

Regular Meeting Minutes of October 12, 2020 Bainville Town Council

The Regular meeting of the Bainville Town Council was called to order at 7:00 p.m. by Mayor Dennis Portra at the Bainville Town Hall, 211 Clark Avenue East. Meeting was held virtually. Present were: Ron Butikofer, Chuck Hyatt, Dennis Portra and Travis Wills. A **quorum** was established. Also present were Clerk, Nikki Rogers; Public Works Director, Lyle Lambert was absent; City Attorney, Greg Hennessey via phone. Guests included: Ada Estes, Chanon Romo, Darlas Rogers, and April Wills.

Chuck Hyatt moved to approve the agenda with the addition of the New Business A(2) Welcome Court disconnection. Travis Wills seconded the motion. All in favor and motion carried.

Chuck Hyatt moved to approve the minutes dated September 16, 2020 as submitted. Travis Wills seconded the motion. Chuck Hyatt and Travis Wills voted in favor. Ron Butikofer abstained from the vote. Motion carried.

Public Comment

- Web Complaint: Aggressive Dogs
Mayor and Council discussed the complaint and asked staff to request pictures of the dogs in question.
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Public Works Report

Nikki Rogers, Clerk, gave the following update for Public Works:

- Sewer line repair for Rhea Avenue to Flynn Avenue.
Lyle Lambert is waiting on a quote from C&C Excavation regarding the sewer line repair.
- Slagle Tree Service
Slagle Tree Service has not gotten back to Public Works regarding the tree removed at 207 Evans. Mr. Lambert has contacted Javier Morales of Javier's Lawn Service from Fairview and he is willing to cut the tree down. Mayor and Council told public works to proceed with Javier's Lawn Service.
- Corner of Evans Street and Rhea Avenue Project Update
Due to some health reasons with Public Works Crew, this project is on hold for now.
- Storm Drainage at 5th Avenue and Clinton Street
Lyle Lambert received a quote from Bainville Concrete Construction in the amount of \$21,600.00. Councilman Hyatt asked for a drawing of the project and Councilman Wills asked for a second quote. Clerk Rogers will relay it back to Public Works.
- Bainville Concrete Construction provided the council with an estimate of \$47,810.00 regarding the eastside sidewalk of Clinton/Highway 327.
- Bainville Concrete Construction provide the council with an estimate of \$22,624.00 to put in a concrete floor in both shops at the lagoon.

Roosevelt County Sheriff's Department Report--None

Court Report

Clerk Rogers read an email from the court clerk indicating no new citations were issued in the month of October for the town.

Legal Issues

1. Discussion on a quiet title for the Dorothy Crawley property—Attorney Hennessy
Attorney Hennessy stated the next step is to write a certified letter which he has not found the time to do yet.
2. Oasis Petroleum Restructuring Support Agreement and summary of Plan of Reorganization
Attorney Hennessy stated this paperwork is for their Chapter 11 bankruptcy. Royalty payments should not be affected. Clerk Rogers will get the papers to Mr. Hennessy.

Policy/Ordinance Review

1. Dog at Large Ordinance—Discussion on a leash law
 - a. **Ordinance--** An ordinance amending Title 8 Animals Chapter 8.04 Dogs adding new sections to correspond with Roosevelt County Ordinance No. 7.

Clerk Rogers drafted an ordinance to incorporate Roosevelt County Ordinance No. 7 into the current Chapter 8.04. She is asking the Mayor and Council to review the ordinance and let her know if any changes need to be made.

Mayor and Council discussed the ordinance. Travis Wills moved to adopt County Ordinance No. 7 by reference and set a public hearing for November 9, 2020. Chuck Hyatt seconded the motion. Travis Wills voted aye, Chuck Hyatt voted nay and Ron Butikofer voted nay. Motion failed.

Mayor and Council discussed the ordinance at length while making changes and would like the County Attorney's opinion on section 7 Control of Pets. Clerk Rogers will reach out to the County Attorney.

Local Emergency Planning Committee

Next LEPC meeting: Virtual Meeting held at 2:00 PM

Trail Committee Update--None

- Committee Recruitment
- Community Development Block Grant (CDBG) Planning Grant for Trails Plan

Old Business

- A. Update from new property owner regarding 5862 County Road 405 North
 - Review revised agreement
Clerk Rogers presented a new revised agreement. Mayor and council discussed and authorized the Mayor to sign the agreement.
- B. Update on Fence permits—Diane Panasuk
205 Clinton Street was approved at the Council meeting 08/10/2020
311 Clinton Street
413 Clinton Street
Clerk Rogers informed the council the fence permit was approved on 8/10/2020 for 205 Clinton Street. She will provide an amended copy of the minutes at the next meeting.

New Business

- A. New Permits:
 1. Roosevelt County Shop—Connex
Mayor and Council discussed the building permit. Chuck Hyatt moved to exempt the county to place the connex next to the county building and approve the permit with the note of it conflicting in the future with the neighboring lot the connex will be moved. Ron Butikofer seconded the motion. All voted in favor and motion carried.

2. Welcome Court disconnection

Diane Panasuk requested the water be disconnected at the Welcome Court. She is moving the trailers and the cabins are going away. Chuck Hyatt moved to vacate 2.79 EDU's at the Welcome Court effective October 31, 2020. Travis Wills seconded the motion. All voted in favor and motion carried.

Chuck Hyatt moved to transfer one EDU to 413 Clinton to allow an active hookup for the property owner to sell. Ron Butikofer seconded the motion. All voted in favor and motion carried.

The next bill will be at the end of the month which will be her final bill.

B. Plat Amendment for Tubman Addition Block 8 Lots 1-24 – Bainville Homestead Property

Chanon Romo, representative from Bainville Homestead Properties, presented a plat amendment to the Bainville Homestead Properties located at 202 and 204 Rhea Avenue. Mayor and Council discussed the plat amendment. Chuck Hyatt moved to approve changes to the lots conditioned on the As-Builts on file and Mayor's site visit to clarify the 10-foot setbacks of each building. Travis Wills seconded the motion. All voted in favor and motion carried.

C. Montana League of Cities and Towns Conference update

- Resolutions the league will be representing opposing and supporting for the next Legislative Session. .

Clerk Rogers provided an update from the virtual conference. It was a good, informative conference and she has access to the conference material for the next 6 months if anyone is interested is watching. She provided the council with some resolutions the lobbyists will support or oppose at the next legislative session.

D. Treasurer's Report:

- Approve claims with checks dated October 12, 2020
 - Approve JV, UB Vouchers, and Payroll slips, Void Check 12659
 - Review delinquent accounts
 - Financial Update with Valli
 - Annual Financial Report for 2019 is completed and submitted to the state
- Chuck Hyatt moved to approve voiding check 12689, check 142690 and the Treasurer's report. Travis Wills seconded the motion. All voted in favor and motion carried.

Travis Wills moved to adjourn the meeting at 9:26 PM. Chuck Hyatt seconded motion. All voted in favor and motion carried.

Attest:

Approved By:

/s/Nikki Rogers
Nikki Rogers, CMC
Clerk-Treasurer

/s/Dennis Portra
Dennis Portra
Mayor