

**A REGULAR COMMISSION MEETING OF OCTOBER 15, 2018 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.

**APPROVAL OF MINUTES**

Commissioner Hewitt made the motion to approve the August 6, 2018 minutes as corrected and Commissioner Dunnington seconded the motion. The motion passed unanimously.

**PROCLAMATIONS**

There were none.

**BOARD AND COMMISSION REPORTS**

Commissioner Loomis reported that he was unable to attend the most recent Park and Recreation Board meeting. City Manager Phelps explained that the Soccer Club was in attendance and reviewed their plans and the agreement with the Park and Recreation Board. The Park and Recreation Board approved the plan and agreement and it is on the agenda for Commission approval tonight. The Civic Center improvements have been completed and a priority list for the Civic Center and Pool was developed and will be forwarded onto the Recreation District.

Commissioner Hewitt reported on the recent Airport Board meeting. All of the equipment at the Airport is up and running and another front-end loader was purchased from Utah. The runway is done, but the taxiways are still be worked on due to inclement weather. Mr. Jerry Moline, the Airport Manager will be retiring this December and will stay on for a short time to help the new Manager with the transition.

**CITY MANAGER REPORT**

City Manager Holly Phelps reported on the following issues:

Mr. Joe Ward has been hired as the new Fire Chief. Fire Chief Ward brings 30 plus years of experience with the Fire Department, has served as Fire Marshall and has been the Interim Fire Chief for the last two months. There is one position available with the Fire Department and details are available at the Job Service.

During recent training there were several items discussed that the City Manager shared with the Commission. The first item is the importance of following proper procedures when communicating to each other or City staff. In our case it is important that we follow our charter, which states Commissioners will communicate with City employees through the City Manager. The Commission

must not give direct orders to an employee and they cannot dictate the appointment or removal of any employee. Another point that was discussed was the importance of using our City email accounts so that there is a record and that the City of Lewistown's e-mails may be subject to Montana's Right to Know Law (Article II Sec 9, Montana Constitution) and may be a Public Record (2-6-1002, M.C.A.) and available for public inspection.

The City is currently doing some improvements to our computer systems. These improvements include improved security, better spam filtering, and offsite backups and archives. Starting next week, we will be using a new spam filter, Commissioners will see changes to their email. If you have any questions regarding the process please contact the City Clerk or City Manager.

The Parks and Recreation Board will be discussing the East Fork Management Plan at their November 7, 2018 meeting. This meeting will be held at the Civic Center at 7 pm. The management plan includes charging a fee for camping at East Fork Dam and updates to the use and rules at this site. If approved this item would then be sent to the City Commission.

The Public Works Department will start the leaf cleanup schedule on October 22, 2108.

### **CONSENT AGENDA**

Commissioner Doney made the motion to approve the consent agenda and Commissioner Loomis seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgment of the claims that have been paid from September 27, 2018 to October 11, 2018 for a total of \$91,724.86.

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

1. Discussion and action on entering into an agreement between the City of Lewistown and the Lewistown Soccer Club

City Manager Phelps explained that before the Commission tonight is an memorandum of understanding between the City and the Lewistown Soccer Club. Last meeting the soccer club presented their plan in the phases to the Commission. There have been some minor changes and phase I will include two playable fields that have been graded, seeded and irrigation system will be installed. There will be a parking lot will be developed, graded and graveled in accordance with Public Work standards. The City shall review final designs and receive copies of all inspection records to verify that the work was done to the approved specifications. City Manager Phelps explained that City agrees to provide water under its park watering program, will grant access to the City's water and sewer at no cost, however the extensions will be done by the Club at their expense. The City would allow further development of the Park in accordance with the proposed plans and all would be approved by the Park and Recreation Board and the City Commission. The soccer park would be maintained as a municipal park. The next part of the agreement is some of the language that would be included in a lease agreement once the City would take ownership. Some of the items included in the lease would be automatically renewal, termination clause, priority of use, determination of income would need to be detailed out, priority of use of the park, the club will continuously maintain insurance coverage that protects itself and members against person injury. Finally, the parties agree that the City shall not be obligated to utilize any taxpayer money in order to take possession/ownership of the Park, recognizing that by taking ownership, the City will be incurring ongoing costs to maintain the Park. City Manager Phelps commented that the maintenance of the park would need to be detailed out in the lease agreement also. Commissioner Doney asked if we have an idea of the cost of maintenance. City Manager Phelps answered no, but it would need to be outlined in the lease agreement. A lease agreement would need to be put in place at the completion of Phase I. Mr. Brett Thackery explained that when the Soccer Club received the estimates from the architect it was determined

that it was more than they wanted to try for in a capital campaign so they chose to spread out phase I. There was some discussion on connecting to the existing trail system. Commissioner Loomis asked the City Manager if she had an idea of the increased costs to add this park to the park budget. City Manager Phelps explained that it is really difficult to determine an amount, currently the maintenance of the parks is done through a park maintenance contract. Commissioner Doney asked about bathroom facilities. Mr. Thackery answered that they are currently modeling after what they have out at Symmes Park which is porta potties. Commissioner Doney asked if this proposed property is located in the County and if it would need to be annexed. City Manager Phelps answered that it would be her recommendation to annex the property. Commissioner Byerly asked if the soccer club has any liability insurance and feels there should be some insurance that the club would have liability insurance until the City takes ownership. Commissioner Byerly would like it to be clear that the City will be providing water and providing access to water and sewer services right away not after the City acquires the property. Ms. Bev Smith asked if there were anymore meetings regarding the soccer park since the meeting at the Elks. Mr. Thackery answered that they presented their plan to the City Commission at the last meeting. Ms. Smith was not aware of that and was under the impression that the adjacent property owners were going to be kept abreast of future meetings and the development. Ms. Smith stated that it sounds to her that it is a done deal. Ms. Smith explained that one of her concerns is the taxes because the taxes in that subdivision are horrible and with more parkland how can the City take care of it and not have to hire more employees. City Manager Phelps answered that Parks are maintained by a Park Maintenance Contract. Ms. Smith commented that she understands there is a contract but if there is more to do won't the cost of the contract increase or hire more employees which would increase taxes. City Manager Phelps answered that she can not predict the contract, and currently the current contract does not have any employees. However, she feels that the City is not going to put that contract under an employee responsibility but there is a possibility the cost of the contract will increase. City Manager Phelps explained that it is hoped that the soccer club will be doing the maintenance, but it will have to be lined out in the lease agreement. Further discussion followed. City Manager Phelps explained that any further development after phase I would have to go back to the Park and Recreation Board and the Commission for approval. Mr. Mike Getman addressed the fact that there is not a storm drainage system in the subdivision and he expressed his concerns. Further discussion was held. Mr. Jeff Friesen stated that he wants to make sure it is clear that the City is not funding this project, but going to assist with water and sewer. Mr. Friesen feels that this is a huge benefit to the community. Commissioner Doney stated that she would like to see the changes to the memorandum before signing the agreement. City Manager Phelps reviewed the following changes: item g which states that the Club shall continuously maintain insurance coverage protecting itself and its members against person injury will also be included in the Club agrees section. In section 2 the City will furnish items a and b upon acceptance of the agreement which is to provide water under its park watering program and provide access to City's sewer and water at not cost. Extensions of these services will be done by the Club at their expense. The other items under City agrees will be upon acceptance of the property. Commissioner Byerly made the motion to approve the agreement with the discussed changes and Commissioner Dunnington seconded the motion. Commissioner Turk asked for comments from the audience and Commission. There were none, the question was called for and the motion passed unanimously.

## 2. Discussion and action on appointing Zane Fulbright to the Historic Resources Commission

City Manager Phelps explained that the Historic Resources Commission has had a vacancy for quite some time. The City received an application from Zane Fulbright, who has served previously on this board and is willing to serve again. Mr. Fulbright is the Archeologist at the Bureau of Land Management. City Manager Phelps stated that she recommends appointing Mr. Fulbright to the Historic Resources Commission. Commissioner Doney made the motion to appoint Zane Fulbright to the Historic Resources Commission and Commissioner Hewitt 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 Toni Gies to the Historic Resources Commission

City Manager Phelps explained that Ms. Toni Gies is currently serving her first term on the HRC and is willing to be reappointed for a second two-year term. Ms. Gies has a masters of fine art and is qualified as an Art Historian. City Manager Phelps stated that it is her recommendation that Ms. Gies be reappointed to the Historic Resources Commission for a second term. Commissioner Loomis made the motion to approve the reappointment of Toni Gies to the Historic Resources Commission 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.

4. Discussion and action on approving a grant application for 911 dispatch

City Manager Phelps explained that there are a lot of grants that are available to municipalities and there will be different ones coming to the Commission in the future. This particular grant is for 911 centers also known as public safety answer point (PSAP). There is 6.8 million in funding available and this is an application for integrating text to 911 and give them the ability to use the existing platform and maintenance for five years. Commissioner Doney made the motion to approve a grant application for 911 dispatch 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.

**CITIZENS' REQUESTS**

There were none.

**COMMISSIONER'S MINUTE**

There were none.

**ADJOURNMENT**

Chairman Turk adjourned the meeting.

Dated this 15<sup>th</sup> day of October, 2018.

---

Patty Turk, Commission Chairman

ATTEST:

---

Nikki Brummond, City Clerk