

**A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION
ON AUGUST 17, 2020 WHICH WAS HELD AT THE CENTRAL MONTANA
COMMUNITY CENTER 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: Day, Doney, Hewitt, Loomis, Oldenburg and Turk. Commissioner Dunnington participated via Zoom.

APPROVAL OF MINUTES

Chairman Doney stated that without objection and based on the corrections the July 20, 2020 and August 3, 2020 minutes are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Loomis was unable to attend the Park and Recreation Board meeting. City Manager Phelps reported that she did attend the meeting, but there was not a quorum so there was no meeting.

Commissioner Day attended the recent Central Montana Health District meeting on Thursday, August 13th. There was a report that some of the junk vehicles will be released for the upcoming auction. Commissioner Day commented that the State of Montana will be funding a position for one year for all the health districts across the state. The budget was reviewed and finalized. Commissioner Day reported that Sandy Youngbauer was appointed Chairman and Judith Basin County representative Don Hajenga was appointed as Vice Chairman. The next Central Montana Health District meeting is November 19, 2020.

Commissioner Doney reported that the ordinance committee met last Thursday and discussed long term parking in the residential areas.

Commissioner Doney reported that the Library Board will be meeting on August 20, 2020.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

There have been recent power bumps that have caused electrical issues at the Miller Pump station. Public Works does have backup equipment on hand for this pump station. Once they are aware of issues like this, they coordinate with an electrician to diagnose the problem and make the necessary repairs. Upgrades to the Miller Pump Station are included in the City's TSEP grant application. These upgrades would update the pumps and electrical systems at this pumping station, as well, provide electronic monitoring for this facility. This would notify Public Works of any potential issues in real time.

Montana Municipal Interlocal Authority (MMIA) will be conducting management training for the City's department heads. This training will be done remotely and will include management essentials, harassment prevention and diversity awareness. MMIA had planned on conducting their biannual Municipal Summits this summer, due to ongoing COVID-19 pandemic these have been cancelled. MMIA, the League and MSU Local Government Center are working on ways to provide training and learning opportunities online. The League will also be hosting a virtual conference this fall.

The Friends of the Trails recently decided to cancel the Trails and Ales fundraiser. This event would have occurred the evening of the Chokecherry Festival and funds raised are used for the Lewistown Trails System.

The Breed Creek bridge construction has now been completed. We are in the process of obtaining a floodplain permit for the installation of the bridge. We hope to have this bridge installed later this fall.

PUBLIC COMMENT – non agenda items

There were none.

CONSENT AGENDA

Commissioner Turk made the motion to approve the consent agenda and Commissioner Loomis seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from July 28, 2020 to August 12, 2020 for a total of \$104,684.34.

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Discussion and action on entering into a joint court agreement with Fergus County and authorizing the City Manager to sign the agreement

City Manager Phelps explained that before the Commissioner tonight is a joint court agreement with Fergus County. It was noted that Fergus County had approved the agreement at a prior County Commission meeting. City Manager Phelps further explained that the City and County combined court services in the early 90's and have done some amendments to the agreement over the years. The proposed agreement states that the City will receive all fines from the court and will be responsible to pay \$45,000 for fiscal year 2020-2021. City Manager Phelps did explain that the minimum payment to the County in the prior agreement was \$25,000 and this will be a \$20,000 increase, but the City will receive all fines and surcharges which is anticipated to equate to \$60,000. City Manager Phelps stated that the City will be responsible for \$45,000 the first year and there will be annual \$5,000 increments until the agreement reaches \$60,000. Commissioner Hewitt made the motion to approve entering into a joint agreement with the Fergus County and authorizing the City Manager to sign the agreement and Commissioner Turk seconded the motion. Commissioner Doney asked if the fact that the judge is not signing the contract will it cause problems going forward. City Manager Phelps explained that judge proposed \$60,000 and so we will be working toward that proposal. Commissioner Doney commented that the agreement states that the City will receive an accounting detail report and would like the Commission to see these reports. 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 confirming the revocation of the business license for Clear Home/AT&T

City Manager Phelps stated that the letter addressed to the non resident salesperson who was conducting business as Clear Home/AT&T was included in the Commissioner's packet. The letter states that their business license is temporarily suspended and will be asking the City Commission to revoke their business license. City Manager Phelps explained that when the business license was issued the identification of the individuals was obtained and all the necessary documentation was shared with the Police Department. The Police Department received numerous complaints from citizens regarding the individuals being rude, disrespectful and some of the individuals the complaints were received on were not the same as the ones who applied for the license. Mr. Robert Snyder stated that by taking action on this item can be construed as inhibiting legitimate business. City Manager Phelps reported that the individuals were representing themselves as AT&T representatives and it was determined that they were not affiliated with AT&T. Commissioner Loomis made the motion to approve confirming the revocation of the business license for Clear Home/AT&T and Commissioner Oldenburg 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. Public hearing to hear comments on Resolution No. 4027, a resolution approving the fiscal year 2021 work plan and budget for Tourism Business Improvement District #1

Chairman Doney opened the public hearing to hear comments on Resolution No. 4024, a resolution approving the fiscal year 2021 work plan and budget for Tourism Business Improvement District #1. City Manager Phelps explained that annually the TBID board is

required to present a work plan, budget and public hearing on the assessment. The TBID Board is proposing to continue to charge one dollar per night per room and for the funds to be used to promote the community. Mr. Robert Snyder asked what the cost is to the City. City Manager Phelps explained that Snowy Mountain Development Corporation oversees the board and helps with the financials. The City is responsible for cutting a few checks every month. Commissioner Doney asked for comments from the audience and Commission. There being none, the public hearing was closed.

4. Discussion and action on approving Resolution No. 4027, a resolution approving the fiscal year 2021 work plan and budget for Tourism Business Improvement District #1

City Manager Phelps explained that this resolution is setting fiscal year 2021 budget and work plan. The following categories are outlined in the 2021 work plan: business enhancement, marketing, opportunity, miscellaneous operating costs and insurance. Commissioner Hewitt made the motion to approve Resolution No. 4027, a resolution approving the fiscal year 2021 work plan and budget for Tourism Business Improvement District #1 and Commissioner Turk 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.

5. Discussion and action on approving Resolution No. 4028, a resolution approving an assessment to defray the cost of the work plan and budget for Tourism Business Improvement District #1 for fiscal year 2021

City Manager Phelps explained that the approval of this resolution will allow the hoteliers to charge a \$1 per night per room. Commissioner Oldenburg made the motion to approve Resolution No. 4028, a resolution approving an assessment to defray the cost of the work plan and budget for Tourism Business Improvement District #1 for fiscal year 2021 and Commissioner Hewitt seconded the motion. Commissioner Oldenburg commented that the hoteliers should be commended for all the work they have done to promote our community. Commissioner Doney 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 Resolution No. 4029, a resolution relating to adopting a preliminary budget and providing a date for public hearing and adoption thereof for the fiscal year beginning July 1, 2020 and ending June 30, 2021

City Manager Phelps explained that during the Committee of the Whole the budget was reviewed and stated that she is presenting a fairly modest budget. In order to balance the budget some of the cash reserves will be used. City Manager Phelps explained that at this moment she is asking the Commission to hold another special meeting on August 31st to approve the budget. City Manager Phelps also asked the meeting to be held at 6:00 pm. Commissioner Turk made the motion to approve Resolution No. 4029, a resolution relating to adopting a preliminary budget and providing a date for public hearing and adoption thereof for the fiscal year beginning July 1, 2020 and ending June 30, 2021 and Commissioner Loomis 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.

7. Discussion and action on approving and authorizing the City Manager to sign CDBG Planning grant for Eagles Manor

City Manager Phelps explained that quite some time ago the Eagles Manor Board and Kathie Bailey with Snowy Mountain Development Corporation came to the Commission to ask the City to sponsor a Community Development Block Grant planning grant for Eagles Manor. The focus would be on energy upgrades which would include replacing windows, furnace upgrades and elevator improvements. The City was notified late spring that they were successful in obtaining the planning grant and just now received the grant agreement. The City was awarded a \$35,000 planning grant and SMDC will do the administration and hope it will benefit the Eagles Manor. Commissioner Loomis made the motion to authorize the City Manager to sign CDBG Planning grant for Eagles Manor and Commissioner Oldenburg 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.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Oldenburg commented how excited she is about the new sidewalks and that they have delayed paving until after Chokecherry Festival.

Commissioner Turk thanked Public Works for putting oil down on East Evelyn.

Commissioner Loomis thanked the City Manager and City Clerk about putting together a budget and all the extra time to ask questions.

Commissioner Doney stated that the alley she has been talking about has been fixed.

ADJOURNMENT

Chairman Doney adjourned the meeting.

Dated this 17th day of August, 2020.

Gayle Doney, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk