

**TOWN OF MANHATTAN
Thursday, April 13, 2023
Regular Meeting
MINUTES**

Mayor Traig Howells called the meeting to order in the Town Meeting Room at 207 S. 6th St. at 7:00 P.M. Present were Council Members Ryan Engbretson, Betsy Mancuso, Josh Powell, and Morgan Taylor. Also present were Town Attorney Jane Mersen, Police Chief Dennis Hengel, and Clerk/Treasurer Pam Humphrey. Seventeen members of the public were present.

PUBLIC COMMENTS:

None

CONFLICT OF INTEREST POLICY & WHISTLEBLOWER POLICY:

Motion- Taylor; Second- Mancuso; Vote- Unanimous: Motion passed to approve the Conflict-of-Interest Policy.

Motion- Powell; Second- Mancuso; Vote- Unanimous: Motion passed to approve the Whistleblower Policy.

Jane Mersen, Town Attorney: She stated that these are policies that promote transparency in government and ethical conduct of the Council and employees of the Town. The policies are consistent with state law, and she knows of other towns that have adopted them.

Council discussed the reason for the policies and the language in the personnel policy. It adds greater transparency and protections for employees. It is a standard policy for entities.

ZOOM MEETINGS:

Motion- Engbretson; Second- Taylor; Vote- Unanimous: Motion passed to direct staff to do an analysis and bring back to the Council different platforms, costs, and information for next meeting.

Motion- Powell; Second- Engbretson; Vote- Unanimous: Motion passed to postpone Zoom and not offer it at the next meeting until the options are researched.

Current policy is to only offer Zoom meetings by invitation only.

Pam Humphrey, Clerk/Treasurer: She stated that the Town uses the Zoom Pro version that it pays approximately \$150 per year for. Audio and video can be turned off when people join the meeting, but the participants can turn it back on themselves. A waiting room can be used, but we cannot deny entry to anyone. Zoom allows the blocking of certain domains, but we must know what those domains are. The agenda asks people to call for the Zoom invite, but one of the people that called posted the invite on Facebook. This is something that Town staff cannot control. There have been complaints in the past about the audio quality and the staff has tried different microphones and speakers, but the quality is still an issue, as well as the limitations of the participants' internet connections.

Councilman Engbretson: He stated that there are other platforms available. The one he is familiar with requires someone to man the computer to allow people to speak. There are times when it is necessary to have the option. Administration of the platform is important. Someone would have to physically man the computer.

Councilwoman Mancuso: She encouraged in-person attendance. Active engagement and participation are important, especially for Board Members and Town professionals. She read a letter from the Deputy Clerk/Treasurer to the Mayor in 2020 after a Planning Board meeting that outlined inappropriate and rude conduct issues. She felt that it encouraged people to do things that they would not do in person.

The Council and Attorney discussed a pending bill in the Montana Legislature that would require video and audio recordings of meetings. Currently, there is no law that requires online platforms. Before these platforms, large meetings would be held at a different venue.

Public comment

Gretchen Engbretson, 206 S 5th St: She stated that the Council should not make assumptions about what people can or cannot do and gave some examples why people would want to watch the meeting vs appearing in person. She stated that Zoom is not the issue, but the management of it is. There have been meetings that exceeded the capacity of the room. She suggested audio on the website until a decision is made.

Ben Broyles, 301 S 5th St: He thanked the board for bringing up the issue. He encouraged the Council to keep online platforms open and available. Management and administration of the platform is important. The community should be able to hear what is going on. Conduct is a freedom of speech that others cannot judge.

Tyler Zaichkin, 207 N 5th St.: He stated that the Council should consider an ability to livestream. He suggested a webinar platform rather than a meeting platform. The Council needs to be as open with the community as possible.

Jean Munch, 407 Hemlock: She agreed that transparency is the key. Minutes are not the full picture.

Buck Buchanan, 315 N 5th St.: He encouraged a live online presence. He once suggested a radio broadcast of the meetings. It is important for the entire community to be able to participate. It will increase awareness of Council activities.

Alissa Farley, 205 S 5th St.: She stated that she feels it is important to have community involvement. People need to hear what is said, and transparency is important. People should hear it for themselves. The Minutes do not give the full picture.

Ben Broyles, 301 S 5th St.: He asked if there was a way to donate or supply audio visual aids to the Town. There are members of the community that would be helpful for those things.

Written comment

Callie Hamilton, 505 Milwaukee Ave: She is disappointed with the Town's Zoom management. There are options that allow the Town to control participants' microphones and screens. The Town should not put the Zoom on the TV screen. Zoom allows more people to hear what the Council is discussing. Live streaming may be a compromise to consider.

TIMECLOCKS FOR EMPLOYEES:

Motion- Powell; Second- Mancuso; Vote- Unanimous: Motion passed to not purchase the TCP timeclock software.

Public Comment

Tyler Zaichkin, 207 N 5th St.: He stated that the Council should weigh the cost of the product vs the weight of future litigation. Employees should be paid for exactly the hours worked.

Alissa Farley, 205 S 5th St.: She asked who supervises the supervisors.

- The Mayor supervises all employees.

BOARD APPOINTMENTS:

Park Board Appointment

Motion- Engbretson; Second- Powell; Vote- Unanimous: Motion passed to approve the Mayoral appointment of Caroline Daigh to the Park Board for a term to expire in December 2026.

POLICE DEPARTMENT UPDATE:

Dennis Hengel, Chief of Police: He reported that Officer Armstrong completed the academy last week. Chief Hengel attended the graduation and Armstrong was selected to do the commencement speech. The hybrid police vehicle is finally in the rotation to be finished out. The Police Department received a grant from the Mason Moore foundation to purchase a new Kenwood handheld radio. Officer Harris has been a part time SRO at the school. Superintendent Ayers and Officer Harris are exploring a grant to get a full time SRO at the school. The grant does not pay 100%, but they are investigating a hardship to have the grant pay 100%. He will provide hard numbers at a later date.

PARK BOARD UPDATE:

Councilman Engbretson: He attended the Park Board meeting last week. They are working on researching and picking out playground equipment. Cleanup at the park is scheduled for April 15 at 9:00 am. Helpers are to meet in the parking lot. Arbor Day celebration will be in May with trees plantings. The skating rink is melted, and they will be cleaning it up and putting it away. He asked people to contact him if anyone wants to help.

Chief Hengel: He added that the Easter egg hunt was a success with 40,000 plastic eggs, 2500 people, and one lost kid. Public works assisted with egg distribution. The Park was in good condition and looked very good.

MAYOR'S REPORT:

- Tiger lane and Greenspur Rd will be closed from April 13 and April 28 for paving and maintenance.

CONSENT AGENDA:

Motion- Engbretson; Second- Taylor; Vote- Unanimous: Motion passed to approve the Consent Agenda.

Town Licenses: Hollowtop Heating and Cooling, Rise Electric, Ambient Air Solutions, LLC, DVK Electric, Arrowroot Engineering, PLLC, and Rangle Enterprises LLC.

Approval of Minutes: Regular Meeting minutes from March 9, 2023, Special Meeting minutes from March 15, 2023, and Special Meeting minutes from March 29, 2023.

Claims: Dated 03/10/23 – 04/13/23 totaling \$ 223,275.40.

ADJOURN:

Motion- Mancuso; Second- Engbretson; Vote- Unanimous: Motion passed to adjourn the meeting.



Mayor



Clerk/Treasurer