

# CITY OF CHOTEAU

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## OFFICIAL MINUTES OF THE SEPTEMBER 19, 2017

### MEETING OF THE CHOTEAU CITY COUNCIL

Present were Mayor Jack Conatser, Council Member Jill Owen, Council Member Dan Lannen, Council Member Stewart Merja and Council Member Rose Crawford was excused.

Staff present was Finance Officer Jodi Rogers and Public Works Director Mike Maples

Citizens present were Melody Martinsen of the Choteau Acantha; Beth Barlow of the Choteau TBID; Paul Dreyer; Nate White; Nicole Pirro; Kimberley Miller; and Blaine Miller

#### CALL TO ORDER

Mayor Conatser called the meeting to order at 7:00 p.m.

#### APPROVAL OF THE MINUTES OF THE CITY COUNCIL MEETING OF SEPTEMBER 5, 2017

A motion to approve the minutes of the September 5, 2017 meeting was made by Council Member Lannen, seconded by Council Member Merja. The motion passed with all in attendance voting aye.

#### REQUESTS TO BE OUT OF STATE

None

#### UNFINISHED BUSINESS

#### DISCUSSION ON SCHOOL ZONE SPEEDING

There was a meeting today with Sheriff Keith VanSetten, Superintendent of Choteau Schools Chuck Gameon, Gary Passmore, Paul Dreyer, Mayor Jack Conatser, Public Works Director Mike Maples, and Council Member Stewart Merja.

Superintendent Gameon said the electronic speed signs are not working.

Council Member Merja stated there was a lot of good discussion, several ideas were presented. The recommendation of the Committee was to start with speed bumps, and if this doesn't work we will move on to the next idea. We need to find something that will work.

Paul Dreyer stated he feels the speed bumps are a good first step. He would still like to see the street blocked between the school and the green space. He stated he just wants to make sure we are doing the right thing.

Mayor Conatser stated after doing some research, we may have to manufacture the speed bumps ourselves. The cost was approximately \$5,400.00 for the speed bumps. Mayor Conatser will also be in contact with Highway Specialties regarding signs with arrows pointing towards Glacier and coming the other way to Yellowstone or Helena. He is going to meet with the TBID board and the Chamber of Commerce to request help paying for that signage.

Council Member Owen asked if the State Highway Department would help pay for the signage. Mayor Conatser stated they would not but he didn't feel the Highway Department would object to the signage.

#### NEW BUSINESS

#### VOTE ON RES. NO. 823 – RESOLUTION CANCELLING THE NOVEMBER 7, 2017 GENERAL ELECTION

Mayor Conatser explained the Resolution states there have been no other candidates running against the three which have already filed.

A motion to approve Resolution No. 823 was made by Council Member Owen, seconded by Council Member Merja.

Council Member Merja explained the Resolution was to cancel the general election because no one had filed as a write-in candidate by the deadline of September 5, 2017 at 5:00 p.m.

After no more discussion the motion passed with all in attendance voting aye.

## CLAIMS

A motion to approve the claims was made by Council Member Merja, and seconded by Council Member Lannen. The motion passed with all in attendance voting aye.

## LAW ENFORCEMENT REPORT

There was no Law Enforcement Report submitted.

## CITY JUDGE'S REPORT

There was no City Judge's Report submitted.

## PUBLIC WORKS DIRECTORS REPORT

Progress Report to City Council—September 19, 2017 as presented by Public Works Director Mike Maples.

1. Update on waste water treatment plant:
  - a. Flows bounced up due to rainfall and increasing ground water infiltrating the collection system. Average flows are approaching 300 gpm.
  - b. Ditch biology is looking better. Sampling results from September 05 and September 12 were great—BOD at 11 (91.5% removal), Nitrogen, as Ammonia was .1 and Non Detect, E. coli was 1, and Total Suspended Solids was Non Detect.
  - c. We have spent a lot of time working with Westech to resolve programming and trending issues. I believe we are making progress, but still have some ways to go.
  - d. We conducted a service on the lift station pumps. Pumps 2 and 3 looked very good with no sign of seal leakage or impeller wear. Pump 1 had a significant seal failure that severely and irreversibly damaged the shaft. Luckily, this type of failure is covered by warranty. The pump is at Xylem being rebuilt. We expect its return next week.
  - e. After meeting with DEQ, we moved forward full bore on clearing the sludge in the lagoon in 60' wide paths for future ditching. We finished immediately prior to the rain event. The next step is installing a culvert and ditching the lagoon for ground water drainage. Until conditions dry out, work has been suspended. In the meantime, we have sent samples of the sludge and the collected ground/rain water to Energy Labs to test for metals, contaminants and nutrients.
  - f. We are in the process of insulating 3 manhole structures that experienced freezing last winter.

2. In the month of August, we pumped approximately 14,649,000 gallons and accounted for 11,434,696 for a 22% loss.
  3. In regards to streets:
    - a. We got word on money for the asphalt grinder purchase. Right now I am trying to find time to run to Denver and evaluate one for purchase. I hope to get down there within the next two weeks.
    - b. The motor for the loader is taking longer to rebuild than expected. Hopefully it will arrive back in Choteau on Thursday of this week.
  4. Flushing of the sewer mains continues.
  5. Pothole patching continues.
  6. Tree trimming continues.
  7. Parks work is going well.
  8. We had to temporarily shut down the composting site. Hopefully, within the next couple weeks we will be able to re-open composting at a new site.
9. We have had the normal mix of everyday tasks like recycling, water shut offs, water meter repairs, water sampling, waste water sampling, garbage collection, line location requests and mechanical repairs.

#### FINANCE OFFICERS REPORT

Finance Officer Rogers reported the budget has been finalized and has been submitted to the State Department of Administration. The office has been short staffed for the month of September as Mary has been out after surgery. Becky has been working an extra hour each day to help keep up with the day to day workload.

#### MAYOR AND COUNCIL REPORTS

Council Member Merja said he had a young man talk to him again on a skate park. He is going to go talk to Mary Sexton the end of this week or the first of next week as she had some ideas on the skate park. He will be working with this young man to put together a plan to present to the Council.

Council Member Lannen reported Gene Nelson had talked to him and didn't want the street blocked off in front of his house. Mr. Nelson is sure speed bumps will work.

Mayor Conatser stated Steve Gjerde sent a an email to google maps help desk explaining the need to change their map routing away from the school zone and down Main Avenue. Steve Dogiakos has been working on the routing also. Maybe working on this problem from a couple of different angles we can get people to slow down before someone gets hurt.

Mayor Conatser told the Council to read over the ordinance passed by the Town of Fairfield regarding cell phones. The Council needs to modify this ordinance to fit the City of Choteau.

Mayor Conatser feels this is something we have to do but we need to do it right. Fairfield passed this law a couple of years ago, after having three people die in car accidents. We need to put this in place to help prevent this from happening in Choteau.

Council Member Merja feels this may alleviate some of the issues at the school. Often times when he is in that area he sees people going through intersections while on their cell phones. This is just not the high school kids there are many adults.

Mayor Conatser thanked Public Works Director Maples and Finance Officer Rogers for the work they do for the City of Choteau.

## PUBLIC COMMENT

Mayor Conatser explained the public comment period is for any public matter that is not on the agenda of this meeting. Participants are requested to limit their comments to five minutes per person.

Nate White asked to speak. Mr. White is concerned with the Ordinances which are being put in place. There is question as to how they will be enforced. He feels the City is facing a huge problem in enforcing these Ordinances specifically because of local law enforcement and the city attorney. Mr. White feels working with this attorney is a huge conflict of interest considering she is working as the deputy prosecuting attorney. Mr. White went on to explain Jeff Kraft and Patrick Cruz responded to a call where teenagers were in possession of alcohol. They arrived on the scene; the alcohol was consumed the day before. He feels now a day's when people graduate from high school they don't know the laws, they don't know what their rights are. This is a failing of the public education system. One of the teenagers incriminated herself and said she had been drinking the day before. Patrick Cruz and Jeff Kraft proceeded to have these teenagers do pushups while they called them cheese stix (sic). This is all documented on their body cams and it is going to be investigated. This is not the only thing which is going to be investigated. Mr. White just received from Officer Patrick Cruz, a disorderly conduct citation, which he feels is clearly an infringement upon his right to free speech. Mr. White stated he will be suing. Mr. White stated Jack had told him, "We don't need guys like that in our town." Jack had even offered to help Mr. White out with lawyer's fees.

In Mr. White's opinion the way these ordinances are being passed is unreasonable. For instance with this dispensary there was less than 24 hours' notice.

Mayor Conatser stated it had to have been at least 48 hours or the City could not have had a meeting and the meeting was posted at least 72 hours before the meeting.

Mr. White stated even if it was a week that is a minimal amount of time to give notice to the public. He feels that is the way the City operates as normal practice and it is not a good way to do business. Mr. White was unable to attend the meeting on the moratorium so he called Mayor Conatser to tell him he was irritated that it seems this is how business is done at the City.

Mayor Conatser explained he normally does not respond during the public comment period but he felt it was important to say the City of Choteau tries to bend over backwards to inform the public. The City won't have a meeting if we can't notice it legally. He feels we try to get our notices out with more notice than the State says the City is required to have. The City really tries to go the extra mile in noticing the meetings.

Finance Officer Rogers said if Mr. White feels the City needs to do better, and then we should sit down and figure out how.

Mr. White says he feels there needs to be a conversation about these issues as they are not going to go away. He feels the tendency is to ignore a lot of these issues. Mr. White states he has brought these issues up to different members of the City Council, perhaps not that tactfully, but he doesn't know when would be a good time to speak about it. He feels there are great efforts to avoid speaking about it, though it could be resolved in five minutes. Look at the reporting about the meeting. It was reported the next week that the City Council waited to hear public opinion before deciding to pass a moratorium. This is factually incorrect. Melody knows that, this is factually incorrect. He feels this brings in to question her journalism ethics. Mr. White would consider the Choteau Acantha to be "Fake News". This is factually incorrect because Mayor Conatser had told him before the meeting that the Council was going to pass the moratorium be for the meeting occurred. The reason stated for the moratorium was to give adequate amount of time for conversations to occur in the community. He feels the Council did everything to avoid comment and insure that these conversations wouldn't happen.

Finance Officer Rogers told Mr. White he had 45 seconds left.

Mr. White feels the City is making sure to limit peoples' time to speak, to keep the information from the public and the City goes to great lengths to do so.

After five minutes was up Mayor Conatser requested for Mr. White to take his seat. Mr. White refused and told Mayor Conatser to Call the Cops.

Council Member Owen stated it is a five minute rule and everyone has to follow it.

Mayor Conatser asked Mr. White again to please sit down. Mayor Conatser explained he could come in on Thursday and they could continue this conversation.

Mr. White continued to speak stating when Jennifer Stutz was in court; Mr. Dreyer interjected to Mr. White to think about what he was doing. Mayor Conatser said the same. Mr. White refused to return to his seat. He remained standing and wouldn't forfeit the podium to the next speaker.

Mayor Conatser asked if there was any more public comment. Beth Barlow asked to speak.

Ms. Barlow wanted to let the Council and the public know Glacier Hope Health Homes was going to have a fund raising event at the Stage Stop Event Center. This is a facility for veteran's rehabilitation. They are bringing Michael Martin Murphy and Rob Quist here on November 8, 2017 for a dinner and a show. This will be publicized in the Acantha with requests for sponsorships. There will be more information to come. Ms. Barlow completed her comments and took her seat.

Mr. White continued to speak over his allotted five minute time limit as the council adjourned the meeting.

#### ADJOURNMENT

A motion to adjourn the meeting at 7:28 p.m. was made by Council Member Merja, seconded by Council Member Lannen. The motion passed with all in attendance voting aye.

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John W. Conatser, Mayor

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Jodi L. Rogers, Finance Officer