

**A REGULAR COMMISSION MEETING OF JANUARY 7, 2019 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.**

**CALL TO ORDER**

Chairman Turk called the meeting to order.

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

Present were Commissioners: Byerly, Doney, Dunnington, Hewitt, Loomis, Oldenburg and Turk.

**ELECTION OF CHAIRMAN & VICE CHAIRMAN**

City Clerk Nikki Brummond opened the floor for nominations for Chairman. Commissioner Doney nominated Commissioner Turk for Chairman and Commission Byerly seconded the nomination. City Clerk Brummond asked for anymore nominations. There being none, the nominations were closed. City Clerk Nikki Brummond called for the vote and the vote was unanimous.

Chairman Turk opened the floor for nominations for Vice Chairman. Commissioner Hewitt nominated Commissioner Doney for Vice Chairman and Commissioner Loomis seconded the nomination. Chairman Turk asked for anymore nominations. There being none, the nominations were closed. Chairman Turk called for the vote and the vote was unanimous.

**APPROVAL OF MINUTES**

Commissioner Loomis made the motion to approve the minutes as corrected and Commissioner Hewitt seconded the motion. The motion passed unanimously.

**PROCLAMATIONS**

There were none.

**BOARD AND COMMISSION REPORTS**

Commissioner Loomis reported that he attended the Park and Recreation Board. Park and Recreation Director Jim Daniels reported to the board that he has had several citizens asking him about leasing property at East Fork. There was a hockey tournament this weekend and there was a great turn out and lots of good comments. There was some discussion about concerns at the Museum and the Park and Recreation Board is going to ask members of the Museum board to come to a future Park and Recreation Board meeting to discuss the drainage, use of electricity and handicap parking. The City was able to obtain a grant to assist with the tree removal in Frank Day Park. The Recreation District did approve the sanding of the gym floor.

Commissioner Hewitt reported that she attended the Airport Board this month. The Board approved two radios for the snow removal equipment. Mr. Moseby is the new Chairman of the Airport Board and Mr. Ross Butcher is the Vice Chairman. Commissioner Hewitt reported that there are four final applicants they will be interviewing for the Airport Manager.

Commissioner Byerly reported that the Central Montana Health District is doing well with the two part time sanitarians. They are handling the health inspections and restaurants inspections. There is a contract sanitarian to take care of the septic systems. The Officer Manager is assigning the inspections that need to be done and the work is getting down and the situation appears to be working well.

Commissioner Doney reported that the sign ordinance is continuing to be worked on. The City has received a letter and would like the City Manager to address the letter. Commissioner Doney would like to extend the comment period by two weeks.

### **CITY MANAGER REPORT**

City Manager Holly Phelps reported on the following issues:

The Library will be holding their annual Chili Bowl on January 18, 2019 at Jack's Hangar. This is a fundraiser for the summer reading program. If you are interested in attending please call the Library for more details.

The Water Department continues to work with DEQ on disinfection issues. We are looking at alternative disinfection methods. The City is also working with the engineer on a sampling plan to clarify where and how frequently we are sampling chlorine as part of the temporary chlorination.

The City does now own the building located at 301 West Broadway. The City has requested that a hazardous material analysis be done. The City Manager would like to set up a subcommittee to meet and establish criteria that potential projects could be rated on. The City Manager has a draft of the Request for Proposal and would like to get this finalized soon, so you are interested in participating please let the City Manager know as soon as possible.

The City Manager is working to set up interviews for the Public Works Director. The City Manager commented that she feels there are a few qualified candidates and hope to have the position filled soon.

At the January 22<sup>nd</sup>, Commission meeting there will be a CDBG Public Hearing, the purpose of this hearing is to obtain public comments on the City's overall community development needs. These needs include public facilities, economic development and housing needs of the community. It is important to get as much public comment as possible. The City Manager will be reaching out to interested parties and if the Commission has ideas on people or groups that should comment on this, please let the City Manager know. This hearing is a requirement for many grants that the City has obtained or may apply for over the next year.

### **CONSENT AGENDA**

Commissioner Loomis asked that the claims be removed from the consent agenda. Commissioner Doney made the motion to approve the consent agenda and Commissioner Hewitt seconded the motion. The motion passed unanimously. The consent agenda was the second reading of Ordinance No. 1761, an ordinance amending Title 9, Chapter 6 Part 1 of the Lewistown Flood Project Reservoir regulations pertaining to hunting and fishing on East Fork and Hanson Creek Reservoirs.

