

**A COMMISSION MEETING OF JUNE 2, 2014 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.**

**CALL TO ORDER**

Chairman Doney called the meeting to order.

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

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

**APPROVAL OF MINUTES**

Commissioner Putnam made the motion to approve the May 19, 2014 minutes and Commissioner Poss seconded the motion. Those Commissioners voting in favor were: Berry, Doney, Hewitt, Poss, Putnam and Turk. Commissioner Gremaux did not vote, stating that he received the minutes too late.

**COURTESIES**

There were none.

**PROCLAMATIONS**

There were none.

**BOARD AND COMMISSION REPORTS**

Commissioner Poss reported that the Recreation District Committee continues to meet weekly and plan on having a final proposal to the County Commissioners this week.

Commissioner Hewitt reported that the Airport Board meets on June 3<sup>rd</sup>, Commissioner Turk reported that the Library Board meets next week and Commissioner Putnam reported that the Park and Recreation Board meets on June 11<sup>th</sup>.

Commissioner Doney reported that she attended a Central Montana Health District (CMHD) board meeting on May 23, 2014. The board will be hiring for two positions. The two positions that the board will be hiring for are the sanitarian and the director of public health and emergency preparedness. Then at a later date a public health nurse will be hired. It is hoped that all the positions will be filled by the end of June.

Commissioner Berry reported that she attended the annual meeting for the Central Montana Foundation. Commissioner Berry reported that they were able to give away \$138,500 and had requests for up to \$370,000.

## **CITY MANAGER REPORT**

City Manager Kevin Myhre reported on the following issues:

The snow water equivalent (SWE) and snow level at the Crystal Lake SNOTEL should be gone by the end of the month of May. The SWE has gone from 19.4 inches on May 1<sup>st</sup> to 2 inches on May 29<sup>th</sup>. Snow depth over the same period has gone from 48 inches to 6 inches. The City has been allowing the runoff to fill the reservoir slowly and it should be filled to its static level sometime by the end of the month as well. While the lack of snow pack in the Snowy Mountains does not guarantee that the City will not flood, it should greatly reduce the possibility of area flooding.

The Montana Department of Environmental Quality (MDEQ) has contacted the City and is requesting to fund and administer an environmental assessment of the City's public works property west of Marcella Ave. The site was used as a post treating facility prior to the City's ownership and continues to be listed with MDEQ.

The City Manager is working with the Public Works Department to look at options to replace the City's street sweepers. The current sweepers are both over 15 years old and experiencing multiple maintenance issues.

The new fire truck that was purchased with assistance from the FEMA grant funding has been delivered. The firefighters are installing the necessary equipment and we are planning on having the truck available for viewing during the committee of the whole prior to the June 16<sup>th</sup> Commission meeting.

The Library's summer reading program registration begins on June 3<sup>rd</sup> and the program begins on June 10<sup>th</sup>.

The swimming pool is scheduled to open on June 5<sup>th</sup>. Swimming lesson sign ups were very busy as usual and crews are working to prepare the pool. One heating unit has some problems, but Park and Recreation Director Jim Daniels feels that we may be able to keep it working at least on a temporary basis.

## **CONSENT AGENDA**

Commissioner Turk made the motion to approve the acknowledgement of the claims that have been paid from May 14, 2014 to May 28, 2014 for a total of \$45,690.10 and Commissioner Hewitt seconded the motion. The motion passed unanimously.

## **REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:**

1. Discussion and action on approving the 2014 – 2017 Park Maintenance Contract

Mr. Myhre explained that the City typically contracts out for the mowing, trimming and watering of the City parks. Mr. Myhre commented that Mr. Rick Sandor is the current contractor and has the contract for the last six years. The contract was advertised and received two bids. Scott Sanford, with SAS Sprinkler and Lawn system submitted a bid in the amount of \$43,500 for the first year and Rick

Sandor submitted a bid in the amount of \$43,260. Mr. Myhre explained that Mr. Sandor bid is lower and continues to be lower throughout the remainder of the contract. Mr. Myhre commented that Mr. Sandor does a good job for the City and the City receives a lot of positive comments on the work that Mr. Sandor does. Mr. Myhre stated he recommends the City Commission approve the bid to Rick Sandor. Mr. Myhre further explained that included in the bid proposal was to include mowing the cemetery and as a result neither bidder was interested in doing the cemetery. Commissioner Poss made the motion to approve awarding the 2014-2017 Park Maintenance Contract to Rick Sandor and Commissioner Gremaux seconded the motion. Commissioner Doney 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 second reading of Ordinance No. 1747, an ordinance amending Title 11, Chapters 2, 3 and 4 of the Lewistown City Code zoning regulations defining storage containers (shipping containers) and permitting their use only in C-3 Highway Commercial, M-1 light industrial, and M-2 heavy industrial zoning areas

Mr. Myhre explained that the City has not received any comments from the public. Mr. Myhre further explained that he would like to make sure that storage containers could be used at the airport. Mr. Myhre stated he does not want them scattered all around the airport, but they could be used in difference situations up at the airport and would like to make sure that the ordinance does not totally prohibited in the airport area. Discussion was held on the use of storage containers at the airport. Planning Director Duane Ferdinand suggested that a section could be added at a later time to address containers at the airport. Mr. Myhre commented that if the Airport Board wanted to allow the containers then they could put together the information to ass a new section to the ordinance. Commissioner Poss made the motion to approve the second reading of Ordinance No. 1747, an ordinance amending Title 11, Chapters 2, 3 and 4 of the Lewistown City Code zoning regulations defining storage containers (shipping containers) and permitting their use only in C-3 Highway Commercial, M-1 light industrial, and M-2 heavy industrial zoning areas and Commissioner Berry seconded the motion. Commissioner Doney 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 the engineering services agreement Robert Peccia & Associates, Inc. for the bulk water filling station

Mr. Myhre stated that he asked Robert Peccia & Associates to put together plans to upgrade the water salesman located behind the Saves building. The plan is to be able to provide bulk water overhead, bulk water with a coupler and selling bulk water in smaller quantities. As part of the process an agreement needs to be in place and it is not to exceed \$15,570. Commissioner Turk made the motion approve the engineering services agreement Robert Peccia & Associates, Inc. for the bulk water filling station and Commissioner Berry seconded the motion. Commissioner Doney 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 Police bargaining unit agreement for 2014-2017

Commissioner Doney stated that her husband does work in the Police Department but is not a member of the bargaining agreement. Commissioner Doney further stated that she has confirmed with legal

counsel that neither herself nor her husband benefit from the agreement in any fashion. Commissioner Berry stated that she will recuse herself from the discussion and the vote. Mr. Myhre stated that the agreement was not settled until Saturday afternoon. Mr. Myhre stated the main change is that the City will pay an additional \$200 toward the employee's health insurance if they choose to enroll their family to the City's health plan. Currently the City pays up to 95% of the employee's premium and the additional \$200 does not cover the regular plan but it does help the employees. Mr. Myhre stated there was some clarification made in call out pay language and an additional \$100 per year was added to the police officer's uniform allowance to get more in line with what City's typically pay for uniform allowances. Mr. Myhre talked briefly about the changes made to use of sick leave, bereavement leave and arbitration language. Mr. Myhre explained that there was a change to the third year of the contract where emergency services dispatchers that work in excess of 6,240 regular hours would receive an additional \$.10 per hour for full time dispatchers and \$.20 per hour for part time dispatchers. Mr. Myhre further explained that this is a three year contract with no wage increase this year in order to receive the additional money toward the health insurance. The second year of the contract is a 1.5% increase in hourly rate and the third year is a 2.5% increase in hourly rate. The Police Department bargaining unit is now going to be represented by the American Federation of State, County & Municipal Employees (AFSCME) and the necessary language to address this change will be made through the contract. Mr. Myhre stated that he feels this is a good agreement and both parties worked hard to get to this point. Commissioner Turk made the motion to approve the Police bargaining unit agreement for 2014-2017 and Commissioner Putnam seconded the motion. Commissioner Doney asked for comments from the audience and Commission. There being none, the question was called for and those voting in favor were Commissioners: Doney, Gremaux, Hewitt, Poss, Putnam and Turk. Commissioner Berry recused herself.

##### 5. Discussion and action on accepting the resignation of Ward I Commissioner Berry effective July 1, 2014 and directing the City Clerk to advertise for the vacated position

Mr. Myhre explained that he has received official notification from Commissioner Berry that she is going to resign from the City Commission effective July 1, 2014. Further discussion followed. Commissioner Gremaux made the motion to accept the resignation from Ward I Commissioner Berry effective July 1, 2014 and direct the City Manager to advertise for the vacated position and Commissioner Hewitt seconded the motion. Commissioner Turk asked what happens if only one person is interested are they still required to answer the questions. Mr. Myhre stated that he did not feel it would hurt for them to answer the questions because it would give the Commission the opportunity to determine if they would appoint that person and if not willing to appoint could open it up again for interested citizens. Commissioner Gremaux commended Commissioner Berry for her time served on the Commission and she will be missed. Commissioner Berry commented that she will be gone quite a bit and does not feel she could effectively represent her constituents. Commissioner Poss stated that he appreciates the time Commissioner Berry has served. Commissioner Doney asked for the comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously. Mr. Myhre suggested that the position could be advertised to have the letters in by July 2<sup>nd</sup>. Commissioner Putnam made the motion to instruct the City Manager to provide questions to interested parties and include the questions and letters of interest in the packet for the July 7<sup>th</sup> meeting and Commissioner Turk seconded the motion. Commissioner Doney asked for comments from the audience and Commission. There being none, the question was called for and those voting in favor were Commissioners: Berry, Doney, Hewitt, Poss, Putnam and Turk. Commissioner Gremaux voted against.

6. Semi- annual City Manager Review – the meeting will be closed because the demands of individual privacy clearly exceed the merits of public disclosure in regards to the City Manager review.

Commissioner Doney explained that the City Manager has asked that the meeting be closed because the demands of individual privacy clearly exceed the merits of public disclosure in regards to the City Manager review.

### **CITIZENS' REQUESTS**

Mr. Richard Battrick asked if traffic lights were going to be installed at 2<sup>nd</sup> and 5<sup>th</sup> Ave because of the recent accidents. Commissioner Doney explained that it is the decision of the Department of Transportation. Mr. Myhre explained that he is making sure that the Department of Transportation is aware of the issues. Mr. Myhre stated that he knows they have been working on other safety issues in those areas.

### **COMMISSIONER'S MINUTE**

There were none.

### **ADJOURNMENT**

Chairman Doney adjourned the meeting.

Dated this 2<sup>nd</sup> day of June, 2014.

---

Gayle Doney, Commission Chairman

ATTEST:

---

Nikki Brummond, City Clerk