

A COMMISSION MEETING OF NOVEMBER 3, 2014 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY 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: Byerly, Doney, Gremaux, Hewitt, Poss, Putnam and Turk.

APPROVAL OF MINUTES

Commissioner Putnam made the motion to approve the October 20, 2014 minutes and Commissioner Hewitt seconded the motion. The motion passed unanimously.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Putnam reported that she attended a Central Montana Foundation Board meeting. There were two meetings; the one in the morning was a sit down learning exercise for the participants who have money invested. The second meeting was the regular meeting in the afternoon. The main item was the third request from Snowy Mountain Industries to extend the grant timeline in order to get the remainder of their funding for their new building.

CITY MANAGER REPORT

City Manager Kevin Myhre reported on the following issues:

City staff is working to replace the server and workstation computers in the City office and a couple of computers in the Public Works Department. Most of our computers utilize the Windows XP system which is no longer supported by Microsoft. We hope to have the project completed by the end of January. The Police and Fire departments are also working to upgrade their servers.

The City Manager is working with the Public Works Director to complete the hiring process for the Superintendent of Operations position. There are several current employees interested in the positions.

The County Commissioners received some criticism that the language about splitting the project into different phases in the informational article may have been misleading or improper. In coordination with the County Commissioners, the City did jointly fund a third article with a longer explanation of the possible cost increase associated with completing the pool phases at different time periods. Initially both the City of Lewistown and Fergus County did pay for articles in the News Argus which presented information about the proposed Park District to the public. The article did not encourage support or opposition for the project.

The Street Department recently re-contoured the ditch along the Railroad Corridor from Earl Street to the railroad crossing at Spring Creek. Several areas had been leveled over time which allowed runoff to spill out of the ditch onto the baseball field and also toward a home adjacent to the location. A large bush which could be an obstruction to runoff was also removed.

Several City Employees and Commissioner Turk recently attended the regional training put on by the MSU Local Government Center and the Montana Municipal Interlocal Authority.

The ALCO Property closing which is located along the highway from F Street to G Street is scheduled for November 3rd. Once that has been completed, the City will proceed with the annexation of the property to enable the new buildings to utilize the City's water and sewer systems.

The City will have a Christmas open house in December for the Commissioners, employees and their families.

CONSENT AGENDA

Commissioner Gremaux made the motion to approve the consent agenda and Commissioner Putnam seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from October 16, 2014 to October 29, 2014 for a total of \$65,322.82.

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Discussion and action on approving Resolution No. 3866, a resolution adopting the 2014 Fergus County Pre-Disaster Mitigation Plan

Mr. Myhre explained that the City of Lewistown has been working on this with the Fergus County Commissioners and the Fergus County Disaster and Emergency Services to put together a pre-disaster mitigation plan. The process to develop a pre-disaster mitigation plan is to evaluate the hazards in Fergus County and Lewistown. Fergus County Disaster and Emergency Services Director Cheri Kilby explained that a pre-disaster mitigation plan is way moving forward to help mitigate or avoid some hazards. The plan is updated every five years. Ms. Kilby

stated that as part of the process the existing plan is looked at and determine if something needs to be added or a new hazard that is identified. The plan is not set in stone and is changed a little bit every five years. Ms. Kilby tries to get feedback from all first responders in the County and several public hearings were held to inform the public and get input from the public.

Commissioner Byerly made the motion to approve Resolution No. 3866, a resolution adopting the 2014 Fergus County Pre-Disaster Mitigation Plan 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 on approving Resolution No. 3867 authorizing an revocable easement to Montana Dept of Transportation for the Railroad Corridor in the area of the Highway 87 and Truck Bypass intersection

Mr. Myhre explained that the City has been working with the Montana Department of Transportation (MDOT) for a couple of years as part of their project to rebuild the highway going from the highway department past the truck bypass intersection. Currently, MDOT has an easement across the railroad where the overpass is and they are planning to remove the overpass and reconfigure the intersection. Mr. Myhre stated that since the railroad property is rail banked and there is a surface transportation board process. The MDOT is aware of the City's deed restrictions and how the property can be utilized. The MDOT is aware that they cannot purchase the property and have put together a highway easement agreement with the City of Lewistown stating that they will pay for the long term use of the property with the understanding that if the railroad were to come back in they will work to unencumber the property. The MDOT will pay the City of Lewistown for the use of the property in the amount of \$64,450. This is for the 2.34 acres which will be affected by MDOT's crossing over the rail corridor and the 1.18 acres temporarily affected during construction. Further discussion followed. Commissioner Gremaux made the motion to approve Resolution No. 3867 authorizing a revocable easement to Montana Dept of Transportation for the Railroad Corridor in the area of the Highway 87 and Truck Bypass intersection 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 the motion passed unanimously.

3. Discussion and action on appointing a member of the governing body or employee of the local government as an ex officio nonvoting member for the study commission as required by MCA 7-3-177

Mr. Myhre explained that under the state laws for the composition of the local government study commission the City Commission set the number of members to serve on the study commission at five. Mr. Myhre further explained that MCA 7-3-177 2 stated that every study commission shall include as an ex officio nonvoting member a member of the governing body or an elected official or employee of the local government appointed by the governing body. The ex officio member must be appointed prior to the organization of the study commission. Mr. Myhre stated that this is the last City Commission meeting before the study commission will be elected and it is possible that the study commission could be organized prior to the next City Commission meeting. Mr. Myhre further stated that this is the meeting that the City Commission must appoint an ex officio member. Mr. Myhre restated that the member can be a City Commissioner,

another elected official or an employee of the local government. Commissioner Turk made the motion to appoint Commissioner Doney as the ex officio nonvoting member for the study commission as required by MCA 7-3-177 and Commissioner Poss seconded the motion. Commissioner Gremaux stated that he would be interested in serving if you want a second opinion. Commissioner Putnam stated she would like to appoint Mr. Kevin Myhre. Commissioner Turk asked if Mr. Myhre could do that. Mr. Myhre answered yes, and he will do whatever the City Commission would like him to do and he feels that ultimately a Commissioner would be the better option. Commissioner Doney commented that having served on the prior study commission that Mr. Myhre being the ex officio could be counterproductive. 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

Mr. Richard Battrick asked why the ambulance and fire trucks are always in the parades. Commissioner Poss answered that if there is a call then they would leave the parade.

COMMISSIONER'S MINUTE

Commissioner Doney reminded everyone about the junior high Veterans Day program and encouraged everyone to attend.

Commissioner Putnam encouraged everyone to vote tomorrow.

ADJOURNMENT

Chairman Doney adjourned the meeting.

Dated the 3rd day of November, 2014.

Gayle Doney, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk