

**A REGULAR COMMISSION MEETING OF OCTOBER 21, 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**

Unfortunately, there was no flag.

**ROLL CALL**

Present were Commissioners: Byerly, Hewitt, Loomis, Oldenburg and Turk. Commissioners Doney and Dunnington were absent.

**APPROVAL OF MINUTES**

Commissioner Loomis made the motion to approve the October 7, 2019 minutes as corrected and Commissioner Hewitt seconded the motion. The motion passed unanimously.

**PROCLAMATIONS**

There were none.

**BOARD AND COMMISSION REPORT**

Commissioner Hewitt reported that she attended the October Airport Board meeting.

Commissioner Loomis reported that the Park and Recreation Board will meet in November.

**CITY MANAGER REPORT**

City Manager Holly Phelps reported on the following issues:

The Central Montana 911 dispatch consolidation committee continues to meet regularly. The Committee is making progress and the starting discussions on what the contract will look like. The committee has made it through many of the technology concerns, a list of duties and who will be responsible for each of the duties. During our meetings we have been able to work through issues that have come to our attention and answer any questions or concerns that have been brought up.

The Fire Department has been notified that the review of FEMA grants stopped abruptly. Fire Chief Ward is attempting to find out what this means for the departments two other grant applications that were still being considered for funding.

The City staff continues to work on computer upgrades for the various departments. Beginning January 2020 Windows 7 will not be supported. This means that there will not be updates to the operating system which often address security issues. As part of this process, we will be

upgrading our email server. Once these upgrades are scheduled and complete the City Manager will work with each of the Commissioners to make their email is transferred over and there are no issues.

The Police Chief is working to finalize the cost for outfitting the police cars and finalizing the cost of the hardware and software cost that will be done as part of the Zuercher conversion. These numbers will be included in the budget amendment that will be brought to the City Commission in November.

The City Manager recently met with a representative of the soccer association. They continue to fundraise for their purchase and development of property for a soccer complex. They had a few questions that have come up during their planning activities. They will continue to update the City on their timeline as their project moves forward,

The City Manager discussed at the last meeting; the Library will be hosting a reception for the “The Best Gift: Montana’s Carnegie Libraries” by Kate Hampton. The reception begins at 6 pm on November 6<sup>th</sup>. Kate Hampton will present and a small history on Carnegie Libraries will be on display.

**PUBLIC COMMENT – non agenda items only**

There was none.

**CONSENT AGENDA**

Commissioner Loomis made the motion to approve the consent agenda and Commissioner Oldenburg seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from October 1, 2019 to October 16, 2019 for a total of \$101,937.51

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

1. Discussion and action on approving the Emergency Operation Plan

City Manager Phelps explained that the Emergency Operation Plan was reviewed and discussed as part of the Committee of the Whole. The Disaster and Emergency Services office is updating the Emergency Operation Plan for Fergus County and since Lewistown is located in Fergus County are being asked to approve the changes. City Manager Phelps explained that the changes are to simplify the plan itself and currently reflect the situation. Those being that we no longer have essential air service, rail service, the dispatch changes, and mutual aid agreements. Commissioner Byerly made the motion to approve the Emergency Operation Plan as presented with the changes 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 Resolution No. 4017, a resolution of intent establishing the Lewistown amended Targeted Economic District (TEDD) 2017, creating the Lewistown

amended TEDD 2017, and adopting the Lewistown amended TEDD Comprehensive Development Plan with a Tax Increment Financing Program pursuant to Title 7, Chapter 15, Parts 42 and 43 of the Montana Code Annotated

City Manager Phelps explained that at the last Commission meeting the Commission identified the need for infrastructure within this area, and adding this one lot to the TEDD district. The planning board has met and reviewed the comprehensive plan as amended. The Planning Board wrote a letter stating that the zoning of this lot meets the zoning regulations of the comprehensive plan. If this resolution is approved then all owners in the area will be noticed and the changes to the ordinance will be reviewed and public hearings will be held. Commissioner Loomis made the motion to approve Resolution No. 4017, a resolution of intent establishing the Lewistown amended Targeted Economic District (TEDD) 2017, creating the Lewistown amended TEDD 2017, and adopting the Lewistown amended TEDD Comprehensive Development Plan with a Tax Increment Financing Program pursuant to Title 7, Chapter 15, Parts 42 and 43 of the Montana Code Annotated 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.

### 3. Discussion and action on approving the 2019-2020 gravel bids for the City of Lewistown

City Manager Phelps explained that included in the Commissioners packet was information on the gravel bids that were received. Public Works Director JR Killham explained that the Public Works Department uses basically three types of gravel on a regular basis. Public Works Director Killham explained that every year the Public Works Department puts out a bid for the aggregate amounts to be delivered when needed. The City received two bids from Casino Creek Concrete and Kodiak Concrete, which are both local aggregate supplies and Casino Creek Concrete was the lowest bidder and would ask the Commission to approve giving the bid to Casino Creek Concrete. City Manager Phelps explained that the City only pays for what is ordered and used. Commissioner Byerly made the motion to approve the 2019-2020 gravel bids for the City of Lewistown 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.

### 4. Discussion and action on approving the 2019-2020 snow hauling bids for the City of Lewistown

City Manager Phelps explained that this is also an annual contract that is put out for snow removal. Public Works Director Killham explained that this bid is different from last year, because in previous years it was just a bid for snow hauling and this year it is a bid for supply equipment and an operator for snow hauling or snow removal. Public Works Director Killham further explained that is more an emergency situation and it not the normal course of business. Public Works Director Killham reported that he contacted all contractors that he knew with equipment and was only able to get three bids. The bids were received from Besel Construction, Kodiak Concrete and Casino Creek Concrete. Public Works Director Killham asked the Commission to approve the bid from Besel Construction. City Manager Phelps stated that the City only pays for what we utilize and when it is utilized. Commissioner Oldenburg made the

motion to approve the 2019-2020 snow hauling bid to Besel Construction 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 a change order to the 2018 street improvement project for the surfacing of H Street

City Manager Phelps explained that this is a change order and included in the 2018 Street Improvement Project there was millings and funds set aside to reshape H Street. The City did get a bid for paving H Street to tie into the pavement at Stonewood. City Manager Phelps explained that the cost is \$38,500 additional is to install pavement instead of millings. Commissioner Oldenburg made the motion to approve the change order to the 2018 street improvement project for the surfacing of H Street and 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.

6. Discussion and action on entering into a grant agreement with Department of Natural Resources and Conservation for the expanded investigation of contamination at the Central Post and Treating Company Facility and authorizing the City Manager to sign the agreement

City Manager Phelps commented that the clean up activities of this site has been discussed a lot. After more testing it was determined that there was more penta contamination than first thought. The City did apply for more clean up funds and were successful in getting an additional \$50,000 for planning activities to determine the extent of the contamination. Commissioner Loomis made the motion to approve entering into a grant agreement with Department of Natural Resources and Conservation for the expanded investigation of contamination at the Central Post and Treating Company Facility and authorizing the City Manager to sign the agreement 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.

7. Discussion and action on accepting the proposal for engineering and surveying services for the City of Lewistown parking lot from Hyalite Engineering

City Manager Phelps explained that this is a proposal to start the ground work for a parking lot on the lot directly behind the Council on Aging building. City Manager Phelps reviewed the parking situations and that if we want to have a parking lot then it needs to be done correctly. Commissioner Byerly asked if this was in the budget. City Manager Phelps answered that yes there is budget to do this. Commissioner Oldenburg made the motion to approve accepting the proposal for engineering and surveying services for the City of Lewistown parking lot from Hyalite Engineering 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.

8. Discussion and action on appointing three Commissioners to the Council on Aging lease committee

City Manager Phelps stated that the lease for the Council on Aging expires in June of 2020 and it has been discussed that a committee of the Commissioner should meet to discuss what a future lease looks like. City Manager Phelps stated that we are looking for three volunteers to be on the committee and Commissioner Doney said she will sit on the Committee. Commissioner Loomis said he would sit on the committee. Commissioner Byerly stated he would do it also. Commissioner Hewitt made the motion to appoint Commissioners Byerly, Doney and Loomis to serve on the committee 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.

### **CITIZENS' REQUESTS**

There were none.

### **COMMISSIONER'S MINUTE**

Commissioner Hewitt asked if Mr. DeBuff is satisfied with the answers the City provided him. City Manager Phelps answered that I am not sure if he will ever be satisfied and that his biggest gripe is we spent money the City did not have to. City Manager Phelps stated that she feels the City understands that we have not done anything wrong and that maybe some preconstruction meetings need to be held prior to bids being accepted.

Commissioner Loomis asked if Mr. DeBuff got all of the information he wanted regarding the testing and compaction testing. City Manager Phelps answered that yes, he came in and completed the form and that information was sent out by email.

### **ADJOURNMENT**

Chairman Turk adjourned the meeting.

Dated this 21<sup>st</sup> day of October, 2019.

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Patty Turk, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk