

Stevensville Committee of the Whole Meeting Minutes

for TUESDAY, JANUARY 21, 2025, 6:00 PM 206 Buck Street, Town Hall

1. Call to Order and Roll Call

Mayor Michalson called the meeting to order. Councilmembers Barker, Brown and Smith were all present. Councilmember Nelson has an excused absence.

2. Discussion on the Following Items

a. Council Rules, Procedures & Code of Conduct

Mayor Michalson: I guess we could start out with the council rules. page one, Part I, is pretty self-explanatory, no changes. Part II no changes.

Councilmember Brown: I just want to highlight something in Part I section 1, that everyone should be reading that chapter 2 of our municipal code, that applies to the councilmembers.

Mayor Michalson: Part III, change the time from 6:00 to 6:30 pm.

Jenelle Berthoud, Town Clerk: I will by the end of the month be putting the date and times of meetings in the newspaper.

Mayor Michalson: Part III. In a couple of instances Gina has brought a claim to the council at the night of the meeting how would you like that to go. The only problem I have with that

Councilmember Smith: you are not giving the people a chance to see it.

Mayor Michalson: that is what I mean, public does not have a right to view it.

Councilmember Barker: I know a couple times it has come through and it has to be paid, but again it is right here in the rules.

Jenelle Berthoud: you have addressed it a couple of times, is it important, or it has to be.

Mayor Michalson: like the contract for the airport, it had to come to the council. Stuff like that happens.

Councilmember Smith: it has been happening.

Mayor Michalson: but a regular claim, what is another two weeks.

Jenelle Berthoud: I think that it confuses you guys. I see and hear the confusion.

Mayor Michalson: if I was a member of the public, I would wonder what claim are we on.

Jenelle Berthoud: is there anything else that you want to put in their along with the minutes and claims by 5:00 pm. We are one of very few towns that put an agenda out a week early. Law is only 48 hours.

Mayor Michalson: a lot of towns don't even let the public or the council see the claims until the night of the meeting.

Jenelle Berthoud: it does not show in any codes that you have to have that in your packet. A lot of places do not even have the ability to print a packet.

Councilmember Barker: the gal from Geraldine, they do not have packets to produce.

Councilmember Brown: do you want to say 8:00 am on Wednesday?

Jenelle Berthoud: I am okay with that, but if we did it at that time, then we would not have 48 hours. I think that the claims only being added on Tuesday's has really helped Gina.

Mayor Michalson: Part IV, remove the 5th bullet point about 30-day review by the town attorney.

Councilmember Barker: I think that it should be removed.

Mayor Michalson: what happens if a citizen of the public comes in, I should have the ability to approve the agenda item.

Jenelle Berthoud: we had one recently like that where you told me that it would not be coming to an agenda. and in that case, is it up to the citizen?

Councilmember Barker: bring it to public comment.

Mayor Michalson: if they don't like that I said no, then they can bring it back to the council.

Councilmember Brown: they can have two councilmembers bring it to the council.

Councilmember Barker: it is taking the mayor out of the decision.

Councilmember Barker: it should be the council as well.

Jenelle Berthoud: Add in 7th bullet point, and or a councilmember after the word Mayor.

Mayor Michalson: Part V, no changes.

Councilmember Barker: I think that it is pretty self-explanatory, most towns have the public comment at the end.

Jenelle Berthoud: is there any benefit to this Stacie?

Councilmember Barker: I think that it keeps people at the meeting.

Mayor Michalson: I asked Dan Clark about the unscheduled matters.

Jenelle Berthoud: I like that, in the meeting it could spark conversation to set a meeting about a topic.

Mayor Michalson: Part VI, section 1. Every once in a while, our meetings/topic can get heated. I think that we have to go through the presiding officer. We need to work on that.

Section 3. Councilmember Brown does a good job at this. Part VII, no changes. Part VIII, paragraph 3, add, and town council rules, to the end of that paragraph. Part IX, no changes. Part X, no changes. Part XI, section 1 2nd bullet point, change clerk of the council to read town clerk.

Councilmember Brown: I think it should be town clerk.

Mayor Michalson: Part XI, section 2, last paragraph, I am kind of confused by the last part.

Councilmember Brown: I think what they are trying to say is you the mayor has the right to veto and there is two ways, veto or not sign it.

Jenelle Berthoud: if you did not agree to the council's vote on Thursday night and I came to you on Friday morning to sign and you said that I am not going to sign this I still do not agree, this is when this would come into effect, right Cindy?

Councilmember Brown: that is how I understand it.

Mayor Michalson: so, what happens after that?

Jenelle Berthoud: it will still go into effect even if you do not sign it.

Councilmember Brown: the mayor has to act on it before the next scheduled meeting.

Councilmember Smith: we can override the veto.

Mayor Michalson: yes.

Councilmember Barker: it could come back to the council president, that is how I am reading it.

Councilmember Brown: I think we should look into this.

Councilmember Barker: can we get a hold of Dan Clark on that?

Jenelle Berthoud: I can send that over to him for interpretation.

Mayor Michalson: Part XII, no changes.

Councilmember Barker: so, this is not something that we have done yet.

Councilmember Brown: there was not a general municipal election.

Mayor Michalson: Part XIII, no changes. Part XIV, section 1, paragraph 2 remove last sentence, a vacating council member may vote for their replacement if available. Section 3, paragraph 4 add "or special town" between scheduled and council meeting. There have been times that we have had a special town council meeting to do this.

Councilmember Barker: what happens if we go past that 30 days, it has happened before.

Jenelle Berthoud: I think that we announced that there were no applicants at the council meeting and then you voted.

Councilmember Brown: I think that we voted to readvertise. Because we can always appoint somebody.

Councilmember Barker: I am not saying that it is going to happen again, but what it down the road.

Mayor Michalson: what about Section 2, paragraph 1, add the word "or" between office and until.

Jenelle Berthoud: that would prompt me to either put this back on the agenda or not.

Councilmember Brown: in the original council rules I picked up where they had an exhibit 1 on references on how to do certain things which was amended out, I don't know if you want that back.

Councilmember Barker: I think that it is good for new people.

Councilmember Brown: presented the exhibit to the town clerk, put it under meetings, maybe under page 5 under paragraph 3. Like a foot note.

Jenelle Berthoud: please see exhibit A for-motion references.

Mayor Michalson: what about the contacting of the town attorney. Do you think that should be back in.

Jenelle Berthoud: I think that the town council rules speak a lot to the meetings but not to the conduct outside of the meeting.

Councilmember Brown: General Provisions and make it section 6.

Mayor Michalson: add, only the mayor/council president has the authority to contact the town attorney regarding town matters.

Councilmember Barker: councilmembers must have prior authorization from the mayor or council president to discuss town matters with the town attorney.

Jenelle Berthoud: read back the addition to section 6 of Part I. You will see all of these in the resolution. Can I ask a question about Part XII, majority vote. If two of the four are running for a spot the last two become the majority vote.

Councilmember Brown: yes.

Mayor Michalson: we talked about bringing back the code of conduct. I think that we can cut to the chase and Cindy can talk about that.

Councilmember Barker: used to be that the state had a code of conduct that we had to follow.

Councilmember Brown: we could put it in council rules, part of our code of conduct is specifies in chapter 2. I found this one in Missoula's stuff. I think that the one that we got rid of is over kill. I did not care for page 9 and 10.

Councilmember Barker: this was put in place for one reason.

Councilmember Brown: it was for former mayor Dewey.

Mayor Michalson: a lot of this is covered in our town council rules.

Councilmember Barker: this is all that we had, it was simple and that is because we went along with the state.

Councilmember Brown: we would have to change city to town and have to check with Gina.

Jenelle Berthoud: that is the only one that I don't get, how can HR train this to the council. I think that the new council member attends the next training.

Councilmember Brown: another thing is we could put in that after they are sworn in, they are given a copy of the town council rules.

Jenelle Berthoud: I can do that, very easy. I think that the signing of

Mayor Michalson: read through the proposed code of conduct. How about town clerk instead of human resource officer. You would not train them, but you would.

Councilmember Barker: it would be a packet.

Councilmember Brown: we are just going to add this to council rules at the very end. Part fifteen. XV.

Jenelle Berthoud: read back as Part XV, Conduct of Council Members, First paragraph take the city to town, human resources to town clerk, train to provide, and remove the last sentence.

Councilmember Brown: I guess that it would be fine after responsibilities and obligations.

Mayor Michalson: 2nd paragraph, take out a panel consisting of

Councilmember Brown: reported to the town council president who refers to the town attorney for review. and investigation of the complaint.

Mayor Michalson: investigation of the complaint. Panel changed to town council.

Councilmember Brown: take out panel, replace with town council shall determine.

Jenelle Berthoud: reread the proposed changes back to the council. Take out the with the assistance of the city attorney. Strike out last sentence.

Mayor Michalson: bring it over to me to read through.

3. Public Comment

NONE

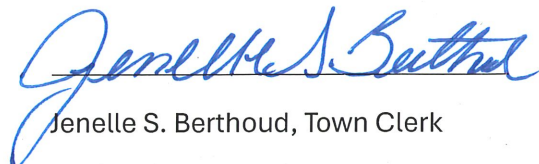
4. Adjournment Councilmember Brown: motion. Councilmember Smith: 2nd.

APPROVE:

ATTEST:



Bob Michalson, Mayor



Jenelle S. Berthoud, Town Clerk