Commissioner Loomis asked a couple of questions regarding the claims that were paid. Commissioner Loomis made the motion to approve the acknowledgement of the claims that have been paid from December 14, 2018 to December 31, 2018 for a total of \$113,636.19 and Commissioner Doney seconded the motion. The motion passed unanimously.

**REGULAR AGENDA – Resolutions, Ordinance & Other Action Items:**

1. Discussion on City Court agreement. City Manager Holly Phelps

City Attorney Monte Boettger gave some history on City Court. The City Council in approximately 1992 were very interested in efficiency and began looking at City Court and Justice court. Then the City and County started the process to combine the courts. City Attorney Boettger explained that there are specific statues that allow this to happen. City Attorney Boettger reviewed the agreements between the City of Lewistown and Fergus County to combine City Court and Justice Court. City Attorney Boettger reviewed the current agreement and explained a couple of the changes and that Judge Shields at the time wanted to be a reviewer to the contract and that is why his signature is on the contract, but the agreement is between the City and the County. Further discussion followed. City Attorney Boettger explained that Judge Mantooth thinks that he should be a party to the agreement and not a reviewer. City Attorney Boettger explained that the current agreement is between the City of Lewistown and Fergus County and not going to negotiate an agreement with him. City Attorney Boettger stated that he feels it is in the City's best interest to resolve the issue as soon as possible. Options were discussed. Judge Mantooth is going to continue to keep the status quo until an Attorney's General Opinion is obtained. City Manager Phelps commented that there may be some expense to getting this done and would recommend splitting the expenses with the County because this agreement has worked well for many years. Commissioner Doney asked if the City is going to be exploring option is there going to be a subcommittee. City Manager Phelps stated that yes, there may need to be a subcommittee but is hoping to get this worked out. Commissioner Doney stated that she would be interested in serving on the subcommittee if needed but is hoping that the agreement can remain in place and get it all worked out.

2. Discussion and action on appointing Ms. Meghan Brandon to the Historic Resources Commission for a two-year term

City Manager Phelps explained that there is one open position on the Historic Resources Commission. It is a requirement of the Historic Resources Commission that one of the members be a realtor and Ms. Meghan Brandon is a realtor. City Manager Phelps explained that Mr. Gary Krueger resigned from this position in November and the Historic Resources Commission has been wanting and looking for a volunteer. Commissioner Byerly made the motion to appoint Ms. Meghan Brandon to the Historic Resources Commission for a two – year term and Commissioner Oldenburg seconded the motion. Commissioner Turk 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 reappointing Commissioners to the following boards: Airport, Library, Park and Recreation, Central Montana Health District, City County Planning, Central Montana Foundation, Central Montana 911 and Snowy Mountain Development Corporation

City Manager Phelps explained that the information in the Commission packets shows what boards there are, when they meet and how often. City Clerk Brummond listed the boards off and asked who would like to serve. City Manager Phelps will serve on the Snowy Mountain Development Corporation, Commissioner Byerly will serve on the Central Montana a Health District, Commissioner Dunnington will serve on the City County Planning Board/Zoning Commission, Commissioner Doney will serve on the Library Board, Commissioner Loomis will serve on the Park and Recreation Board, Commissioner Hewitt will serve on the Airport Board, Commissioner Oldenburg will serve on the Central Montana Foundation and Commissioner Doney will serve on the 911 Board. Commissioner Doney made the comment that she is encouraging Commissioner Turk to assist on the review of the City ordinances.

Commissioner Oldenburg made the motion to approve the appointment to the boards as stated and Commissioner Dunnington seconded the motion. Commissioner Turk asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

**CITIZENS' REQUESTS**

Mr. Richard Battrick asked if City Manager Phelps had received his application for the City County Planning Board. City Manager Phelps answered yes, but the recommendations usually come from the board itself and they have not met recently.

**COMMISSIONER'S MINUTE**

Commissioner Loomis reported that he has received some complaints on the fireworks from News Years eve. City Manager Phelps explained that she will be bringing in the Police and Fire Departments to review this ordinance. City Manager Phelps reported that on New Year's Eve there were only 6 calls and 3 of the calls were asking if fireworks were legal, 1 was a vendor notifying them that they would be discharging fireworks and 2 were complaints.

Commissioner Byerly commented that he want's to make sure that the City is reviewing the \$5,000 that was given for a position at Snowy Mountain Development Corporation and would like the City to review the situation and make sure the there isn't another area that should receive the money.

Commissioner Doney reviewed the Chokecherry flyer and there was no indication that animals were not allowed at the festival and would ask if the City Manager to talk with the Chamber.

**ADJOURMENT**

Chairman Turk adjourned the meeting.

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Patty Turk, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk