

**A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON AUGUST 2, 2021 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: Day, Hewitt, Loomis, and Turk. Commissioners Dunnington and Oldenburg were absent. Commissioner Doney participated via zoom.

**APPROVAL OF MINUTES**

Chairman Turk stated that without objection and based on the corrections the July 19, 2021 minutes are approved.

**COURTESIES**

There were none.

**PROCLAMATIONS**

There were none.

**BOARD AND COMMISSION REPORTS**

Commissioner Hewitt reported that the Airport Board will be meeting on Wednesday, August 4<sup>th</sup>.

Commissioner Day reported that the Central Montana Health District will be have a work session on August 4<sup>th</sup> at the Council on Aging building at 5 pm. The regular meeting will be on August 12, 2021 at 1 pm and those wishing to can attend via zoom.

Commissioner Loomis reported that the Park and Recreation Board will be meeting on Wednesday, August 11<sup>th</sup>.

Commissioner Doney reported that the Library Board met on July 22<sup>nd</sup>. The Library Board appointed Ms. Brittany Uecker, Youth Services Librarian, as the Interim Library Director until the new director gets here the end of August. Commissioner Doney also reported that the Library Board voted to close the Library on the afternoon of July 26<sup>th</sup> for Lewistown day at the Fair. The next Library Board meeting will be on August 26<sup>th</sup> and it is hoped that the new director will be able to attend that board meeting.

## **CITY MANAGER REPORT**

City Manager Holly Phelps reported on the following issues:

Next week the Civic Center will be doing annual maintenance. Staff will be refinishing the tile floors and repainting the basement floor. The Civic Center will remain open during this time with access to the gym and weight room being maintained at all times.

Trails and Ales will be held this year on September 11<sup>th</sup>, it will be held at Creekside from 4 to 7 pm. Again, this year the Friends of the Trails will be providing music during the event. The concert is free and open to the public. The Friends of the Trails have had several brewers commit to coming to this event so far.

The Steel Drivers concert will be at Creekside on August 7<sup>th</sup>. This will be the first large ticketed event held at the space. It will be interesting to see how it goes.

The Fire Department has received over 100 calls for the month of July. They have also been extremely busy helping other agencies in responding to wildfires in our area. At this time, we have not received our certified values from the Department of Revenue. We are anticipating that we will receive them electronically on Monday.

The Police Department has also been busy. They recently made a couple of large drug busts and have had several other unusual calls including investigating vandalism of 3 new trees planted on Main Street.

Several counties that make up the Central Montana Health District board, the members will be holding a work session to discuss their county's future with the district. This meeting will take place at the Council on Aging on Wednesday, August 4<sup>th</sup> and begins at 5 pm.

### **PUBLIC COMMENT** – non agenda items

There were none.

### **CONSENT AGENDA**

Commissioner Hewitt 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 June 30, 2021 to June 30, 2021 for a total of \$22,932.97 and claims that have been paid from July 1, 2021 to July 29, 2021 for a total of \$122,483.79

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

1. Discussion and action on approving Resolution No. 4060, a resolution requesting distribution of Bridge and Road Safety and Accountability program funds

City Manager Phelps explained this resolution is in order to request distribution of the City's Bridge and Road Safety and Accountability program funds. This is additional fuel tax money that is distributed to local governments. City Manager Phelps explained that it is a 5 to 1 match and the City uses the street maintenance fund to match the project. City Manager Phelps stated that this year's allocation is \$144,896.50 and the City intends on using the funds for the City-wide paving project and the median boulevard engineering, surveying and conceptual drawings project. Commissioner Loomis made the motion to approve Resolution No. 4060, a resolution requesting distribution of Bridge and Road Safety

and Accountability program funds 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.

2. Discussion and action on approving a three-year audit contract with Olness & Associates and authorizing the City Manager to sign

City Manager Phelps explained that Olness & Associates is the auditing firm that we have used for many years. City Manager Phelps stated that she has been satisfied with their work and the increases are very modest. The City is required to have an annual outside audit and Olness & Associates does provide onsite auditing services, answer question and help the Finance Officer when needed. City Manager Phelps commented that with all of the federal money that the City has received we will be required to have a federal audit. Due to the disbursement of federal money across the state, one of the challenges is that auditors are getting busy and the number of audits that will be required will double. City Manager Phelps explained that the City of Lewistown needs to commit to the company sooner rather than later, otherwise we may not have an audit this year. City Manager Phelps further explained that typically we solicit bids from other auditing firms, but feels it is in our best interest to be under a contract and explore other options later. Finance Officer Nikki Brummond briefly reviewed what the auditors do for the City of Lewistown. Commissioner Hewitt made the motion approve the three-year audit contract with Olness & Associates and authorizing the City Manager to sign and Commissioner Day 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 approving the event process and setting a fee

City Manager Phelps stated that included in the Commissioners packet is an event application, trails application and the City code that is currently being used for events in the City of Lewistown. There is a separate event process and few schedule for Creekside that was approved by the Commission. City Manager Phelps reviewed some of the challenges that the City has is more events, staff time, equipment and return of the equipment. The equipment is cones, street barricades, and signs. City Manager Phelps explained that she is proposing charging an application fee of \$25 for events within the parks, public right of ways and or trails. If the event requires a police escort, street closure or combination of they would be charged an additional \$50 fee. City Manager Phelps further explained that there are many events that are held on the side streets and the individuals block the streets themselves then the \$50 fee would be utilized as a deposit and once the barricades and signage are returned and looked at by Public Works then the deposit would be returned. If there is any damage the replacement fee would be taken from the deposit and the remaining deposit would be returned to the event organizer. Public Works is responsible for setting up events on Main Street. Further discussion followed on the event application changes. Commissioner Hewitt made the motion to approve the event process and setting a fee and Commissioner Loomis seconded the motion. Commissioner Loomis stated that he agrees there should be a \$25 application fee regardless if the event is approved or disapproved. Commissioner Loomis asked if \$50 was a sufficient fee for a police escort. City Manager Phelps stated that we do not bring in extra staff to cover the events and if there is a call during that event, then the Police department responds to the call. City Manager Phelps explained that where we get into trouble with covering costs is the street closures and Public Works. The Public Works bargaining agreement reads that a call out is a minimum of two hours at an overtime rate and Street closures require two individuals. City Manager Phelps commented that with regard to events this is a service and would be the Commission's decision if a fee needs to be enough to cover the costs. Commissioner Loomis stated that we need to look at balancing fees with community service and that's why he is questioning the \$50 fee. City Manager Phelps commented that

we would like some direction as to when this goes into effect, there are some events that are already in the process. Further discussion followed. Commissioner Hewitt amended the motion to approve the event application process and setting a non-refundable application fee effective October 1, 2021 and Commissioner Loomis seconded the amended motion. Commissioner Turk asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously. City Manager Phelps commented that before we move on there will not be a deposit at this time and it wasn't decided tonight. Commissioner Day asked if the deposit portion of the event process can be brought back before the Commission at the second meeting in September. Commissioner Loomis agreed he would like to discuss it in September.

#### 4. Discussion and action on the City of Lewistown's participation in the Central Montana Health District moving forward

City Manager Phelps reported that at this time she has heard some rumblings that Judith Basin is withdrawing from the Central Montana Health District (CMHD), but doesn't think there has been any official action. Commissioner Day commented that she knows that Judith Basin's attorney is advising them to withdraw from the district but doesn't think it has happened. City Manager Phelps reported that Musselshell County has expressed interest in hosting and there has been some recent interest from One Health, potentially taking on environmental health locally. City Manager Phelps explained that there is a process and has received a lot of information from the state. There is a contract and Fergus County can't withdraw from the health district until the first of the year. There are time lines and Fergus County is in a contract with Department of Health and Human Services. Commissioner Day commented it states in the CMHD bylaws the participants are referred to as a membership. If Fergus County withdraws from the membership, they will not be able to take assets from the membership. Commissioner Day stated that if the other counties want to remain in the district the assets remain. Commissioner Day explained that she thinks the Commission needs to decide what we would like to see happen and the first question that needs to be answered is does the City want to do with regards to participating in the health district. City Manager Phelps commented that the first question that needs to be answered is the City interested in staying part of the district. City Manager Phelps explained that in addition to Musselshell possibly hosting the district, there is the One Health option also. The One Health option has not been completely explored. City Manager Phelps commented that she doesn't know that at the meeting on August 12<sup>th</sup> there will be a concrete determination on who is going to be the host, the question posed was who is willing to be the host. Commissioner Day asked what some of the details and difficulties there would be in the City were to host. City Manager Phelps explained that the City would have to create another department, with a department head and funded by the revenues they bring in, basically financially the City would not expect any burdens. City Manager Phelps further stated that the staffing issues would be the same, and they would be put under a bargaining agreement. Finance Officer Nikki Brummond commented that the additional claims and payroll it not a big deal, but another department and locating that department could be difficult. Finance Officer Brummond further commented that the biggest issue is if a municipality cannot receive funding from the State for the health district that could be a huge obstacle that would need to be figured out prior to committing to host. Commissioner Doney commented that she feels the City should stay with the health district. Commissioner Doney stated that if Commissioner Day is looking for some direction, she thinks that is the City tries to maintain participating in the health district. Commissioner Doney made the motion that the City of Lewistown continues their participation in the Central Montana Health District and Commissioner Hewitt seconded the motion. Mr. Robert Snyder commented that he talked with the Fergus County Commissioners and their concern is the hiring of employees. 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 2<sup>nd</sup> day of August, 2021.

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Patty Turk, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk