

A COMMISSION MEETING OF JANUARY 20, 2015 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Chairman Poss called the meeting to order.

PLEDGE OF ALLEGIANCE

Chairman Poss asked everyone to stand and say the Pledge to the Flag.

ROLL CALL

Present were Commissioners Byerly, Doney, Gremaux, Hewitt, Putnam, Poss and Turk.

APPROVAL OF MINUTES

Commissioner Turk made the motion to approve the minutes of January 5, 2015 and Commissioner Hewitt seconded the motion. The motion passed unanimously.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSIONER REPORTS

Commissioner Doney explained that the first meeting of the Study Commission was on January 12th at 10 am and was not published, there were only three commissioners in attendance and when Commissioner Doney arrived at 11 am the meeting was over and the Commissioners had left 20 minutes prior. The Study Commission met on January 14th at 11 am and met at the Library and again it was not a published meeting. There were four commissioners in attendance and Commissioner Doney provided them with statute information for open meeting laws and study commission. The study commission's meeting set for the 16th was at 11 am at the Civic Center and the Fire Chief was asked to come and speak. There was not a quorum so the meeting did not go forward. Commissioner Doney reported that they have decided to schedule all meetings for 11 am and the meeting scheduled for January 28th and 30th have been cancelled. Commissioner Doney reported that the next meeting will be January 21st and 23rd at 11 am. The one on January 21st will be at the Library and the one on the 23rd will be at the Civic Center. There will be a meeting on January 26th at the Council on Aging building at 7 pm. There will be one meeting a month that will be at 7 p.m. Commissioner Doney further reported that there will only be two meetings in February. The meetings will be February 13th at the Civic Center at 11 am and February 23rd at 7 pm.

Commissioner Turk reported that the Library Board meeting was scheduled for January 8th and was moved to the 13th because of the weather. Commissioner Turk was unable to attend the meeting. The main item on the agenda was the preparation of the Chili Bowl which is this Friday, January 23rd and opened to the public. The next meeting is Thursday, February 12th.

Commissioner Byerly reported that he attended a Central Montana Health District meeting last week. Commissioner Byerly explained that there was a high level of discussion regarding subdivision laws. There was a long standing issue with one of the staff that was resolved. County Commissioner Sandy Youngbauer and Commissioner Byerly are going to take point on review of staff and pay levels. The next meeting will be Thursday, April 16th at 1 pm.

Commissioner Gremaux reported that he attended the recent 911 meeting. The main items discussed were the contracts between the three counties and the agreements are on the agenda for approval tonight. Commissioner Gremaux reported that road maintenance to the tower was discussed and Ms. Dorothy Gremaux is working with Mr. Don Jenni on the issue.

Commissioner Hewitt reported that she attended the Airport Board. Commissioner Hewitt reported that at the airport a lot of vehicles have been repaired. New tires were purchased for the Idaho Northland loader. The latch cables on the door at the large hangar has been replaced. The ARFF building overhead doors have been painted and insulated and heat baffles have been changed to increase efficiency. WTI & OPI do not have any projects this winter. The sale of the airport land is not finalized yet. Nigel was able to get a temporary permit for the ARFF building because a bathroom needs to be installed. Commissioner Hewitt stated that there was a motion made and approved to send out collection letters for the nonpayment of hangar leases. The County Attorney was asked to write a letter. Commissioner Hewitt reported that Mr. Sam Wiedener was elected Chairman and Bob Simpson was elected Vice Chairman.

Commissioner Putnam reported that she attended the Park and Recreation Board meeting. The new recreation district created by the County Commissioners was discussed. Some of the related items discussed were board members, definition of a domicile, and management of the pool and the collection of money. There was an update on the ice rink and there has been a delay in connecting the cooler. There are lot of activities at the ice rink.

Commissioner Putnam reported that the Central Montana Foundation meets on Tuesday, January 27th.

Commissioner Poss reported that the City County Planning Board did not meet in January, but there will be a meeting in February

CITY MANAGER REPORT

City Manager Kevin Myhre reported on the following issues:

The Street Department crew continues to move the snow from the recent snow storms. Mr. Charlie Dennison from the News Argus recently rode with one of the City plow operators and

wrote an article about the snow removal process that was printed in the January 14th News Argus.

Public Works Director Holly Phelps and the City Manager met with representatives from the school district to discuss their plans to convert the Torgerson's Implement Property into a bus barn facility. It is the plan to add onto the building to be able to store all the buses inside.

On January 15, 2015, the City Manager met with the County Attorney and the County Commissioners to discuss the possibility of entering into a development agreement for the water and sewer lines installed in the Fairgrounds Project to require a connection fee to persons connecting to the new lines. City ordinance allows for this type of agreement and the City has approved them in the past for developers.

The Public Works Director has completed the hiring process for several open positions within the department and new staff members should be starting over the next few weeks. There were positions open in the Water and Street departments.

The roller skating program has started at the Civic Center and runs on Friday evenings during the winter months.

On January 9th, the County Commission approved the resolution creating the recreation district which was approved by the voters. The County Commissioners established that the board would be comprised of two city residents, two rural residents and one County Commissioner to be appointed by the County Commissioners. The resolution was attached to the manager's report. The City Manager is meeting regularly with the County Commissioners, County Attorney and the City Attorney on the creation of the district and how to proceed forward on the financial part of the district. The next item on the timeline is getting bond counsel in place, getting a board in place and an interlocal agreement to lockup the funding for the pool renovation. Bond Counsel has given an opinion that the improvements will be done with a revenue bond and will not have to go to a vote of the citizens. It is also possible that a local bank will be financing the project.

The new computers will be installed in the City Office at the end of January.

CONSENT AGENDA

Commissioner Putnam made the motion to remove the consent agenda from the agenda Commissioner Hewitt seconded the motion. The motion passed unanimously.

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Discussion and action on Resolution No. 3873, a resolution of the City Commission of the City of Lewistown, Montana, establishing a fee schedule for copies and research of public records and electronic public records and establishing procedures for requesting public records and for implementation and collection of the fee schedule

Mr. Myhre explained that Resolution No. 3873 essentially lays out a procedure on how to accommodate a request for public records. It also sets a fee schedule what will be charged for the requests. Mr. Myhre explained that the resolution distinguishes between routine and nonroutine requests. Further discussion followed. There are provisions in the resolution referring to digital information requests. Mr. Myhre commented that he feels it is in line with what other cities are utilizing and feels it is a good resolution. The main intent is for the City to be open and accessible for public records. Commissioner Byerly made the motion to approve Resolution No. 3873, a resolution of the City Commission of the City of Lewistown, Montana, establishing a fee schedule for copies and research of public records and electronic public records and establishing procedures for requesting public records and for implementation and collection of the fee schedule as presented with these changes on page four at the top of the page the second “D” should be an “E” and within that paragraph that begins; “The City Clerk will contact the requestor”, the last sentence says, “payment maybe made”, may be should be two words. Section “E” should be section “F”. On page 5 at the top of the page number 10 the word “the” should be inserted in the last line between allowing and requestor so the last clause reads, “thereby allowing the requestor the right to cancel the request.” Based on the discussion during the committee of the whole Commissioner Byerly would propose that this line be added to section 10 which would read, “the City will require a deposit to cover the estimated cost of request for electronic records.” On page six would propose deleting item eleven to keep from putting the City Manager in an awkward situation, Commissioner Byerly stated that the intent of this resolution as far as being open and accessible in a reasonable manner to the public is clear. Commissioner Byerly stated that on page 9, that even though these request forms are not a formal request as it would be filed, but it was discussed to have the following statement on that page, “I approve and agree to pay the copy and document searching fees associated with this request”. On page 5 section three number two line four the letter “d” needs to be removed from the word located. Commissioner Gremaux seconded the motion. Commissioner Poss asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

2. Discussion and action on entering into an agreement with Jackson, Murdo & Grant for bond counsel for the swimming pool renovation project

Mr. Myhre explained that bond counsel are attorneys that help us get through the process of borrowing money and selling bonds and to make sure that we meet the state and federal process requirements. Mr. Myhre explained that any time the City borrows money bond counsel is required to be hired. Mr. Myhre explained that the estimated cost is between \$10,000 and \$12,000 which is pretty standard pricing. Mr. Myhre further explained that bond counsel helps the City through the process and making sure that what the City has in place is legal and bond counsel provides an opinion for those buying the bonds to assure that the City is meeting the federal requirements for tax exempt bonds. City Attorney Monte Boettger explained that when individuals buy these bonds they want to be assured of the tax exempt status under federal law. Mr. Myhre commented that this is the same bond counsel that the County worked with for the fairgrounds improvements and is comfortable with them. Mr. Myhre stated that there is no money budgeted at this time for the item, so it will be coming back before the Commission as a budget amendment. Commissioner Doney made the motion to approve entering into an agreement with Jackson, Murdo & Grant for bond counsel for the swimming pool renovation

project and Commissioner Putnam seconded the motion. Commissioner Poss asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

3. Discussion and action on approving and authorizing the City Manager to sign the emergency services dispatch agreement between Fergus County and the City of Lewistown

Mr. Myhre explained that for the last eight years the City of Lewistown has a consolidated 911 dispatch. 911 dispatch provides different levels of dispatch service to three different entities outside the City of Lewistown. Mr. Myhre stated that the first entity that came to the City for contract services was Petroleum County. 911 dispatch provides full 911 and dispatch services for Petroleum County because they do not have a dispatch. Mr. Myhre stated that Petroleum County is the smallest county in the state of Montana and is not the busiest county for the 911 dispatch. Mr. Myhre further stated that they receive 911 funds annually from the State of Montana. As a result those funds collected for their county are transferred to the City of Lewistown to be utilized to fund the 911 dispatch center. Mr. Myhre explained that the second entity that came to the City for contract services was Judith Basin County. Mr. Myhre stated that Judith Basin is a larger county, busier and they provide their own dispatch services Monday through Friday 8 to 5 pm and the City of Lewistown dispatched 5 pm to 8 am and 24 hours a day on the weekends. Mr. Myhre further stated that per this contract Judith Basin's 911 Funds are transferred to cover the cost of the contract which is just over \$100,000. Mr. Myhre explained that the final county that asked for contract services is Fergus County. Fergus County is a bigger county and busier. Fergus County provides their own dispatch services seven days a week, twenty four hours a day. The City of Lewistown provides 911 calls and 911 mapping. The 911 funds from Fergus County are transferred to the City of Lewistown to pay for the contract services. Mr. Myhre explained that the City of Lewistown receives their 911 funds, Petroleum, Judith Basin and Fergus Counties 911 funds which is typically around \$315,000 to fund the 911 Center. Further discussion followed. Mr. Myhre stated that these are all two year contracts. Commissioner Doney made the motion to approve and authorize the City Manager to sign the emergency services dispatch agreement between Fergus County and the City of Lewistown and Commissioner Hewitt seconded the motion. Commissioner Poss asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

4. Discussion and action on approving and authorizing the City Manager to sign the emergency services dispatch agreement between Judith Basin County and the City of Lewistown

Commissioner Gremaux made the motion to approve and authorize the City Manager to sign the emergency services dispatch agreement between Judith Basin County and the City of Lewistown and Commissioner Putnam seconded the motion. Commissioner Poss asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

5. Discussion and action on approving and authorizing the City Manager to sign the emergency services dispatch agreement between Petroleum County and the City of Lewistown

Commissioner Doney made the motion to approve and authorize the City Manager to sign the emergency services dispatch agreement between Petroleum County and the City of Lewistown and Commissioner Putnam seconded the motion. Commissioner Poss asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

CITIZENS' REQUESTS

Mr. John Toohey asked if someone from the City could see what can be done on 7th and Water Street by the Lincoln building with the snow.

COMMISSIONER'S MINUTE

Commissioner Doney encouraged everyone to attend the Polar Plunge to support the local Special Olympics. It will be held during the winter fair.

Commissioner Byerly thanked Mr. Charlie Dennison for his article on the snow plowing, it was nice and a good representation of the City. Commissioner Byerly stated that he was on the school board for nine years dealing with the education, health and safety of children and he has received more calls about snow in one week compared to the school board. Commissioner Byerly stated it was a tough storm and it appeared that a lane was cleared on the majority of the streets and was impressed with the timing.

Mr. Myhre explained that the Street Department is still evaluating and working on using the liquid de icer on the streets.

ADJOURNMENT

Chairman Poss adjourned the meeting.

Dated this 20th day of January, 2015.

Rick Poss, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk