance No. 2--Request to vary from the Town of Superior Design and Improvement Standards Section 6.8.9.7.3 that require sidewalks to be 5 feet wide. The owner would like to continue to use the existing 42-inch-wide sidewalk

Variance No. 3—Request to vary from Town of Superior Design and Improvement Standards Section 6.8.9.14.4 utility easements shall be 20 feet wide unless specified otherwise by a utility company or the Town. The applicants are proposing a 10-foot-wide utility easement for the existing water line for Lot 1A across the front of Lot 1B allowing access to the sewer and water main located in the alley.

Andy Short reviewed the 13 conditions for preliminary plat approval.

Stephanie Quick asked about the request to lower the lot sizes from the standard of 5000 sq ft and if it normal to do a variance because this property is an existing property. Andy Short stated that every property is unique and some have constraints. This is why the variance process is available

to address these types of issues. Kelly Dillon asked about the 10 ‘utility easement and if it will be wide enough as the standard is 20’ Rodney Goins stated the requirement for the 10’ separation of water and sewer lines is required to prevent cross contamination. Discussed having at least a 15’ utility easement.

There were no public comments.

Mayor Phillips closed the public hearing at 7:33 pm and open the regular meeting at 7:33 pm.

AMENDED PLAT OF LOT 1 BLK 1 OF KELLY ADDITION, MINOR SUBDIVISION – DECISION

Wanda James made a MOTION to approve Variance No. 1 to reduce the minimum lot size for Lot 1A and Lot 1B of the proposed subdivision to be less than the minimum lot of 5,000 square feet. Lot 1A is proposed to be 3,997 square feet and Lot 1B is proposed to be 3,101 square feet; Kelly Dillon seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye

Kelly Dillon does not see a compelling reason to approve a 42-inch sidewalk and would like to keep the standard of 5 feet on 4th Ave. Keeping the 5-foot standard would maintain uniformity on 4th Ave for now and for future sidewalk project. Kelly also stated due to the age of the sidewalk we need to look at the sidewalk and see if it is a WPA sidewalk put in by the CCC’s. If so, contact the Museum about preserving the markings. Kelly Dillon made a MOTION to deny Variance No. 2 to use the existing 42-inch sidewalk; Wanda James seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye

Discussed requiring the sidewalk on 4th Ave be 5 foot wide and allowing the sidewalk on Pine Street to be 42 inches wide for uniformity with other sidewalks on Pine St. Discussed ADA compliant ramp on the corner of the sidewalk at 4th Ave E and Pine St. Stephanie Quick made a MOTION to approve a variance requiring a 5-foot-wide sidewalk on 4th Ave E and a 42-inch-wide sidewalk on Pine Street which will be ADA compliant; Kelly Dillon seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye

Kelly Dillon made a MOTION to approve a 15-foot utility easement for the existing water line for Lot 1A across the front of Lot 1B allowing access to the sewer and water main located in the alley; Bessie Spangler seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye

Bessie Spangler made a MOTION to approve with conditions the application for a minor subdivision submitted by property owner Glenn Jones with; Stephanie Quick seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye

COUNTY DOG ORDINANCE—AMY PARKS, MC HEALTH DEPT AND SHERIFF RYAN FUNKE

Amy Parks, Mineral County Health Department emailed and she has been sick and asked to reschedule for the March meeting. Bessie reported that they are working on a county dog ordinance and possibilities for holding animals for various reasons. They will have more information for the March meeting.

COUNCILOR WARD 3---APPOINT

Council discussed the vacant Ward 3 Council position. Wayne Cashman submitted a letter of interest for the position. Wanda James made a MOTION to appoint Wayne Cashman to the vacant Ward 3 position; Kelly Dillon seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye

ORDINANCE REVIEW AND DISCUSSION-DUMPING AND LITTERING

Council reviewed and discussed the current garbage ordinance and the sections regarding dumping and littering. The Clerk will research ordinances from other communities for the Council.

RESOLUTION NO. 544 -LOCAL GOVERNMENT REVIEW CALL FOR ELECTION

Mayor Phillips read Resolution No. 544 calling for the election for the local government review. The Montana Constitution requires that every 10 years the citizens of every county and municipal government get the opportunity to review the structures of their local government. This is a review of the current form of government (We are a Charter form of Government) and alternative forms of governments in state law. The election gives the citizens the option of “For or Against” the review. This is a 3-year process and the resolution will include a budget amount. I have the resolution and the budget prepared. Stephanie Quick made a MOTION to adopt Resolution No. 544 calling for the election for the local government review; Wanda James seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye. The Clerk will file the resolution with the County Elections Administrator. The Clerk will file the resolution with the Mineral County Elections Administrator.

RESOLUTION NO. 545-BUDGET AMENDMENT MT DPHHS INJURY PREVENTION GRANT

Mayor Phillips read Resolution No. 545 which amends the Fire Department Special Projects Fund budget for the DPHHS Core State Injury Prevention Program Mini-grant. The grant amount is \$4966.00. The grant is to be used to purchase QRU supplies and equipment. Kelly Dillon made a MOTION To adopt Resolution No. 545 amending the Fire Department Special Projects Fund budget for the DPHHS Core State Injury Prevention Program Mini=grant; Bessie Spangler seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

PAY MATRIX UPDATE

Council reviewed and discussed the pay matrix. The pay matrix has been updated to reflect the change in the minimum wage—grade 1. Minimum wage increased January 1, 2024 from \$9.95 per hour to \$10.30 per hour. The rest of the matrix was updated to reflect the increase. Each grade increased by \$0.35 per hour. Wanda James made a MOTION to approve the updated pay matrix effective July 1, 2024; Shirley Iwata seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

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
Prepared and mailed monthly statement for 50/50 sidewalk fee.
Work with Planner-Jones Minor Subdivision.
Work on draft sidewalk ordinance.
Complete annual property insurance reviews and submitted to MMIA.
Department of Commerce—Planning Grant Webinar
MSU-Local Government Center-Local Government Review Webinar.
Set up new files needed for Grant projects.
Start gathering information for preliminary budgets
Prepared and submitted the annual Taxable valuation certification to the state auditor.
Prepared and submitted the annual Police Pension/Training report to the state auditor.
Prepared and submitted the annual Fire Department report to the state auditor.
Prepared Resolution No. 544—Local Government Review call for election
Prepared Resolution No. 545—Budget Amend-MT DPHHS State Injury prevention grant
Work on DNRC tree planting grant
Prepared and submitted DNRC Urban Forestry Grant—Hazardous Tree Removal
Research snow removal policies for review with current town policy.
Work with Heather Pecora on the DHHPS CORE SIPP Grant—QRU
Updated business license application. Uploaded business license application to website.
Prepare and Submit annual US Census Bureau Boundary survey.
Zoom meeting—MEDC committee
Prepare updated W-9 form for the Town.
Prepared and sent letter of support for the local Rails to Trails group for a Raise Grant.
Completed annual VEBA paperwork and submitted to the state.

Preparing for annual audit for FY 2022-2023.
Work on quarterly newsletter.

CONSENT AGENDA

The Clerk reported that the 1st draw for the CDBG-CV grant funds would be received tomorrow in the amount of \$43,333.00. This is for the HRC building on Mullan Road. The Clerk asked the council to approve Claim No. 37872 in the amount of \$43,333.00 to District XI HRC. The claim and check will be processed this week. Wanda James made a MOTION to approve the Consent Agenda as presented in the amount of Town Claims 37815-37872 in the amount of \$108,844.44 on February 12, 2024, January financial Report, January Cash Reconciliation, January Pledge Securities, January Journal & UB Vouchers, and January Budget Reports; Kelly Dillon seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: 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 March 11, 2024; Wanda James seconded. MOTION passed 5 ayes, 0 nays, 0 abstain, 0 absent. Roll Call: Kelly Dillon-aye, Shirley Iwata-aye, Wanda James-aye, Stephanie Quick-aye, Bessie Spangler-aye.

Roni Phillips, Mayor

Attest:
Brenda Schneider, Town Clerk