

A REGULAR COMMISSION MEETING OF SEPTEMBER 16, 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 September 3, 2019 minutes as corrected and Commissioner Loomis seconded the motion. The motion passed unanimously.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORT

Commissioner Hewitt reported that she attended the Airport Board meeting and the new Airport Manager was in attendance and seems to be on top of it. The snow plow will not have to be painted because it was not purchased with FAA money so instead, they are going to do stripping, lights and reflective tape. The lease for the Yogo billboard has been completed and approved. The Airport Board contacted Ms. Kathie Bailey, Snowy Mountain Development Corporation, about a grant for the roof on the pilots lounge and painting the wooden door on the big hangar. There is a \$10,000 grant available with a 25% match from the historical society, which both buildings qualify as historic buildings. WTI are cleaning out their facility and they have given notice that they will not be renewing their lease. The Airport Board will take over ownership of the buildings.

Commissioner Doney reported that there will be a Library Board meeting on September 19th at 2 pm. There will be an ordinance meeting on September 20th at 1 pm. Commissioner Doney attended the 911 Board meeting on September 12th. The 911 Board reviewed the financials, they received a Homeland Security grant for \$101,000 with no match, however, the bids came in higher than anticipated and the 911 Board voted to pay the difference. Discussed general maintenance and talked about the records management system. The new Chairman is Police Chief Jenness and Vice Chairman is Fire Chief Ward.

Commissioner Loomis reported that the Park and Recreation Board met on September 4th. The Lewistown ice skating association wants to sign an MOU with the City so that the City can carry the liability insurance for the association. The MOU will be taken to the City Attorney to review and then the Park and Recreation Board will approve and the Commission will have final approval. The next project for the ice-skating association is to put a cover over the rink. The Trails and Ales went very well. Mr. Josh Uecker has accepted the Trails Coordinator position. The City now owns the old Becks Radiator shop. There are about 200 youth participating in the soccer season. They were about \$500 raised in

camping fees at East Fork. City Manager Phelps commented that camping at East Fork has gone very well, the campground has cleaned up and there is not a lot of people living up there.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

The City Manager, Finance Officer, Public Works Director and the City Attorney will be out of the office October 2nd -4th to attend the Montana League of Cities and Towns annual conference. The agenda will be emailed on Thursday and packets will be available late Thursday for pickup and will delivered on Friday.

Friends of the Trails has been working with the Park and Recreation Department to get the native trail mowed at the Machler property. The two bridges that were installed last year provide access to part of the property. The Friends of the Trails applied for and were awarded a recreational trail grant for the third and final bridge that needs to be installed on this property. The Friends of the Trails are getting quotes on the bridge and will work through the permitting process. The hope is that this bridge can be fabricated over the winter and installed in the summer of 2020.

Public Works is working on a cemetery expansion. This expansion will be to the north of the upper section that was previously leveled and water installed to. When complete, this area will provide close to 150 full body lots, 90 cremains plats and will provide a third Veteran's section. The Veteran's section will include 60 full body lots and at least 90 cremains plots. The plan is to start the work this fall and finish it next spring.

The Park and Recreation Department has lined up an individual to help with trapping the beaver in the area of the Frog Ponds. They walked the area from Robinson Park to the trestle and there is currently no sign that beavers are present. We will continue to watch for activity as winter approaches.

The Library Director, the City Manager and the City Attorney has met and drafted a Library Memorandum of Understanding. The Library Director will present the draft of the MOU to the Library Board at their September board meeting.

The City Manager would like to put together a Council on Aging Committee. The Committee would be made up of a couple of Commissioners and would start by going over the current lease and discuss any potential revisions that the City may want. Then the City Manager would like to meet with the representatives from the Council on Aging to discuss their thoughts on the lease. The City Manager hopes to have a draft lease ready by the first of the year.

Recent testing at the old dump indicated that there was twice as much penta contaminated soil as previously thought. This soil will need to be excavated and disposed of at an approved site. The City will need to apply for an additional clean up grant to complete this work.

The City Manager informed the Commission that the Council on Aging will be having new flooring installed the week of October 7th. This is the same day as a regularly scheduled Commission meeting. City Manager Phelps explained that she has talked with the City Attorney and no where in state law or the City's charter does it give guidance on how to move the location of the Commission meeting. It was recommended the that City advertise once each week prior to that meeting notifying the public of the different location. At this time, it is the City Manager's recommendation to hold the meeting at the Civic Center. If this does not work, she will work with Mr. Dale Pfau on having the location here and may have to use half of the room or the conference room.

PUBLIC COMMENT – non agenda items only

Mr. John Pangburn asked the Commission what he needs to do to get the City to fix the fence and Casino Creek dam. Mr. Pangburn stated that he gave the agreement to the City Attorney three years ago and has not heard anything and he has talked with the City Manager and she tells him there is no money budgeted. It was determined that Mr. Pangburn would meet with the City Manager on September 23rd at 9 a.m.

CONSENT AGENDA

Commissioner Doney made the motion to approved the consent agenda and Commissioner Hewitt seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from August 29, 2019 to August 31, 2019 for \$15,977.70 and September 1, 2019 to September 11, 2019 for a total of \$70,747.15

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

Commissioner Loomis made the motion to add an agenda item to set an alternative location for the October 7, 2019 Commission meeting and Commissioner Doney seconded the motion. The motion passed unanimously.

1. Brief update on the H Street Water Main Extension project. City Manager Holly Phelps

City Manager Phelps explained that Ms. Sara Johnson, with Hyalite Engineer is here tonight to give the Commission an update on the water project that is in process between G and H Street. Ms. Johnson is the one who put together the project, the bid specs, the bid tabs and provides the City with weekly progress reports. City Manager Phelps explained that the City is required to submit design specs to DEQ. Ms. Johnson explained that she has been contracted by the City to oversee and inspect the construction as it is going on and she is on site everyday and observing. Ms. Johnson explained the reason on compaction to prevent settling. Further discussion followed. Commissioner Doney asked how the project is going. Ms. Johnson answered the it is going well and there are no concerns at this time. Commissioner Oldenburg asked if the other contractors can review the reports. City Manager Phelps answered that these are public documents. Commissioner Byerly thanked the engineer for being here this evening. Commissioner Doney asked how much longer until the project is complete. Ms. Johnson answered that she expects it to be done in about three weeks.

2. Discussion and action on awarding a bid for the record management system to Zuercher

City Manager Phelps explained that the City went out for formal bid in July and received four bids. The bid was for records management system, CAD and jail software. City Manager Phelps stated that Zuercher was the leader. Zuercher is used by many agencies in the state and a very aggressive company and has a very good working relationship with the State of Montana. Further discussion followed. It was the recommendation from the City and County that Zuercher is the best option to move forward with. Commissioner Oldenburg made the motion to award the bid for the record management system to Zuercher and Commissioner Byerly seconded the motion. Commissioner Doney asked if there are any grant opportunities? The grant options will not be available to apply until March 2020. Commissioner Turk asked for any comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

3. Discussion and action on approving the 2019 - 2022 Fire Department Bargaining agreement

City Manager Phelps explained that there are not a bunch of changes and are still debating on adding an Assistant Fire Chief and that is dependent on the SAFER grant. City Manager Phelps further explained that the City did offer a holiday buyout, much like the Police holiday buyout. The holiday buyout has worked well and does allow them to manage their holiday time and to compensate the time away from their families. There was language change to the termination of a probationary employee. The wage increase that was agreed upon was 75 cent per hour per position per year over the three years of the contract. Commissioner Doney made the motion to approve the 2019 - 2022 Fire Department Bargaining agreement and Commissioner Dunnington seconded the motion. Commissioner Turk asked for any comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

4. Discussion and action on authorizing the City Manager to sign a utility easement for the Frontage Road

City Manager Phelps explained that this easement is for the G to H Street water line and it was presented in August to the Airport Board and it is before the Commission for approval. The easement is all on the Airport Property. There is no monetary value just the ability to maintain, operate and construct the lines. Commissioner Hewitt made the motion to authorize the City Manager to sign a utility easement for the Frontage Road and Commissioner Oldenburg seconded the motion. Commissioner Turk asked for any 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 2019-2020 School District No. 1 agreement

City Manager Phelps explained that this is the agreement between the City of Lewistown and the School District for the use of recreational facilities, equipment and the Recreation Director. There is a CPI increase every year. Commissioner Byerly made the motion to approve the 2019-2020 School District No. 1 agreement and Commissioner Loomis seconded the motion. Commissioner Turk asked for any comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

6. Discussion and action on submitting a Treasure State Endowment Program planning grant to prepare a preliminary engineering report and authorizing the City Manager to sign the agreement if awarded

City Manager Phelps explained that this is a Treasure State Endowment Program planning grant and there is a match. The grant is for the preparation of the preliminary engineering report so the City would be able to apply for more grant funds. The main goal is the review of the City's water system to determine what options are available for the disinfection the water system. The PER becomes part of the grant submittal. Commissioner Doney made the motion to approve submitting a Treasure State Endowment Program planning grant to prepare a preliminary engineering report and authorizing the City Manager to sign the agreement if awarded and Commissioner Hewitt seconded the motion. Commissioner Turk asked for any comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

7. Discussion and action on approving Resolution No. 4014 a resolution authorizing the City of Lewistown to submit a Treasure State Endowment Program Grant application

City Manager Phelps explained that the City must pass a resolution and include it in the grant application. Commissioner Doney made the motion to approve Resolution No. 4014 a resolution authorizing the City of Lewistown to submit a Treasure State Endowment Program Grant application and Commissioner

Oldenburg seconded the motion. Commissioner Turk asked for any comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

8. Discussion and action on approving the purchase of a sander truck for the Street Department

City Manager Phelps explained that the Public Works Director JR Killham solicited bids for a sander for the public works department and received one bid from Kois Brothers. Public Works Director Killham explained that this would become the primary plow truck and currently the trucks that are being used are getting old and are undersized. Commissioner Oldenburg asked if he was concerned about the age of the cab and chassis. Public Works Director Killhan answered no, he has looked at the truck and it is what he was looking for. Commissioner Oldenburg made the motion to approve the purchase of a sander truck for the Street Department and Commissioner Doney seconded the motion. Commissioner Turk asked for any comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

9. Discussion and action on Resolution No. 4012, 2020 Census Partnership

City Manager Phelps commented that there has been some discussion on the upcoming 2020 Census. This resolution is a statement from the City of Lewistown assuring that every resident in the City of Lewistown will be counted. Commissioner Loomis made the motion to approve Resolution No. 4012, 2020 Census Partnership and Commissioner Doney seconded the motion. Commissioner Turk asked for any comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

10. Discussion and action on Resolution No. 4013 Creation of the 2020 City of Lewistown and Fergus County Complete Count Committee

City Manager Phelps explained that in order to get the citizens counted for the 2020 Census and a complete count committee will be created. City Manager Phelps explained that a committee has been created and this is the formal the creation of the committee. Commissioner Doney made the motion to approve Resolution No. 4013 Creation of the 2020 City of Lewistown and Fergus County Complete Count Committee and Commissioner Oldenburg seconded the motion. Commissioner Turk asked for any comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

Discussion and action on moving the Commission meeting from the Council on Aging to the Civic Center for the October 7, 2019 meeting only

City Manager Phelps explained that this is a one-time action. Commissioner Oldenburg is concerned about the lift at the Library. City Manager Phelps answered that the Library Director will accommodate the meeting if necessary. Commissioner Byerly made the motion to move the Commission meeting from the Council on Aging to the Civic Center for the October 7, 2019 meeting only and Commissioner Doney seconded the motion. Commissioner Turk asked for any comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

11. City Manager Review – the meeting will be closed because the demands of individual privacy clearly exceed the merits of public disclosure in regards to the City Manager review.

Chairman Turk explained that the Commissioners will be conducting the semi-annual review of the City Manager. City Manager Phelps has asked that the meeting be closed because the demands of individual

privacy clearly exceed the merits of public disclosure. So, at this time we will finish the agenda and then close the meeting.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Doney informed the Commission she will be absent from the next three meetings as she will be out of the country visiting family.

ADJOURNMENT

Chairman Turk adjourned the meeting.

Dated this 16th day of September, 2019.

Patty Turk, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk