

JULY 11, 2022

TOWN OF WHITEHALL
P. O. BOX 529
WHITEHALL, MT 59759

July 11th, 2022

The Whitehall Town Council held their regular meeting in the Council Chambers at 207 East Legion Street, Monday, July 11, 2022.

PRESENT: Council Members: Katy James, Bill Lanes, Pat Peterson, Shawn Hoagland, Roy McBride, Clerk/Treasurer Allissa Christensen, and Mayor Mary Janacaro-Hensleigh.

VISITORS: Bridget Morse, Kory Klapan, Leonard Wortman, Jessica Ward, Cody Hagerty, Jenna McNew, and Liz Pullman.

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

Roll Call was taken. All council members were present except Linda Jung.

The Pledge of Allegiance was recited.

IV. AGENDA APPROVAL:

Agenda was approved with the addition of the rec complex usage to be added.

Roy made motion to approve the agenda with Shawn seconding.

THE MOTION PASSED UNANIMOUSLY.

V. APPROVAL OF MINUTES:

Shawn motioned to approve the June 2022 minutes with Pat seconding.

THE MOTION PASSED UNANIMOUSLY.

VI. REPORTS:

Mayor Mary's Report

Mary: I just want to announce that tomorrow night at 6:00pm we will have our town hall meeting. This will be about the playground. We invite everyone to attend. There will be the fiber fest out at Copper K Ranch on the 15th and 16th.

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Liz Pullman: 16th and 17th.

Mayor: Oh, sorry the 16th and 17th. This is a great event. I just find it fascinating, and they have workshops. People come from all over to this fiber fest, and it's just a great event. July 18th, we have Shakespeare in the park. I believe it is King Lear. It starts at 6:00pm at the Main Street Green lawn. I welcome everyone to come to that. That is also going to be a great event. Then next weekend is our Frontier Days the 22nd and 23rd. The rodeo is on Friday night this year starting at 6 o'clock. Is that correct Liz? Okay 6 o'clock it's our big event. The good news is MDT isn't going to have the roads all torn up so we should be in good shape for this. The pool is open from 1:00 – 8:00 Monday thru Saturday. You can schedule a private party on Sunday if you are so interested. We have had great attendance with kids, adults, and everybody have been having a great time at the pool. It's running smoothly. We have wonderful lifeguards. I welcome everybody to the pool.

OFFICER'S REPORTS

Attorney Report

No report.

Clerk / Treasurer Allissa Christensen's Report

Allissa: I have to apologize I did not come prepared. I have been busy getting the lifeguards trained. This week is their first week of swim lessons. They are going well from what I've heard. Court has been busy as well. We are up to 96 citations for the year which is really good. I have noticed the deputies have been catching quite a few speeders. Like I said last month make sure your insurance is up to date. I have been working on a retention schedule. Planning Board. I have been working with Jeremy Fadness our planner. Budget has been keeping me busy. Jessica did quarterlies. Yep, more budget. Masterplan meeting. Apparently, I am a floodplains administrator now. So, I am figuring that out. DNRC came and told me I was. Some ARPA stuff. Budget. More budget. So, I apologize, not super formal but I promise I have been working. If anybody has any questions or concerns, my door is open. Ask away.

Public Work Kory Klapan's Report

Kory: Water. We took samples June 12th. The CCR report was in the paper I believe the week of June 16th. Right now, we are pumping 400 to 600 thousand gallons of water a day which is a ton for our pumps. I got one pump that hasn't shut off probably for 5 or so days. The second pump just kicks in to make up for that. Sewer. There was no sample this month. Our sewer discharge permit. I am working on maybe doing some changes to that. So right now, we hold our land discharge permit; and we also hold a permit to discharge into Pipestone Creek. We've kept that permit since we have went to the land app. All the sewer samples I take are to hold that discharge permit into the creek. Is it \$1,500 a year or every four years, Allissa, or do you know?

Allissa: I think it's a year.

Kory: Right now, we pay \$1,500 to hold that permit that we don't use. They are coming out with a new permit in September. She is going to email the rough draft of that permit. It's kind of designed for land app people that use to discharge into a body of water. It is allowing you to keep that discharge permit with no sampling. Only discharge in case of an emergency and the permit per year is \$750. I think our

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water samples are probably 5 or 6 grand a year. I'm guessing for what we are sampling now. We can save a lot of money here. I'm thinking it would be a good thing to change that discharge permit. Cell 3 is down to 2ft so I quit discharging out of it and moved to cell 2. We have about 3.5ft to discharge is all we have left. When the center pivot control board went out, we lost all memory. So, it took me about a day and a half to reprogram everything once we got it going again. But I think we do have it up and going now. Millings we are kind of looking to start the overlay July 24th. Chip seal with the county. Our deal with the county to chip seal is still on board, but we are going to have to pitch in for oil costs. That wasn't part of the deal with the increased rate in oil. I talked to him. We can get our velocity patcher at the end of August to fill potholes. The Post Office pothole that is super bad we will keep filling until we get hot mix over here. We will cut that out and use the hot mix. Cemetery. We had two graves. We have been changing out sprinkler heads. We changed out 20 sprinkler heads in the cemetery and about 15 in the park so far. We are moving onto Whitehall Boulevard next. There is probably 10 or 15 there. We have been working on the rec complex sprinklers. Mark Nelson is doing that, but we are helping him out by trying to find boxes and stuff like that. We put out 16 loads of weed spray. You guys have probably noticed the POs come through for that. Just to give you heads up 16 loads at \$76 a load of chemical. We have been pumping it out. We have put a lot of weed spray out. Then we had 21 locate tickets.

Fire Chief Joe Granvold's Report

No report.

Sherriff's Report

No report.

County Commissioner Leonard Wortman's Report

Leonard: We are in our budget meeting stuff. We have spent all day meeting with department heads and elected officials. We only have one tomorrow until Wednesday again. We have a meeting in the afternoon on Thursday. We meet every 30 minutes all day long. It is kind of long after a while. Basically, we review their budgets and talk to them about money. A lot of times we compare. We find something in the wrong line by doing that. Everything is good until we get our revenue report from the state at the end of August. If need be, we call them back in and cut some stuff out sometimes. I don't like doing that, but generally the law enforcement and the road department are the ones that give back the most because they have the biggest budgets. It's moving on. The Western Legacy Center is still moving forward. Tom Harrington is in the process of applying for several grants and that type of stuff. I believe Pam Polachi is in the process right now of putting in some display cases with shelves to get a physical presence for the store this summer. Our COVID numbers are increasing alarmingly. There have been 35 new cases this last week and about 130 this past month. I don't know what you do. It's pretty tough to stay home all the time. I just encourage people to be cautious of who you are around. I think last month we talked about the broadband deal with TSS on Second Street here in Whitehall. The County Commission meets tomorrow night in Basin at our regular out of town commission meeting.

Roy: Do you still have the buy sell on that building?

Leonard: Yes, we have the buy sell, and it's good until I believe October. We are working on some other options. Be able to work with the owner.

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Shawn: Great.

COMMITTEE / BOARD REPORTS

Planning Board

See minutes.

Water/Sewer/Garbage

See minutes.

Streets/Alley/Sidewalks

See minutes.

Parks, Trees and Cemetery

No meeting.

Pool Board

See minutes.

Leonard: I believe the commission request for the pool stuff is in our budget thing we are working on right now.

Katy: Okay.

Leonard: Also, I was wondering whether you guys were applying for any of the ARPA funds?

Allissa: No.

Shawn: Not for the pool.

Allissa: Not for the pool.

Leonard: You should do that.

Allissa: Okay.

Katy: ARPA funds good thought.

Mary: Okay thank you. That is great news.

Recreational Complex Board

See minutes

T.I.F.F

See minutes.

VII. PUBLIC COMMENT

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Liz: Here is me with fifteen different hats on. First hat Gold Junction. I screwed up and didn't put the road closure in for Monday for Main Street from the alley to Legion Avenue. Can I get permission for that from you guys? Then I will submit the paperwork? It's just for Shakespeare in the Park. It will be from 5 to 8.

Mayor Mary: Yeah, we are rolling that into the rec complex approval all in one.

Liz: Okay. I totally messed that one up.

Mayor Mary: That is fine.

Liz: Pool. Totally different hat. Now I am on the chamber hat. If the pool wanted to maybe run the cornhole tournament, that would be a fundraising event for the pool. We have no one running the cornhole tournament for Frontier Days. Just a thought.

Allissa: I will write it down.

Liz: With me and a million different hats here. For chamber I wanted to thank you guys for helping us out with the road and everything. Getting on DOT and all of that good stuff. If anybody has any interest in sponsoring anything, on Thursday I found out that Golden Sunlight pulled all of their sponsorship for Frontier Days. They didn't get them approved through corporate. So, I have to come up with \$15,000 which I have gotten a lot of that covered. But if anybody wants to throw a couple dollars here and there for Frontier Days, please let me know. The masterplan. That hat off and now committee chair for the masterplan. Thank you, guys, for attending the meeting. I really appreciated the town council being there and especially getting Jenna involved. She has taken the bull by the horns, and she has time which is great. Thank you for that.

VIII. CONSENT AGENDA

Planning Board

Development permit & business license fee schedule / approved & pending.

Variance request / Laurie & Kent Rathe / retaining wall deadman / approved.

Development permit application / Steve Irving / new structure fence / 203 S Brooke Street / approved.

Development permit application / Steven D. Hill / addition to structure / 200 N Brooke Street / approved with contingency.

Development permit application / Roxella & Gordon Lyons / new structure fence / 312 E 2nd Street / approved.

Variance / Whitehall Mountain Horizons Subdivision plan for zoning / tabled.

Business License

Business license / M & M Vintage & Antiques / reseller of vintage clothing, antiques, and home goods / approved.

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Business license / Stageline dba Tay's Pizzeria LLC / restaurant / approved.

Public Works Seasonal Hire

Karsen McMillian

Pool Lifeguards

Hope Shockley

Lily Shockley

Maddox Kidwell

Cody Fuller

Payton Dubois

Maddy Seccomb

Zach Christensen

Rec Complex Usage and Street Closure

Chamber Rodeo – July 22

Gold Junction – July 18 - street closure on Main Street from Legion to alley.

Pat made a motion to approve with Bill seconding.

Roy: I guess I have a question. Why when we zone that Mountain View, why don't we just put those lots and zone them like they should be zoned commercial and be done with it and not have to mess around. Do it all at one time instead of going back because I'm going to guarantee you, we will forget about it, or it won't get documented right.

Pat: But they are not commercial.

Roy: We can make them commercial; can't we? I really think we need to address that now upfront. I don't want that lady coming in here and saying. Because I'm going to guarantee you, we will get beat badly.

Mayor Mary: I think this is something you need to request to put on the planning board, and that we need to have the planner there for that. I think that is where that request needs to go.

Pat: Yes please.

Roy: I would ask that we table that.

Pat: Because what the recommendation was it was coming through Jeremy.

Mayor Mary: Right.

Pat: Saying that if we try to fight them, it would be a long legal battle; and we would lose.

Mayor Mary: Okay.

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Pat: They have been already designed and approved by the county for four dwellings per lot. We recommended just zoning it all residential and then giving variances a lot at a time.

Mayor Mary: Okay.

Pat: That was our recommendation. Then it would be lot by lot.

Shawn: That's the owner choice on that right?

Pat: Yes. What they are trying to do is get Todd Hunkler to agree to try and keep it to three units on each lot. They are separate homes. They are not connected.

Mayor Mary: Right.

Pat: But they are condominiums because the people don't own the land. They just own the structure. But it looks like it is a single-family home.

Mayor Mary: Yeah.

Pat: That is what they are planning on doing.

Mayor Mary: Okay.

Bridget: I have a question.

Mayor Mary: Come up to the podium please. So, everybody at home can hear you.

Bridget: On #6 at the beginning when you first talked about this, there was some question about an additional paper and had it come in. My question has it come in to approve this. Thank you.

Pat: Has it come in Allissa? Do you know?

Mayor Mary: I'm getting a no from Jessica, and she is in charge of that.

Pat: Oh, Jessica is back there.

Allissa: Thank you Jessica.

Jessica: He has not brought it in yet.

Pat: The planning board recommends we table that until the appropriate paperwork has been brought in.

Mayor Mary: So, #6 is tabled.

Pat: Yes.

THE MOTION PASSED UNANIMOUSLY WITH ITEM 6 BEING TABLED.

IX. PRESENTATIONS

None.

X. UNFINISHED BUSINESS

A. Council determination on employee pay scale.

Katy made a motion with Shawn seconding.

Roy: I think we ought to go with the recommended amount of 8.6%.

Pat: For the COLA.

Roy: For the COLA. I would say drop the fifty cents and go with the 8.6.

Roy motioned to pay the 8.6 and drop the 50-cent bump that is normally there because the COLA is much higher than 50 cents Shawn seconded.

MOTION PASSED UNANIMOUSLY.

B. Council determination on signing up with TextMyGov, a communication platform residents can sign up for to receive text notifications from the town in the event of emergencies, notices, etc.

Pat made a motion with Katy seconding.

Allissa: I emailed you all about setting up a meeting, and no one replied so I am just going to drop it. So yeah, I'm just going to drop it.

Pat: I was not in favor of it until we saw the whole budget and felt comfortable with budget because this would be \$3,000 the first year.

Mayor Mary: What do the rest of the council members feel?

Roy: I guess I'm not going to be in favor of it either. Because if we used it. The school uses it, and I hear from the school people that it's kind of got to be a pain. They hammer everything out on it so you are getting a dozen text messages. I don't need any more text messages.

Allissa: And that is fine.

Roy: That is my thought. We have a lot of senior citizens that aren't going to do it.

Allissa: Yeah, and that is fine.

Roy: It is a great idea don't get me wrong. I think if we were a little more text savvy, we would be a lot better than.

Allissa: You are just so old.

Pat: Yes.

Roy: If we could use it on a pick and choose basis, then it would be a different story. But I don't think we can do that.

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Allissa: It's fine. I'm just willing to drop it.

ALL OPPOSED. MOTION FAILED.

XI. NEW BUSINESS

A. Council determination on Resolution 2022-8 to vacate alley between the Star Theatre and K Bar.

Roy made a motion with Pat seconding.

MOTION PASSED UNANIMOUSLY.

B. Council determination on Lifeguard wages.

Bill made a motion to discuss with Katy seconding

Allissa: In your packet I put what the pool board had for wages and then gave some examples of other towns. A lot of other towns are in the same boat we are in with trying to compete with other businesses. We have got a really good staff this year. We haven't had any drama which is really great. They have been working really hard getting extra trainings in. There you have it. I also put a note in there I believe that the fundraising committee has offered to put \$5,000 towards wages. We had to put a line item in that fund specifically for wages too.

Shawn: Did the pool fees stay the same?

Allissa: They did this year.

Shawn: And what is that? I should know.

Allissa: \$5 a person. 2 and under are free. Single individual passes for the season are \$75.00. Family up to 5 is \$150 and 6-8 family members is \$175.

Shawn: Okay.

Allissa: We have had several private parties scheduled this year also.

Bill: How much are those?

Allissa: For up to 2 hours \$150 and then for every additional hour after that it's \$60. We have already had I think 3.

Mayor Mary: I think I have signed at least three.

Allissa: Yeah three.

Roy: Is Three Forks coming?

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Allissa: I think they have disbanded and don't do that anymore. However, the summer program at the school last year I believe they had 60 sign up. This year they had 120 or 130 kids. So, what they did initially, they paid us for swimming lessons. Well, then they got way more than they anticipated so then they are sending us another check. They have kind of made up for that lack of not having Three Forks.

Shawn: On these proposals I'm reading for returning lifeguards they go to \$12. How is that in relation to last year? Am I missing that in here?

Allissa: I'm sorry I didn't include that. I apologize. Last year they were getting \$9 and minimum wage went up to \$9.20. Returning lifeguards would get \$9.50.

MOTION PASSED UNANIMOUSLY.

C. Council determination on not renewing Cemetery software with Black Mountain Software.

Mayor Mary: This is something we don't use. We just need a motion and approval to drop it.

Roy made a motion to discuss with Katy seconding.

MOTION PASSED UNANIMOUSLY.

Allissa: It saves us \$800 a year.

D. Council determination on joining the Rail Authority.

Mayor Mary: As you all know; I am the Jefferson County Representative on the Southwest Rail Passenger Authority. The county is already a member. The county pays approximately \$3,000 a year to be in the authority, and they are asking the individual towns to also join. Our share would be \$250. The rail authority has two years to make this a go. This isn't a permanent thing. It's just for the next two years if we are successful in our endeavors. So that is what we are asking for.

Katy made a motion to discuss with Shawn seconding

Shawn: What are the endeavors?

Mayor Mary: Our goal is to get passenger rail to southwest Montana.

Shawn: Wow. Okay.

Mayor Mary: We are having our summit in Billings in August. It's been a very positive experience. We are making great gains but we have a two-year window to make it a possibility.

Liz: What's the likelihood?

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Mayor Mary: Very high.

Liz: Is it?

Mayor Mary: Yes.

Liz: I hadn't done my research.

Mayor Mary: The highest likelihood is on existing tracks. The train coming up from Billings to Logan then on the existing tracks through Townsend, Helena, then to Butte and Missoula. They are also open to repairing and bringing the train through Whitehall and repairing the track over the hill into Butte. That is not off the table. That is what I'm working really hard to get because that would be the most beneficial for us. If that doesn't happen, you could pick up the train in Bozeman, Helena, and Butte.

Bill: Versus Shelby.

Mayor Mary: Right.

Roy: Where are they dropping into Butte at? The train runs down the valley to what is that little town?

Bill: Walkerville?

Roy: Huh?

Bill: Does it go into Walkerville?

Roy: No. It doesn't even come. It comes out of Helena and goes past Fort Harrison is where the MRL track runs.

Mayor Mary: Yeah. So, I know this is a very small map. (Holds up brochure with map)

Roy: That is just a question.

Mayor Mary: It comes up and then loops around and up and out. You are welcome to have these. I will also have a booth at Frontier Days and be handing out information.

Shawn: We are talking \$250.

Mayor Mary: \$250.

Pat: Per year.

Shawn: Per year with a max of 2 years.

Mayor Mary: Right.

MOTION PASSED UNANIMOUSLY.

E. Council determination on proposed Planning Board fee schedule. Public hearing will be scheduled during August meeting.

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Katy made a motion to discuss with Shawn seconding

Mayor Mary: Roy, did you want to request to be on the next planning board meeting?

Roy: Me?

Pat: Well, this is about the fees.

Mayor Mary: Oh, the fees. Sorry.

Roy: No, I don't want nothing to do with the fees.

Mayor Mary: Okay.

Roy: I get yelled at enough.

Pat: There was quite a bit of research done on these fees, calling several different areas and they are very reasonable. Before it was \$10 for a fence application; and now, we are recommending \$25, to recoup some of the cost of the ladies here in the office with what they have to do and all of that.

MOTION PASSED UNANIMOUSLY.

F. Council determination on shredding old documents over ten years old.

Roy made a motion to discuss with Katy seconding

Mayor Mary: Just for your information we have boxes and boxes of old documents that are older than ten years old. You have to keep them for that long. We just need council approval to have them professionally shredded.

Allissa: So, it's a process. This is the first step is getting permission. I put in your packets how it goes. It's a lot.

Pat: Right. The only thing that concerns me is because of some of the stuff that is going on like with Mountain Horizons. Some of that is more than ten years old. If we start shredding those documents, we have no other.

Liz: Are they not electronically scanned files?

Mayor Mary: Not that old of ones.

Allissa: Okay we don't shred like cemetery documentation, planning board, payroll those kinds of things. This is just like claims like really old claims that we have already been audited just boxes and boxes and boxes.

Leonard: The law generally reads that there are certain things that you can not shred.

Mayor Mary: Right.

Leonard: There are certain things that are allowed by law.

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Mayor Mary: Right. All those other things are stored in the store room.

Allissa: Locked.

Mayor Mary: At city court and locked up.

Pat: I would just like to be sure that we keep those past minutes or resolutions.

Allissa: That is another thing that can't be shredded. So, we are not going to shred those.

Leonard: Those can't go away.

Allissa: They don't go away.

Mayor Mary: None of that is in there.

Pat: Because with Mountain Horizons so much has come up that people around remember, but was it documented?

Mayor Mary: Right. By law we can't shred any of that.

MOTION PASSED UNANIMOUSLY.

G. Council determination on trading town property with school property for future water tank.

Roy made a motion to discuss with Shawn seconding

Kory: This started with our new water tank that we are going to put up. We needed extra land to put our tank on. So, I approached the school to see if they would extend our lease. Come to find out that is actually deeded property the town owns where the water tank is. I never knew that. So, then we started working on how the town could acquire that property from the school. We found out the school's playground and part of the parking lot is owned by the town. So, in the interest of both the school and the town just do a trade for what we need for a water tank for what they need for a playground. I did talk to Hannah at the school, and she will split the cost with us 50/50 to just clean up both sides.

Shawn: You are talking survey and lot line adjustments. All that good stuff.

Kory: So, our end up at the water tank is a pretty simple deal. It's a lot line adjustment.

Shawn: Okay.

Kory: It's not quite as expensive as the school's property. So, the school we have a street to vacate, a lot line adjustment, and then also there is deeded property that is not in the towns name at the school that we would like a water line easement on. So, that is cleaning all of that up get everything at the school to the school with us having an easement for our water main that goes through there. Then us acquiring the piece of ground where our water tank is all the way to Paul Gulch Road. The same width. I think it's right around three acres more than we are going to get at the water tank. At the school I don't know the

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acreage. But it is the grass field by the playground and part of the parking lot and then Yellowstone Street that cuts through the school.

Shawn: Okay.

Pat: This here says a survey of about \$15,000.

Kory: Our guesstimate price from well I guess I didn't end up guessing the price. I think the bid from Jeremy our planner to survey it, write a resolution to vacate the street, and get everything to Ed to put into a deed for both properties. Then someone from the town or the school can go file the deed at the county. I think this cost was a guesstimate, and this is just a guesstimate was \$5,000 to do that. So, the whole project would be about \$20,000 split by two. So, \$10,000 for us and \$10,000 for them. I did go back and talk to Hannah Thursday or Friday and explained all this to her. Of course, she has to go to the schoolboard with this, but she thinks it's no problem for them to pay half.

Shawn: Okay.

Bill: So, this is a property though that there is an easement just like we were talking about the Star Theatre. You said something about an easement on there as well.

Kory: So, what it is, is Yellowstone Street goes through there is mis-plotted. Okay.

Bill: Is that going East and West?

Kory: Correct.

Bill: The bus lane.

Kory: Nope.

Shawn: No. Like through the school.

Kory: And we still own the property under the school. The problem drawn is not where our water main is. Okay. We are not really putting an easement into our vacated street. We have to put an easement on a deeded piece of property at the school already. So, we are going to get an easement for that. Then they will draw an easement for the property that we are trading. So, we will have an easement through our property now that will be the schools.

Bill: Interesting things you find after years about that. Yellowstone.

Kory: Yeah.

Mayor Mary: Yeah.

Bill: Because how long has that been?

Kory: Yeah. Quite a while.

Allissa: Long time.

MOTION PASSED UNANIMOUSLY.

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

Shawn made a motion to approve the bill claim approval list with Roy seconding.

THE MOTION PASSED UNANIMOUSLY.

XIII. ADJOURN

Shawn made a motion to adjourn.

Mayor Mary Hensleigh

Date

Town Clerk Treasurer

Date