

**A COMMISSION MEETING OF JULY 7, 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: Doney, Gremaux, Hewitt, Poss, Putnam and Turk.

APPROVAL OF MINUTES

Commissioner Putnam made the motion to approve the June 16, 2014 minutes as corrected and Commissioner Turk seconded the motion. The motion passed unanimously.

COURTESIES

Chairman Doney stated that the City of Lewistown would like to recognize Alissa Berry for her 2.5 years of service as a City Commissioner. Chairman Doney stated that the City of Lewistown would like to recognize Bradley Doney for his 33 years as a Police Officer for the City of Lewistown.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Putnam reported that she attended her first Central Montana Foundation Board meeting on June 24th. Grants were given to the Boys Scouts of America, Boys and Girls Club of Lewistown and the Lewistown Public Library.

Commissioner Hewitt reported that she attended the Airport Bard meeting this month. Commissioner Hewitt explained that WTI has agreed to pay for the weed spraying on runways that they use for testing. The second Airport appraisal came back higher than the first one but the acreage was a little off.

Commissioner Turk reported that the Library Board meeting will be next Thursday.

Commissioner Doney reported that she attended the Central Montana Health District and the Board began the hiring process for the Health Officer, Sanitarian, Public Health and Emergency Preparedness Director. Currently those positions are filled by interims.

Commissioner Putnam reported that the Park and Recreation Board meeting is this Wednesday, July 9th.

CITY MANAGER REPORT

City Manager Kevin Myhre reported on the following issues:

The sidewalk project at 301 W Broadway building was substantially complete by the 4th of July weekend. The vaulted sidewalk over the Reid's portion of the buildings water system will be completed later in July.

The Cemetery staff is working to prepare additional cemetery plots on the west and north sides of the Cemetery. The staff is also working on sprinkler systems and getting them up and running for the season.

The Library has been busy with the summer reading program. The Friends of the Library will be holding their monthly book sale on Friday, July 4th instead of the normal Saturday sale.

The Fergus County 4H program and the Boys and Girls Club will be holding a dance fundraiser on the Friday prior to the Chokecherry Festival. The event will utilize 4th Avenue from Main Street to Janeaux St and a layout plan was included in the Commissioner's packet.

The Friends of the Lewistown Trails will be holding a fundraiser event at the Yogo Inn's front parking lot in the afternoon and early evening of the Chokecherry festival on September 6th. The event will also be the grand opening of the Trailhead Park plaza.

The Park and Recreation staff are working to clear the drainage area in front of the Museum and Chamber of Commerce building. The rock area has been extremely difficult to clean and maintain and the decision was made to landscape the area back to grass that can be mowed. The Montana Highway Department also did some work in the area to clear their storm drain which serves Main Street in that area. It had become silted in and ineffective. The Park and Recreation staff is also working to bring in fill to Kiwanis Park to level the area where the skate park was and the baseball field.

The recommendation by the County Recreation district committee has spurred the discussion and a push by some County residents to create a separate district within the Fergus High School boundary but excluding the City of Lewistown. The initial concept of the district is that it would provide funds to the County Commissioners to assist the City at their discretion. There are some of the Friends of the Pool are working on a petition to maybe get it on the ballot next year. Commissioner Putnam commented that there appears to be a lot of reporting. Mr. Myhre stated it would be nice to have a calendar of decision making for this issue so that those that are interested can attend the meetings.

The City Office received one letter of interest from an individual after the advertised submission deadline for the vacant City Commission position. Another interested individual picked up the Commissioner questions after the deadline but has not returned a letter at the time of this report. Due to the late interest in the position, the City Attorney recommended that the City Commission extend the deadline and appoint a Commissioner at a later meeting. Mr. Myhre commented that if the Commission is not opposed he would like the position to remain open until July 30th and appoint a Commissioner on August 4th.

Mr. Myhre stated that he did want to let the Commission know that there was an accident at the City pool where an individual dove into the shallow end of the pool.

CONSENT AGENDA

Commissioner Poss made the motion to approve the consent agenda as presented and Commissioner Putnam seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from June 12, 2014 to June 30, 2014 for a total of \$53,705.93

REGULAR AGENDA - Resolutions, Ordinances & Other Action Items:

1. Discussion and action on authorizing the City Manager to sign a memorandum of understanding between the Montana Department of Transportation and the City of Lewistown to receive funding for the maintenance of the Kiwanis Park public rest area

Mr. Myhre explained that the City works with the local Kiwanis group and ~~The Kiwanis Group maintains~~ provides a rest area facility west of town. Mr. Myhre explained that for many years the Kiwanis has maintained and funded the rest area. However, the last few years the City has been able to obtain some funding from the Montana Department of Transportation (MDT) to help Kiwanis with maintenance at the rest area. Mr. Myhre stated that tonight we are seeking approval of the Memorandum of Understanding (MOU) between MDT and the City for the City Park Rest Area. This MOU allows the City to get reimbursed up to \$10,550 for eligible costs for the facility. The City is responsible for paying the bills and submitting the required documentation for reimbursement. Mr. Lyle Gorman with Kiwanis explained that they are planning on replacing two of the picnic canopies in addition to regular maintenance and appreciate all the help from the City. Commissioner Turk asked if there is some way to monitor the length of stay at the rest area. Mr. Myhre explained that the rest area is located on the portion of the airport that is outside the City limits. Further discussion was held. Commissioner Gremaux made the motion to authorize the City Manager to sign a memorandum of understanding between the Montana Department of Transportation and the City of Lewistown to receive funding for the maintenance of the Kiwanis Park public rest area and Commissioner Poss 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. Presentation of the Library Board Annual Report

Library Director KellyAnne Terry presented the annual library board report. The Library has changed their library card policy because there was a lot of problem with people checking out books and materials and then skipping town. The new policy is a library card is free to all residents of Fergus County and must provide proof of address. Ms. Terry stated that there is a small fee for the residents that reside outside of Fergus County but must also provide proof of address. The following services are available at the Library: free Wi-Fi and internet on public computers, one on one technology, provide tax forms, interlibrary loan, reference and genealogy assistance. Ms. Terry explained that the Library offers Montana Library 2Go which is downloadable e-books and audio books. This is a service paid by the Library and offered to the patrons for free. Some other services offered by the Library are circulation of books, audio books, music, DVD and video, photocopying and printing, online databases, free use of the upstairs meeting room, youth services, magazines, newspapers and outreach services to assisted living and residential facilities. The following free programs put on by the Friends of the Library in 2013 – 2014 were Montana Repertory Theatre performance, Montana Shakespeare in the Schools Library performance, A Night in Park, which was part of a culture night services, summer reading program, October Writers Series, Mary Clearman Blew author visit and National Guard Photography Exhibit. Ms. Terry explained that the Library has 61,000 items available for circulation and there were 71,383 items circulated. There are 4,320 patrons on the book and the average monthly visits are 6,025. The average interlibrary loan monthly circulation is 47 items and 7,621 items are circulated annually through Montana Library 2Go. Ms. Terry reviewed some of the projects completed this year, one was the replacement of the curb on 7th Ave S and as a result it was a safer and easier winter. The landscaping at the book station was completed; the paint out the pink project where the outside of the library was repainted and the boiler was rewired. The Library has a new website that is more friendly, interactive and easier to use.

3. Discussion and action on the City's contribution to the Library for fiscal year 2014-2015

Ms. Terry introduced the board members. Ms. Terry stated that she would explain where the money comes from for the Library revenue. Ms. Terry explained that there was an increase in state aid which was because the legislature made a change in the amount of state aid available to Libraries. The Library collections has decreased somewhat and that is due to the change in due dates. The Contributions and Donations is account that all donations and grants are accounted for and the interfund operating is a number that would come from the Library trust fund if the Library would need some money. The City contribution continues to increase and the County contribution was steady at \$41,000 for many but has been increasing a little. Ms. Terry commented that the County Commission likes to pay for a certain project each year. Ms. Terry stated that the Library Board is asking for a 2.5% increase from the City and a 2.5% increase from the County, however neither one is confirmed. Ms. Terry reviewed the revenue for the Library Trust and Library Depreciation Reserves which are remaining the same. Ms. Terry explained that \$20,000 is budgeted this year in the Library Trust Fund because of the expected donation from the Dorothy Jones estate. Commissioner Turk asked what the increase is for salaries. Mr. Myhre stated the increase is 1.5%. Mr. Myhre explained that the library does have cash remaining from fiscal year 2014 which is the beginning cash for fiscal year 2015. Mr.

Myhre explained that is the budget is funded as presented the ending cash at the end would be approximately \$13,000 if all cash is spent. However, remaining cash is a result of not every dollar being spent. Commissioner Doney asked if Ms. Terry had any demographics on the usage of the Library. Ms. Terry answered that it has remained at 60% City residents and 40% County residents. Further discussion followed. Ms. Terry explained that the County has a hard time with the fact that the Library employees are City employees and so as a result she always asks for an increase in an operating cost. Commissioner Turk commented that Ms. Terry does a lot of work to raise extra money for the programs at the Library and if it weren't for that the Library would need a lot more money. Ms. Terry explained that the Library depreciation fund is a matching donation between the Library and the City. If the Library donates \$5,000 the City will match \$5,000. Commissioner Poss commented that he would like to see less cash carried forward, because other departments are not able to do so and we should not operate the funds like a bank. Commissioner Poss suggested maybe a cash forward amount of \$5,000. Mr. Myhre stated that the increase could be funded out of the cash remaining. Commissioner Doney asked what amount was requested from the County last year. Ms. Terry answered that she asked for 2.5% and received 1%. Further discussion followed. Mr. Myhre explained that when doing budgets we look at the beginning cash, proposed revenue, proposed expenses and the ending cash and in the case of the Library since there is a beginning cash the City could probably fund the proposed budget with the anticipation that the County giving more and the cash reserves can be used for less of a buy in from the City out of the general fund. Mr. Myhre suggested approving the budget as is and then during the final budget the Commission can determine how to fund from cash reserves and how much to fund from the general fund. Mr. Myhre further explained that the budget will be approved and then how it is funded can be determined by the Commission. Commissioner Turk made the motion to approve the 2014-2015 Library budget at \$309,360 and the City to contribute \$5,000 match to the Library depreciation fund and Commissioner Poss 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 Resolution No. 3850 authorizing the sale of 1976 Ford 8,000 Fire Truck

Mr. Myhre explained that the 1976 Fire Truck has been around a long time and has given the City great service but is past its time and is obsolete in order to provide fire service. The City applied for a FEMA grant to replace the truck, received the grant and now the City needs to dispose of the truck. Mr. Myhre explained that it does not meet any requirements for fire service and is being sold as a truck. This was advertised in accordance with law. The City received two bids and the highest responsible bidder was James Southworth in the amount of \$5,000 and that Mr. Southworth has acknowledged that the truck is sold with the intent that it be placed into fire service because it no longer meets NFPA standards. Commissioner made the motion to approve Resolution No. 3850 authorizing the sale of 1976 Ford 8,000 Fire Truck ~~and Commissioner~~ and Commissioner Hewitt 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.

5. Discussion and action on approving a City business license for Judith Mountain Plumbing

Mr. Myhre explained that the City has received an application from Judith Mountain Plumbing for a business license. The individual is a master plumber and all the property insurance and surety bonds are in place and the City is asking for approval of the business license.

Commissioner Turk made the motion to approve a City business license for Judith Mountain Plumbing and Commissioner Hewitt 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, Hewitt, Poss, Putnam and Turk. Commissioner Gremaux recused himself.

6. Discussion and action on Resolution No. 3851a resolution describing the City Commission's intention to approve a petition requesting the annexation of territory, including Lots 2, 3, 4, 5, 6 and 7 of Block 15 school lands subdivision and Lot 8A, Block 15 of amended school lands subdivision, to the City of Lewistown

Mr. Myhre requested that the annexation be removed from the agenda because they were unable to obtain all of the necessary signatures. This item will be on the next agenda.

7. Montana Transportation Alternatives Program Project funding and maintenance agreement

Mr. Myhre explained that the City did make application to the Montana Transportation Alternatives Program for two different projects. One was for the paving the trail from Frank Day Park to the Yogo and from the Junior High to the Cemetery. The grant was for \$248,000 where \$215,000 will be from the State and \$33,000 will be the match from the City with help from the Friends of the Trail. The other application was for the ADA sidewalks on 7th Ave North. Mr. Myhre stated that he received this agreement today and it states that the City will submit the \$33,000 to them by a certain date and then the State will be responsible for the awarding the bid and complete the project. Mr. Myhre asked the Commission to approve of the Montana Transportation Alternatives Program Project funding and maintenance agreement and add it to the agenda if they feel it is not of significant interest to the public. Commissioner Gremaux made the motion to approve the Montana Transportation Alternatives Program Project Funding and maintenance Agreement 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 the motion passed unanimously.

CITIZENS' REQUESTS

Marcia Gans addressed the Commission with the concern of the July 4th celebration where the celebrating started very early and went on very late. Commissioner Doney asked how late the fireworks continued. Ms. Gans answered that it was after midnight. Ms. Blanche Chapman stated that she lives on 8th Ave N near the courthouse and the fireworks continued late and were very loud. Mr. Myhre thanked everyone for the comments. Mr. Myhre stated that the Commission did discuss allowing fireworks for one day last year. Mr. Myhre stated that the Police Department tends to be more aggressive up to the 4th and more aggressive after the 4th because it is very hard to address all of the issues on the 4th because there are so many. Ms. Gans

asked if the City could put some time restrictions. Ms. Gans also asked if some type of advertising be done to notify the public that fireworks are not allowed in the City limits.

COMMISSIONER'S MINUTE

There were none.

ADJOURNMENT

The motion was made to adjourn the meeting.

Chairman Doney adjourned the meeting.

Dated this 7th day of July, 2014.

Gayle Doney, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk