

A REGULAR COMMISSION MEETING OF JUNE 3, 2019 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 Doney made the motion to approve the May 20, 2019 minutes as corrected and Commissioner Hewitt seconded the motion. The motion passed unanimously.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Byerly reported that he attended the Municipal Summit. Commissioner Byerly commented that the City should be making sure that all of the City's policies and manuals be consistent throughout the City with regards to child abuse. City Manager Phelps answered that the Montana Municipal Interlocal Authority will be providing additional information and resources for this issue starting July 1st, so she will be looking into this further. Commissioner Byerly also commented that the City Commission needs to be reminded to be careful using their own personal email, because everything with regards to the City is public information. City Manager Phelps commented that is why the Commissioners are encouraged to use their City email because the City does follow the retention laws and able to search emails if needed.

Commissioner Oldenburg reported on the annual Central Montana Foundation meeting. There were annual reports presented by the President, accountant and the Executive Director. There were two friends of the Central Montana Foundation honored. There were nine grant requests received for approximately \$124,000 and all nine requests received some funding with a total of \$91,000 awarded. The monthly meeting was held after the annual meeting. The pass-through account for the Fergus County Port Authority to utilize for the workforce coordinator position was approved. There were three grant requests received for \$8,900 and all three requests received some funding with a total of \$7,500 awarded.

Commissioner Loomis reported that the Park and Recreation Board will be meeting on June 5th. A work night has not been scheduled.

Commissioner Doney reported that the Library Board will be meeting June 13, 2019.

Commissioner Hewitt reported that the next Airport Board meeting is June 5th at 3 p.m.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

The Fire Department negotiations have been opened up. The City Manager hopes to have a contract ready for Commission approval in the next few weeks.

The Swimming pool opens June 3rd. Season passes and swimming lesson signups are available at the pool.

The Summer Reading Program begins June 4th and will run through July 15th. This year the summer reading program includes a walking book club. The author dinner was a success and is a fund raiser for the Summer Reading Program.

The recent rain had no significant impact on the City's infrastructure. There was a lot of debris that washed into the streets and there was some erosion to several gravel streets and alleys. The Recreation Department has noted some erosion on the abutments of a couple of trail bridges. Once the water recedes, they will evaluate the condition of the bridge and work to permit and then fix the damage.

June 2nd is the Lewistown Downtown Association's downtown cleanup. The Public Works Department will be supplying a trailer and hauling away the debris.

PUBLIC COMMENT (on non-agenda items)

There was none.

CONSENT AGENDA

Commissioner Doney made the motion to approve the consent agenda and Commissioner Dunnington seconded the motion. The consent agenda was the acknowledgement of the claims that have been paid from May 16, 2019 to May 30, 2019 for a total of \$172,773.69.

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Discussion and action on second reading of Ordinance No. 1762, an ordinance amending Title 6, Chapter 6 of the Lewistown City Code prohibiting the carrying of unconcealed weapons at public assemblies, publicly owned buildings, city parks or schools

City Manager Phelps explained that this is the second reading of the Ordinance and the intent is to prevent the carrying of large knives over 4 inches and firearms in City buildings and in parks within the City limits. City Manager Phelps further explained that it is not the intention to regulate open carry firearm outside of the City limits in areas like East Fork. This ordinance will hopefully address the complaints that have been received regarding large knives in the Library and at the swimming pool.

Commissioner Loomis made the motion to approve the second reading of Ordinance No. 1762, an ordinance amending Title 6, Chapter 6 of the Lewistown City Code prohibiting the carrying of unconcealed weapons at public assemblies, publicly owned buildings, city parks or schools and Commissioner Oldenburg seconded the motion. Mr. Kirby VanHorn addressed the Commission stating that he is opposed to this ordinance. Mr. VanHorn commented that wouldn't signs have to be placed on entries to public buildings and then would it be letting citizens know that the citizens inside the building would not be able to defend themselves. Commissioner Doney answered that the County has had signs at the County for fifteen years and feel it is important to protect the City's employees and citizens. Further discussion followed. Commissioner Turk 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 awarding the East Fork East bid for three years

City Manager Phelps explained that the City owns property at the East Fork Dam and there are three different parcels that the City has leased out over the last six years. The East Fork East property is east of Red Hill Road. The other two properties for lease are East Fork North and East Fork South which is north and south of the dam. There are two pastures leases and one haying lease. The only bid we received was the East Fork East lease for a bid of \$750 from Gary Barta. Gary Barta has had this lease over the last six years and is the only bidder and responsible bidder. City Manager Phelps did explain the leases are for three years with the option to renew for additional three years. There was a change made to the lease to document the maximum capacity for all animals on the premises shall not exceed 30 AUMs. Commissioner Doney made the motion to award the East Fork East bid for three years to Gary Barta and Commissioner Hewitt seconded the motion. Mr. Kirby VanHorn asked if there is bonding. City Manager Phelps answered yes; the lease requires them to provide insurance. 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 awarding the 2019-2020 patching bids

City Manager Phelps explained that the City advertised for bids for the 2019-2020 patching bids and received one bid from Century Construction. The bid came in right at the estimate and would recommend awarding the patching bid to Century Construction. Public Works Director JR Killham reported that he talked with several of the local agencies to submit bids and advertised for bids and this is the only bid received. Commissioner Hewitt made the motion to the award the 2019-2020 patching bids to Century Construction and Commissioner Loomis 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 the purchase of a backhoe for the water department

City Manager Phelps reported that last year the Commission authorized the disposal of a track excavator that was damaged. The track excavator was an odd size so too big for small digs and not big enough for others. It was always the intent to replace the track excavator with a mini excavator. The Public Works Director advertised for a mini excavator and the public works crew was able to test use it. City Manager Phelps explained that in the last two budgets the water department has budgeted for a backhoe and were able to demo that machine also. City Manager Phelps further explained that the Public Works Director talked with the public works crew and herself and it was determined that it may be overkill to have two pieces of equipment. The Public Works Director changed the specs on the request and was able to find a piece of equipment that will work in many areas in the Water Department. City Manager Phelps stated that she would recommend the purchase of the backhoe in the amount of \$104,805.54 from Titan and looking at the budget it will come in under what was budgeted. Public Works Director Killham commented that the backhoe is a piece of equipment that is used every day. It is planned to repurchase the current equipment if the new equipment is approved for purchase. Commissioner Doney made the motion to purchase a backhoe for the water department in the amount of \$104,805.54 from Titan Machinery 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.

5. Discussion and action on approving the purchase of a utility truck

City Manager Phelps explained that the Public Works Director requested bids for a Utility Truck for the Water Department. City Manager Phelps stated that a new to the City utility truck for the water department has not been purchased in the past fifteen years. Some of the specs were 2012 or newer, 70,000 or less miles and a utility body. It was advertised and the specs were given to all of the local dealers know. City Manager Phelps reported that this item was budgeted for and does recommend approval. Commissioner Hewitt made the motion to approve the purchase of a utility for the water department in the amount of \$\$26,000 from A-Plus Auto 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.

6. Discussion and action on approving the purchase of a pick up for the street department.

City Manager Phelps explained that the Public Works Director solicited bids for a ¾ ton truck for the Street Department. It is necessary to use ¾ tons because of the work that is done in the Street Department. The bid is for a 2015 regular cab ¾ pickup for \$24,000 from A-Plus Auto. These types of vehicles are used every day. City Manager Phelps explained that this item was budgeted. Commissioner Loomis made the motion to approve the purchase of a pick up for the street department in the amount of \$24,000 from A-Plus Auto and Commissioner Doney 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

Commissioner Doney reported that she received some calls over the weekend from individuals regarding the East Fork. Commissioner Doney stated that she took a tour up there and it appears that maybe someone is leaving up there. The bathrooms are in disrepair and disgusting. The urinal is full of urine and doesn't drain. There are no locks on the bathroom doors and there is no designation of male or female on the bathrooms. People have been driving up to one of the bathrooms. Commissioner Doney commented that the area needs good signage and doesn't know who is policing the area. Commissioner Doney stated that maybe the Police Department should go up twice a week. City Manager Phelps stated that signage for the areas has been ordered. Commissioner Doney stated that someone needs to be checking it out a couple of times a week. There was further discussion on the new rules for the East Fork area that were adopted by the City Commission and how it would be monitored.

Commissioner Doney explained that the park that is located directly across from her house is considered a City park because it is designated parkland because it is in a subdivision. The individual has farmed the property for the last five years and since sold the other end of the lot to the soccer association. Commissioner Doney commented that now that it is not farmed it is filled with weeds. Commissioner Doney further commented that he was asked by a previous City Manager to plant the land back to grass. Commissioner Doney would like to see something done, whether it is to have the City Attorney write a letter.

Commissioner Loomis reported that someone is looking at the Berg Lumber proposal for \$98,000 and is curious about price per acre because Mr. Carl Brevig is wanting to sell his land.

Commissioner Loomis reported that Mr. Dan Bartel notified him to let him know that there was some concerns regarding the exterior of the Library. Library Director Dani Buehler reported that she has contacted the Stucco contractor and to a local contractor regrading the issue. It appears to be a cap that was not sealed.

Commissioner Oldenburg asked if there is any update on getting an Airport Manager. Commissioner Hewitt answered that no possibilities at this time.

Commissioner Oldenburg reported that the Board of Regents is getting closer to signing over the building to the school district and then the next step will be working something out with Providence.

Commissioner Turk commented that there are just two meetings prior to the Fourth of July and is hoping to get some notices out in the paper and radio. City Manager Phelps answered yes, the Police and Fire Departments will be working on notifying the fire works stands and getting the information out as soon as possible.

Commissioner Byerly reported that the Port Authority will be meeting on June 19th for goal setting for the upcoming year.

ADJOURNMENT

Chairman Turk adjourned the meeting.

Dated this 3rd day of June, 2019.

Patty Turk, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk