

A REGULAR COMMISSION MEETING OF AUGUST 5, 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, and Turk. Commissioner Oldenburg was absent.

APPROVAL OF MINUTES

Commissioner Loomis made the motion to approve the July 15, 2019 minutes as corrected and Commissioner Hewitt seconded the motion. The motion passed unanimously.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Dunnington reported that the City County Planning Board meeting for the month of July has been cancelled.

Commissioner Hewitt reported that the Airport Board had a special meeting to offer an employment contract for an Airport Manager. Commissioner Hewitt commented that she does not know if the contract was accepted.

Commissioner Doney reported that she attended the Library Board meeting on July 18th. The Library budget was discussed, wants and needs of the Library and the Library will be featured in the Montana Carnegie Libraries book. The Friends of the Library participated in the Hot Summer Nights and it was very successful.

Commissioner Doney reported that the ordinance committee met and are working on rewriting the ordinance and working on the fees.

Commissioner Doney also attended a 911 Board meeting but there was not representation from the Fire or Police Departments. This meeting will be continued, there were no financials and a meeting has not been held in a year and a half.

Commissioner Byerly reported that the Central Montana Health District will meet next Thursday. They do have a sanitarian in training, it is a young person going through the steps to get the necessary certification and it will be very helpful to the District. The Board is also considering maybe having one person in charge of the office instead of two.

Commissioner Loomis reported that the Park and Recreation Board met on July 31st. Laura Flugge and Pat Weichel were in attendance and they proposed the possibility of starting a roller derby club.

Commissioner Loomis reported that the Trails Supervisor has resigned and a part time position is open. The East Fork area including the bathrooms have been fixed up, signage has been installed and it looks really good.

City Manager Phelps reported that there is a lot going on at Creekside. The concrete and underground utilities for the restroom have been completed. The fence has been installed and the playground equipment has been delivered and work is starting on the stage. The pavilion structure is still being worked on.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

The cleanup at the old dump site continues. The 2017 Legislature awarded \$450,000 to the City for the clean up of the hazardous materials on this site. After the closing of the dump a post and pole treating facility was located there. This facility was only operated for a few years in the mid-70's and did report a leak to DEQ. The site is located on the eastside of Marcella Avenue as you crest the hill. They will begin the third round of testing in the next couple of weeks. They have continued to find penta concentrations that are higher than previously found. The City may also need to apply for additional funds to continue this clean up.

The City has received letters from the Top Star Properties requesting the Town and Country site be added to the TEDD district. This action is also supported by the TIF/TEDD board. Kevin Cook's letter is included in the packet. As part of the budget process we will look at the TIF/TEDD district revenues and what work can be done with these funds.

This year's street improvement project will begin soon; the schedule will be posted on the City's website. The Library is also working to get more information out to the public so this information will be available on their website or at the Library.

The Civic Center was closed last week for maintenance. They refinished all of the floors. They also installed the padding along the south end of the gym.

The Trails and Ales event will be held this year on September 7th, it will be held at Creekside from 4 to 7 pm. Again, this year the Creekside Committee will be providing music during this event. The concert is free and open to the public. The Friends of the Trail have had 12 brewers commit to coming to this event so far. They are optimistic that this will be the largest Trails and Ales yet.

The Library will be closing Friday, August 30 at 2 pm and will not open until 9 am on September 3. This is in observance of Labor Day.

PUBLIC COMMENT – on non-agenda items

Mr. Shaun Griffith, Griffith contracting, made a statement regarding the H Street Water Main extension project. Mr. Griffith stated that he thinks the City handled themselves appropriately. Hyalite Engineering was hired to design the project and help with the bidding process. Mr. Griffith further stated that as a resident and contractor that the lowest qualified bidder was awarded the bid and it is important to stick to these rules it allows a thorough and precise contractor. It does give the citizens highest quality of work and the most affordable price.

CONSENT AGENDA

Commissioner Doney made the motion to approve the consent agenda and Commission Hewitt seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid for June 30, 2019 in the amounts of \$76,807.87, \$37,648.59 and \$2,379.57 and July 13, 2019 to July 31, 2019 in the amounts of \$47,964.03 and \$21,319.16.

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

1. Discussion and action on approving a business license for Terry’s Electric LLC

City Manager Phelps explained that Terry D’Hooge has worked with another electrician for years and has decided to go out on his own. Mr. D’Hooge is not a journeyman electrician so he only able to do residential electric service and all documentation was received. Commissioner Doney made the motion to approve a business license for Terry’s Electric LLC and Commissioner Dunnington 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.

2. Discussion and action on authorizing the City Manager to sign a H Street Utility easement for Richard and Sheila Dyck

City Manager Phelps explained that the developer has negotiated with the property owners a 20’ easement just west of the existing right of way and this is where the water and sewer line will be located off the road and on private property. This allows the City access to maintain the water and sewer lines. Commissioner Hewitt made the motion to approve authorizing the City Manager to sign a H Street Utility easement for Richard and Sheila Dyck and Commissioner Dunnington seconded the motion. Mr. Colie Bass asked if that was just on Dycks property and doesn’t include Synthesis. City Manager Phelps answered yes and to date the only two that have not signed easements are Bailey and Synthesis. 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 the City’s contribution to the Library for fiscal year 2019-2020

City Manager Phelps explained that as part of the Committee of the Whole this evening Library Director Dani Buehler gave the annual report for the Library. Library Director Buehler also gave a couple of options that she is endorsing for the City contribution to the Library. City Manager Phelps stated that the Commission does not have to make a decision tonight if they are not comfortable and would propose a work session. Ms. Mary Frieze, Chairman of the Library Board, thanked the Library Director for her presentation and it always make things clear and what was made clear this time was the forward motion of the Library. Ms. Frieze stated that as the Library moves forward the Library can move forward. Ms. Frieze commented that over the years the City has not fully funded the Library employees and this is an opportunity to fix that. The Library also gets tired of this discussion each year. Commissioner Doney asked to table the motion tonight to be able to look at the information. There was some discussion on charging county residents for a library card. Ms. Mary Baumstark, member of the Library Board, commented that the Library’s request of 7% was a response to two things: one a union negotiated 10% increase to their staff wages and the fact that the Commission wanted to address that fact that the City has never fully funded the Library’s salaries. Ms. Baumstark commented that the 7% was a little bit of a promise that the Commission

was going to move forward in a direction of fully funding the salaries of the Library. Ms. Baumstark stated that she would encourage the Commission to consider the request of 14.5% and a fully move to pay for payroll at the Library as a commitment to the Library and your union negotiated employees and as that is met the percentages will go down. Commissioner Doney made the motion to table the City's contribution to the Library for fiscal year 2019-2020 and Commissioner Byerly 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 Resolution No. 3997 a resolution requesting distribution of Bridge and Road Safety and Accountability Program Funds

City Manager Phelps explained that the 2017 legislature adopted HB 473, which created the Bridge and Road Safety and Accountability Act. This required the Montana Department of Transportation to allocate accrued funds to cities, towns, and counties for construction, maintenance and repair of roads. City Manager Phelps explained that there is a match of \$1 to Every \$20. The match for the City of Lewistown is the Street Maintenance Fund. Commissioner Loomis made the motion to approve Resolution No. 3997 a resolution requesting distribution of Bridge and Road Safety and Accountability Program Funds 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.

5. Discussion and action on approving Resolution No. 3998, a resolution adopting reimbursement rates payable to employees for travel related expenses

City Manager Phelps explained that the City has always followed state law on meals and travel reimbursement for employees. This resolution tells you what the current rates are set by State law and what we are proposing tonight is that moving forward the City will adopt the current rates and will follow any change to travel rates by the State moving forward. Commissioner Doney made the motion to approve Resolution No. 3998, a resolution adopting reimbursement rates payable to employees for travel related expenses 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.

CITIZENS' REQEUSTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Hewitt reported that she has had a citizen as if pickups could not be parking on the end of the diagonal parking because it is hard to see when turning from Broadway.

Commissioner Doney reported that she has been up to East Fork recently and it looks really good up there. Commissioner Doney did report that she got a call from Marv DeBuff and thinks it would be helpful when awarding bids that legal counsel be present to ask questions. Commissioner Doney further stated that the City Manager has handled it.

Commissioner Turk commented that she also got a call from Mr. DeBuff and Mrs. Do-All. City Manager Phelps explained that they can submit a written request and follow the process.

Commissioner Byerly commented that he does not remember any commitment toward fully funding the Library salaries.

Commissioner Loomis stated that he has received comments for the availability of parking in the downtown area. Commissioner Loomis asked if there was a way to put flyers on cars or chalk. City Manager Phelps explained that she is working with the Chamber and the Downtown association to see what could be done to better inform the citizens and it may include more signage.

Commissioner Loomis reported that Hot Summer Nights was a great success, but is there anyway to limit dogs at these events. City Manager Phelps commented that maybe it needs to be included in the event flyer and it should be the responsibility of the organizers.

Commissioner Turk reported that she has received a complaint from a citizen running a business out of their home. City Manager Phelps stated that she will take the complaint.

ADJOURNMENT

Chairman Turk adjourned the meeting.

Dated this 5th day of August, 2019.

Patty Turk, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk