

**Fairfield Town Council Meeting Minutes**  
**February 8, 2023**

Mayor Loren Tacke called the regular meeting to order at 6:30 p.m.

Those Present: Mayor Loren Tacke; Council Members: Ron Dauwalder, Carmen Staigmiller, Scott Hoyt, and Chuck Brown; Public Works Department, Nick Dale; and Clerk/Treasurer, Tammy Comer.

Also Present: Vonnie Jacobson, Choteau Acantha; Collette Anderson, Great West Engineering via phone, and Jason Stott, community member.

Councilor Dauwalder made a motion and Councilor Hoyt seconded the approval of the January 11, 2023, regular meeting minutes. The motion carried by a vote of 3 ayes and 0 nays. Councilor Dauwalder made a motion and Councilor Brown seconded the approval of the January 18, 2023, short-term rental work session minutes. The motion carried by a vote of 4 ayes and 0 nays.

Public Comment: None

Agenda Changes, Deletions, or Additions to Reports: Delete New Business 5A as it is listed under Old Business 4A.

Old Business:

- A) Councilor Brown made a motion and Councilor Hoyt seconded the approval of task order #10, transportation alternatives application for funding the sidewalk project phase two. The motion carried by a vote of 4 ayes and 0 nays.
- B) Collette Anderson of Great West Engineering stated that the deadline for the DNRC/RRGL planning grant for the Water System Preliminary Engineering Report update is February 23, 2023. There is \$8,000 available for the Water PER update and \$15,000 available for a wastewater PER. CDGB also has \$15,000 available for planning grants beginning March 1<sup>st</sup>, but other types of planning grants will have a higher priority. There will be several opportunities to apply for the CDBG planning grants. If successful with grant funding, construction would potentially start in 2026. Councilor Dauwalder asked if the planning grant could be used for anything other than water. Mrs. Anderson said the planning grant could be used for water, sewer, or stormwater. Councilor Staigmiller said she would like us to move forward with the water PER update but wanted to know if there were any disadvantages. Mrs. Anderson said that planning grant cycles are every two years. Missing out on this cycle, the town would have to wait two more years to apply for the planning grant. Council was in favor of moving forward with an updated Water PER.
- C) The telemetry system went completely down and was not operational. The town had to reach out to Open Apps (the company who has the software for the telemetry system) and MET Automation & Controls (a company who can fix the telemetry system) to put a temporary fix on the telemetry system. Since the telemetry is extremely outdated and needs to be run totally manually, it needs to be updated to ensure that the water tower levels are kept at the correct levels. This will include updating the north tower to enable a backup system should it be needed. Mrs. Anderson spoke with Rural Development to see if they would allow the town to use some of water project contingency money to update the telemetry system. The town would pay for the materials, approximately \$71,000, up front, then be reimbursed for the expense through a draw in the project. A change order for labor, approximately \$40,000, to install the telemetry would be submitted from Hard Rock and also paid through a draw. Contingency funds would be reduced from \$331,000 to approximately \$220,000. Rural Development approved the town to move forward with the Telemetry update.

Mrs. Anderson explained that Hard Rock explored valves, not included in the water project, to isolate the water system. There were several valves that need to be replaced and new valves installed that were not part of the project. This change order would cost \$52,426. Hard Rock would like to submit a draw for the work they have done thus far. After the telemetry updates and valves change order, the contingency balance would be at approximately \$165,000 which is just under seven percent.

After council approval to move forward with the Water System PER update, and no other questions for Mrs. Anderson, she left the meeting at 7:00 pm.

#### New Business:

- A) Jason Stott explained that they are in the planning stages of the second annual Live Your Dash Car Show. They had such a good turnout last year that they are asking the council to consider closing 5<sup>th</sup> Street from Central Avenue to the alley at 7-Electric for the event. They plan to have vendors set up at 7-Electric and have more vehicles parked up town. There were 120 vehicle entries in the car show last year and are planning for even more this year. Councilor Dauwalder made a motion and Councilor Hoyt seconded to close 5<sup>th</sup> Street from Central Avenue to the alley at 7-Electric. The motion passed by a vote of 4 ayes and 0 nays.
- B) Mayor Tacke explained there have been many dog issues in town. With no written documentation of complaints, the town has no teeth when complaints are submitted to the prosecuting attorney. He created a complaint policy and fillable form for those who want to file a complaint. People are able to fill the form on the website or a paper form at the town office. This will eliminate anonymous complaints and allow for a better defense when going to the prosecuting attorney. Councilor Brown made a motion and Councilor Dauwalder seconded the approval of the Town's complaint policy and form. The motion passed by a vote of 4 ayes and 0 nays.
- C) Mayor Tacke talked with Kelly Lynch of Montana League of Cities and Towns, about the short-term rental bills that are in legislature right now. She suggested moving forward with adopting a short-term rental ordinance and amending it if needed. Councilor Staigmiller spoke with several members of the community and one question was asked as to why business licenses were required for short-term rentals when they were not required for long-term rentals. Councilor Staigmiller stated that there were positive aspects with short-term rentals and would like to reach out to the community to see what they want. Councilors Brown and Dauwalder felt short-term rentals should be considered a business as they are required to have a license with the state, they pay a bed tax, and make money from them, unlike long-term rentals who are not required to have any of the above. With no further discussion Councilor Dauwalder made a motion and Councilor Brown seconded the approval of Resolution of Intent No. 429 to adopt a short-term rental ordinance. The motion passed by a vote of 3 ayes and 1 nay from Councilor Staigmiller.
- D) Mayor Tacke explained that there were a few items in the water/sewer ordinance that needed to be cleaned up. Ordinance 11.16.070 connection with town's water and sewer system states that water and sewer systems is a mandatory adjunct of a zoning permit in all districts if the town's water and sewer system are available within 200 feet from the nearest corner of the property, street, or alley; otherwise, a well or septic tank of a type approved by the Montana Department of Health may be permitted. He proposed eliminating the following: "if the town's water and sewer system are available within 200 feet from the nearest corner of the property, street, or alley; otherwise, a well or septic tank of a type approved by the Montana Department of Health may be permitted." Councilor Dauwalder made a motion and Councilor Staigmiller seconded the approved Resolution of Intent No. 431, cleaning up ordinance 11.16.070 as stated above. The motion passed by a vote of 4 ayes and 0 nays.
- E) Mayor Tacke wanted to clean up Ordinance 4.04.050 (7&28), Water Rules to ensure a clear explanation of water shutoffs and service line responsibilities. Councilor Hoyt made a motion and Councilor Brown seconded the approval of Resolution of Intent No. 433 to revise Ordinance 4.04.050 (7&28). The motion passed by a vote of 4 ayes and 0 nays.

- F) Mayor Tacke stated the importance of adding Ordinance 4.12.135 Sewer Service Laterals Ownership and Responsibilities. Councilor Dauwalder made a motion and Councilor Staigmiller seconded the approval of Resolution of Intent No. 435 to adopt Ordinance 4.12.135 Sewer Service Laterals Ownership and Responsibilities. The motion passed by a vote of 4 ayes and 0 nays.
- G) Mayor Tacke received two letters of interest to serve on the Capital Improvement Plan Committee. He would like to appoint community members Bob Loss and Greg Misner to the Capital Improvement Plan Committee. Councilor Dauwalder made a motion and Councilor Hoyt seconded to accept the Mayor's appointment of Bob Loss and Greg Misner to the Capital Improvement Plan Committee. The motion passed by a vote of 4 ayes and 0 nays. Mayor Tacked said he will hold a CIP meeting in the near future.

#### Committee Reports:

- A) Fairfield Volunteer Fire Department: Fire Chief Nick Dale said the SCBA's and masks have been fitted with the firemen and are in service. Nick thanked Council for allowing them to purchase these SCBA's and masks. They were able to use them at the recent fire outside of Choteau. He added that the air trailer that fills the SCBA's had been serviced.

Nick Dale mentioned that Firemen's fun night is March 17<sup>th</sup> and the raffle tickets for the rifle are available for purchase. The money raised on the raffle will go toward purchasing additional SCBA's for the firemen.

- B) Teton County Sheriff's Report: No one was present from the Sheriff's Office. Nor reports were submitted for the Sheriff's Office, or Prosecuting Attorney, but the JP had 3 cases for the month of January.

Business Licenses and Zoning & Encroachment Permits: None

#### Mayor's Report

- A) Mayor Tacke said the pool covers are ordered and ads for pool manager and lifeguards will be going in the paper soon.
- B) Mayor Tacke stated that he needs to schedule a work session and it may include an executive session.
- C) Mayor Tacke reported that the town logo is complete. He showed council the final product and said that the town can use it as of today.
- D) Mayor Tacke reminded council of the training with Dan Clark of Local Government Center on Wednesday, February 22<sup>nd</sup> at 6:00 pm. here at the Town Office.
- E) Mayor Tacke said the website is complete, up and running.

#### Department Reports:

- A) Public Works Department, Nick Dale reported that M.E.T Automation & Controls out of Helena temporarily fixed the telemetry. Nick said he hoped it would last until they could get the telemetry upgraded. He said that they should be able get the gallons pumped report for March. Nick reported that on average the wells are down 1.95 feet from last month but are within 1/10' from this time last year. He stated that there was no depth recorded on well 1A.
- B) Clerk/Treasurer, Tammy Comer reminded everyone of the Capital Improvement Plan Survey and the letters of support for phase 2 of the sidewalk project.

Town Council Reports: Councilor Brown stated he had not gone to any of the Teton County Planning Board meetings as he has a conflict with the time of the meeting. He said he will call to see if the time of the meeting could be changed.

Approval of Monthly Claims: Councilor Brown made a motion and Councilor Hoyt seconded the approval of claims 965468 through 965510 for \$110,692.05. The motion carried by a vote of 4 ayes, and 0 nays.

Public Comment: None

Councilor Hoyt made a motion and Councilor Dauwalder seconded to adjourn the meeting. The motion carried by a vote of 4 ayes, and 0 nays. The meeting adjourned at 7:54 p.m.

The next regular Town Council meeting will be Wednesday, March 8, 2023, at 6:30 pm in the Town Office.

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Loren B. Tacke, Mayor

ATTEST:

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Tammy L. Comer, Clerk/Treasurer