

A COMMISSION MEETING OF JULY 2, 2012 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Chairman Gremaux called the meeting to order.

ROLL CALL

Present were Commissioners Berry, Doney, Gremaux, Hewitt, Phillips, Putnam and Turk.

APPROVAL OF MINUTES

Commissioner Turk made the motion to approve the minutes for the June 18, 2012 meeting and Commissioner Berry seconded the motion. The motion passed unanimously.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Berry reported that she attended the Central Montana Foundation Board meeting.

Commissioner Putnam reported that she will be attending the Park and Recreation Board this month, but it will be moved because of the holiday on Wednesday.

Commissioner Phillips reported that he attended the Tri-County 911 Board meeting. The main topic of the meeting was the contracts that are in place with Fergus, Petroleum and Judith Basin counties. The current contracts were extended one more year and this will give time for review to determine the costs that are associated with each contract. It is hoped to have new contracts in place next budget year.

CITY MANAGER REPORT

City Manager Kevin Myhre reported on the following issues:

The contractor is onsite and working on the repair of the East Fork Road that was damaged during the spillway over flow in 2011. It is estimated that the project should be complete by mid to late July.

Century Construction will be working on the City street contract during the month of July. The Street Department has been working to trim trees and seal cracks in preparation for the work.

The Lewistown Sea Lions will be hosting their annual swim meet at Frank Day Park on Saturday, June 30th through Sunday, July 1st. Earl Street will be limited to one-way traffic for the weekend and the participants will be allowed to camp at the park.

On Saturday, June 30th, the City will be celebrating National Trails Day with varying length trail walks, lunch and ceremony at, the soon to be dedicated, John Turner Education Building at the Brewery Flats recreation area. The walks will end at the building at approximately 11 am and lunch will be served at 11:30 am. The ceremony will begin at noon. After the ceremony, members from the Raptor Center in Bozeman will be onsite with some birds from their facility.

The Police Department and local emergency responders will be holding the 8th annual Spring Creek Duck Regatta on July 7th at the Veteran's Park at noon. Ducks can be purchased at the Police Department, City Office, Carquest or through one of the project volunteers. It is a great fund raiser for Special Olympics.

The City Manager will be preparing extension documents for the three contracts for 911 services for Petroleum, Judith Basin and Fergus Counties to extend the contracts through June 30, 2013. The 911 Board requested the additional time to study funding scenarios for the center and other related costs. The extensions will have to be approved by each of the member entities.

The City Manager had a brief discussion with the Police Chief and Assistant Police Chief regarding the possibility of allowing fireworks to be legal on the fourth of July. Currently fireworks are not allowed in the City limits, and it is difficult to enforce and is strictly handled on a complaint basis. It was determined that it was a short window to make the change. Mr. Myhre asked what the Commission thought about making a change to the ordinance to allow fireworks on the 3rd and 4th of July. Commissioner Berry stated that she would like a zero tolerance with regards to fireworks. Commissioner Doney stated that she feels it is a public perception and it would be interesting to hear from the public and get some type of survey in the newspaper.

Mr. Myhre explained that he has been working with some of the local businesses that have a grease trap as part of their restaurant business. The City used to take the grease traps at the wastewater treatment plant and put it into the drying bed and then slowly feed into the system. Mr. Myhre further explained that it started causing problems with our numbers and DEQ had some issues with it. Those businesses that don't have a lot of grease can throw it away, however those that are full need to be dumped and there is nowhere to dump it at this time. This situation has been discussed with the health district and the best solution would be to find some land and have a septic system hauler take it to the land and have it tilled in and monitored regularly. Mr. Myhre stated that he has talked with the possibility of having it done at the airport. Currently, it is a service that is needed, but not being provided.

CONSENT AGENDA

Commissioner Putnam made the motion to accept the acknowledgement of the claims that have been paid from June 14, 2012 to June 27, 2012 for a total of \$71,912.19 and Commissioner Doney seconded the motion. The motion passed unanimously.

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Discussion and action on a request from Henry Gottardi to add the Cowboy Fast Draw event to the Cowboy Poetry Gathering

Mr. Myhre explained that this is the second year for this event. Last year the event was held next to the Yogo parking lot. It is the Bull Mountain Drifters out of Roundup that come and set up targets and do displays. This year they are asking to move the event downtown and close off 2nd Avenue North between Main Street and Broadway. The group always have safety officers to help with the event. The Bull Mountain Drifters will have special event insurance and listing the City on the policy. Commissioner Turk made the motion to approve the request from Henry Gottardi to add the Cowboy Fast Draw event to the Cowboy Poetry Gathering and locate it in the downtown area and Commissioner Doney seconded the motion. Commissioner Gremaux 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 second reading of Ordinance No. 1743, an ordinance defining small business food and beverage purveyors and setting forth requirements for the location, use and operations of such businesses

Mr. Myhre explained that there are a few changes that have been made and reviewed the changes with the Commission. Further discussion followed. Discussion was held regarding the mobile food purveyors and if we can regulate them if they are located on private property. The main area of concern is water and wastewater issues dependent on the type of mobile unit. Commissioner Turk stated that her concern is requiring the unit to move if on

private property. Commissioner Gremaux stated his concern is changing the wastewater out not worried too much how long a unit is located on private property.

Commissioner Turk made the motion to table the second reading of Ordinance No. 1743, an ordinance defining small business food and beverage purveyors and setting forth requirements for the location, use and operations of such business and Commissioner Hewitt second the motion. Commissioner Gremaux asked for comments from the audience and Commission. There being none, the question as called for and Commissioners Berry, Hewitt, Phillips and Turk voted in favor and Commissioners Doney, Gremaux and Putnam voted against.

3. Discussion and action on authorizing the City Manager to sign the Brownfields revolving loan fund loan for the Berg property

Mr. Myhre explained that Mr. Bob Giese asked that the Commission approve authorizing the City Manager to sign the loan agreement. The City Commission already approved the City entering into a loan agreement for Brownfields money. Commissioner Doney made the motion to approve authorizing the City Manager to sign the loan agreement and Commissioner Putnam seconded the motion. Commissioner Gremaux 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 a request from Snowy Mountain Development Corporation (SMDC) to sponsor a DNRC planning grant for the Brownfields program

Mr. Myhre explained that Snowy Mountain Development Corporation (SMDC) has been working with the Brownfields Program for several years and one of the partners had to leave the partnership. SMDC then asked if the City of Lewistown would like to join the partnership. The Brownfields Grant give monies to entities in town that have areas that need to be cleaned up. SMDC would like to apply for a Montana Department of Natural Resources and Conservation planning grant that would provide funding for the coalition to hire a consultant to write this assessment grant. The problem is that SMDC is not a local government and is unable to eligible to submit an application. Therefore, if the City is willing to sponsor it SMDC would be eligible to submit an application. Commissioner Putnam made the motion to approve the request from Snowy Mountain Development Corporation to sponsor a DNRC planning grant for the Brownfields program and keep Commissioner Phillips on as the representative for the City and Commissioner Turk seconded the motion. Commissioner Gremaux asked for comments from the audience and Commission. There being none, the question was called for and those voting in favor were Commissioner, Berry, Doney, Gremaux, Phillips, Putnam and Turk. Commissioner Hewitt opposed.

5. Discussion and action on approving the General Union Bargaining agreement for July 1, 2012 to June 30, 2015

Mr. Myhre reviewed some of the language of the grieving procedure. It was explained that on July 1st all positions will get a \$.50 increase and then the following years the increase will be based on the cost of living. There was a change in shift differential. There is a small increase in uniform allowances. There was a provision added that any uniform allowance must be purchased for work clothes that are deemed appropriate for work by the Public Works Director. The health insurance language remains the same and the only change if the premium amount. All of these changes have been agreed upon by the union and the City Manager. Commissioner Doney asked what the cost of living was. Mr. Myhre stated that the cost of living increase was 3.1% . Commissioner Gremaux stated that he is concerned that departments are already strapped. Mr. Myhre explained that the other two contracts are tied to a 3.1% increase. This particular contract did not have a raise two years ago and only received a 1.6% increase last year. Mr. Myhre commented that one other area of concern is how difficult it is to hire new employees. Further discussion was held of health insurance coverage. Commissioner Doney made the motion to approve the General Union Bargaining agreement dated July 1, 2012 to June 30, 2012 and Commissioner Putnam seconded the motion. Commissioner Gremaux asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

There were none.

ADJOURNMENT

Chairman Gremaux adjourned the meeting.

Dated this 2nd day of July, 2012.

Frank Gremaux, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk