

A REGULAR COMMISSION MEETING OF SEPTEMBER 3, 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: Doney, Dunnington, Hewitt, Loomis, Oldenburg and Turk. Commissioner Byerly was absent.

APPROVAL OF MINUTES

Commissioner Oldenburg made the motion to approve the August 19, 2019 minutes as corrected and Commissioner Loomis seconded the motion. The motion passed unanimously.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORT

Commissioner Loomis reported that the Park and Recreation Board will be meeting tomorrow, September 4th at 7 pm.

Commissioner Hewitt reported that the Airport Board will also meet tomorrow, September 4th at 3 p.m.

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

Commissioner Doney reported that there will be a 911 Board meeting on September 12th at 11 am. There will be a Library Board meeting on September 19th.

Commissioner Oldenburg reported that she attended the Central Montana Foundation meeting on August 27, 2019. The Board received an in-depth report from Allied Investment Advisors regarding the stock market effects on the investments for Central Montana Foundation. There are very difficult times ahead due to trade tariffs and the comment was made to hold money close. There were three grant requests in the amount of \$13,500 and \$2,000 was awarded to each request.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

The swimming pool is now closed. The splash park will remain open as long as the weather allows and people are utilizing it. Pool staff are preparing an annual report for the Parks and Recreation Director and the City Manager and will update the Commission once received.

This upcoming weekend is Chokecherry and the first event will be the Chokecherry Jam on Friday night and it will be held on 2nd Ave between Main Street and Janeaux. The Chokecherry Festival is on

Saturday and will include a car show again this year. The Police Department will once again have staff walking through the festival. The Police Department is also working with Public Works on “No Dog Signage”. The Trails and Ales will have thirteen brewers and is planning on record breaking attendance. This is the second year the event will be held at the Creekside Park and Pavilion on September 7th from 4 to 7 pm. The event will include music from Tom Catmull’s again this year.

The Library was closed from Friday, August 30th at 2 pm and all-day Saturday September 1st in observation of Labor Day. The Library Board has authorized the Library to be closed on September 7th because of the Chokecherry Festival.

The Fire Department has been contacted by a small community who had their fire truck breakdown to see if it was possible to rent or lease one of the City’s Fire Trucks. Chief Ward is working on this issue with the City Attorney on a lease agreement. The City of Lewistown has done this type of thing in the past with another community.

The Central Montana Dispatch and Police Department continues to look for a records management system and computer aided dispatching software. This was put out to bid in August and have received four bids. The committee has reviewed a couple of the software presentation once a decision is made it will be presented to the 911 Board. This will be a partnership between the City, the County and the 911 dispatch. It is hoped to be brought before the Commission at the next Commission meeting.

PUBLIC COMMENT – on non-agenda item

Ms. Kathie Bailey, Executive Director of Snowy Mountain Development Corporation, explained that the Tax Increment Finance and Targeted Economic Development Districts met this morning and are looking into the process of moving forward to include the new grocery store into the TEDD. The board has asked SMDC to help with this task.

Mr. Joe Kern explained his concern of cars parking in front of fire hydrants at Highland Park and Garfield schools. Mr. Kern would like some enforcement on this issue.

CONSENT AGENDA

Commissioner Doney made the motion to approve the consent agenda and Commissioner Hewitt seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims paid from August 15, 2019 to August 28, 2019 for a total of \$183,914.63. and approval to issues a business license to Enterprise Electric Contractors Inc.

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Discussion and action on entering into a Memorandum of Understanding between the City of Lewistown and Fergus County Regarding Dispatch Services

City Manager Phelps explained that this Memorandum of Understanding (MOU) was prepared by the City Attorney and the purpose is to address the intent of the City of Lewistown and Fergus County to consolidate dispatch services. City Manager Phelps stated that the tentative target date is January 1, 2020. City Manager Phelps reviewed the MOU explaining the steps that have been taken to get to this point and the next steps that will be taken to consolidate dispatch services. City Manager Phelps stated that herself and Police Chief Jenness have met with the County Commissioners regarding the agreement to make sure the City will not be taking on any additional duties, but also that if either entity is not ready by January 1st the ability to extend a month or two to be sure to do this consolidation right the first time. As part of this process an advisory committee has been created and regular meetings will be scheduled and the first

one is later this week. The advisory committee is the Sheriff, a County Commission, the City Manager and the Police Chief and the committee will work to address any concerns with consolidation. City Manager Phelps stated that ultimately the contract will be between the City and the County. Commissioner Doney made the motion to enter into a Memorandum of Understanding between the City of Lewistown and Fergus County Regarding Dispatch Services and Commissioner Loomis seconded the motion. Fergus County Sheriff Rick Vaughn addressed the Commissioner express his compassion for emergency services and some of the exciting things that are happening. Sheriff Vaughn commented that he has some concerns and those of you that don't know the County Commissioners have sent letter to three of his essential staff telling them they will no longer have a job the first of the year due to consolidation. Sheriff Vaughn commented that what the County Commissioners do not understand is that there is more to dispatch, than answering 911 calls and talking on the radio. Sheriff Vaughn stated that he absolutely faith that the City of Lewistown can handle the radio stuff and phone calls. Sheriff Vaughn commented that his office is averaging 80 calls a day and who is going to answer those calls and citizens have expressed concern that when they call, they want to talk with the Sheriff's office not the police department or Central Montana 911. Sheriff Vaughn further commented that the MOU is a great way to get started on consolidation and the partial consolidation has worked well and have been able to address any concerns. The sheriff has a jail to run and the paperwork is so intense and the records management system between the two entities are not talking to each other. Sheriff Vaughn stated that he is in support of some kind of consolidation and the Police and Sheriff Departments have one of the best working relationships in a long time. The Sheriff's Office and Police Department are working together better than they ever have in the last twenty years. Further discussion followed. City Manager Phelps stated that the County Commissioners are willing to extend the date if necessary. Commissioner Doney commented that she feels if entities are not prepared for the consolidation then the contract will not be before the Commission until all entities are ready for consolidation. Sheriff Vaughn stated that he is here to inform the City Commission of all the issues and does not want to be in a hurry for 911 consolidation and if consolidation is possible would like to make sure that it is done correctly. Commissioner Loomis stated that if the deadline is to help the entities need a dead line then it is something that should be kept in the contract. Commissioner Loomis further stated that if a dead line is not necessary he is okay with it being removed. Commissioner Loomis commented that he thinks item 9 is very important in the contract. Commissioner Oldenburg commented that she has faith that this will be fine in the long run and trusts that the advisory committee that has been established will do everything to make this happen for the safety of the citizens. Commissioner Oldenburg stated that the citizens of the community are in support of the consolidation and have been looking forward to it for some time. Commissioner Oldenburg explained that the deadline should be flexible to be able to get everything in place. Commissioner Turk stated that there is a motion and a second on the table and asked for any comments from the audience or Commission. There being none, the question was called for and those Commissioners voting for were: Doney, Dunnington, Loomis, Oldenburg and Turk. Commissioner Hewitt voted no and Commissioner Byerly was absent.

2. Public hearing to hear comments on Resolution No. 4001, a resolution approving the fiscal year 2020 work plan and budget for Tourism Business Improvement District #1

Chairman Turk opened the public hearing to hear comments on Resolution No. 4001, a resolution approving the fiscal year 2020 work plan and budget for Tourism Business Improvement District #1. City Manager Phelps explained that annually the Tourism Business Improvement District (TBID) must prepare a work plan and budget to be included in the City of Lewistown's budget. The TBID was created in 2013 in accordance with Montana Code and includes all hotels in the established district. When the TBID was created an assessment was set and must be approved every year and it is hoped that this will increase tourism activities in the community. Commissioner Turk asked for comments from the audience and Commission. There being none, the public hearing was closed.

3. Discussion and action on approving Resolution No. 4001, a resolution approving the fiscal year 2020 work plan and budget for Tourism Business Improvement District #1

City Manager Phelps stated that this TBID board is appointed by the City Commission and a representative from each of the hotels sits on the board. City Manager Phelps reviewed the break down of their budget and that they estimate revenues in the amount of \$45,000. Commissioner Doney made the motion to approve Resolution No. 4001, a resolution approving the fiscal year 2020 work plan and budget for Tourism Business Improvement District #1 and Commissioner Dunnington seconded the motion. Commissioner Turk asked for comments from the Commission and audience. There being none, the question was called for and the motion passed unanimously.

4. Discussion and action on approving Resolution No. 4002, a resolution approving an assessment to defray the cost of the work plan and budget for Tourism Business Improvement District #1 for fiscal year 2020

City Manager Phelps explained that as part of the creation of the TBID an assessment was set and must be approved by the TBID board and then the City Commission must approve a resolution. The assessment is a dollar a night per room and it is how the budget is developed based on estimated revenues. Commissioner Doney made the motion to approve Resolution No. 4002, a resolution approving an assessment to defray the cost of the work plan and budget for Tourism Business Improvement District #1 for fiscal year 2020 and Commissioner Hewitt seconded the motion. Commissioner Turk asked for comments from the Commission and audience. There being none, the question was called for and the motion passed unanimously.

5. Discussion and action on Resolution No. 4003, a resolution redefining the boundaries of Street Maintenance District No. 1 in the City of Lewistown, Montana

City Manager Phelps explained that as part of the budget process a resolution is passed to redefine the boundaries of the street maintenance district in the City of Lewistown. Once this is passed then the information is used to assess the assessments to the property owners located in the street maintenance district. Commissioner Doney made the motion to approve Resolution No. 4003, a resolution redefining the boundaries of Street Maintenance District No. 1 in the City of Lewistown, Montana and Commissioner Loomis seconded the motion. Commissioner Turk asked for comments from the Commission and audience. There being none, the question was called for and the motion passed unanimously.

6. Public hearing on the cost of maintenance of Boulevard District no. 12, cost of maintenance reserve and administration for Lighting Districts and cost of maintenance in Street Maintenance District No. 1

Chairman Turk opened the public hearing to hear comments on the cost of maintenance of Boulevard District no. 12, cost of maintenance reserve and administration for Lighting Districts and cost of maintenance in Street Maintenance District No. 1. City Manager Phelps explained that these districts are essentially maintenance districts and citizens residing in the district are assessed an assessment based on square footage. The boulevard district is based on frontage for those located in that district. The revenue generated offsets the expenses associated with the districts. Commissioner Turk asked for comments from the audience or Commission. There being none, the public hearing was closed.

7. Discussion and action on Resolution No. 4004, a resolution of the City Commission of the City of Lewistown levying and assessing a special tax to cover the cost of maintenance of Boulevard District No. 12, in the City of Lewistown, Montana for the fiscal year beginning July 1, 2019 and ending June 30, 2020

City Manager Phelps explained that this resolution is for the one boulevard district in the City of Lewistown. The properties located on boulevard and 7th Ave are assessed based on square footage. City Manager Phelps stated that the revenue from the boulevard assessment is \$1,110.32 and is double what was received last year. City Manger Phelps stated that the assessment rate was doubled this year to help closer cover the cost of maintenance of the boulevards. Commissioner Loomis made the motion to approve Resolution No. 4004, a resolution of the City Commission of the City of Lewistown levying and assessing a special tax to cover the cost of maintenance of Boulevard District No. 12, in the City of Lewistown, Montana for the fiscal year beginning July 1, 2019 and ending June 30, 2020 and Commissioner Oldenburg seconded the motion. Commissioner Turk asked for comments from the Commission and audience. There being none, the question was called for and the motion passed unanimously.

8. Discussion and action on Resolution No. 4005, a resolution levying and assessing the cost of maintenance reserve and administration, and supplying of electrical current for the street lights within the City of Lewistown, to properties within particular lighting districts

City Manager Phelps explained that this assessment is to cover the cost of maintenance and supplying electricity to the lighting districts in the City of Lewistown. City Manager Phelps stated that there are several lighting districts and each resident is assessed based on the square footage of the property and which district the property is located in. The assessments are estimated to generate revenue in the amount of \$130,110.75. Commissioner Doney made the motion to approve Resolution No. 4005, a resolution levying and assessing the cost of maintenance reserve and administration, and supplying of electrical current for the street lights within the City of Lewistown, to properties within particular lighting districts and Commissioner Oldenburg seconded the motion. Commissioner Turk asked for comments from the Commission and audience. There being none, the question was called for and the motion passed unanimously.

9. Discussion and action on Resolution No. 4006, a resolution estimating the cost of maintenance in Street Maintenance District No. 1, specifying the assessment option and levying an assessment on properties for Street Maintenance

City Manager Phelps stated that prior to the public hearing the street maintenance district was redefined and now the assessment rate must be set. City Manager Phelps commented that the Street Maintenance assessment were discussed in previous Commission meetings a rate of \$. 033 was set which is one tenth of a penny more from the previous year. The estimate revenue generated will be \$1,066,107. Commissioner Hewitt made the motion to approve Resolution No. 4006, a resolution estimating the cost of maintenance in Street Maintenance District No. 1, specifying the assessment option and levying an assessment on properties for Street Maintenance and Commissioner Oldenburg seconded the motion. Commissioner Turk asked for comments from the Commission and audience. There being none, the question was called for and the motion passed unanimously.

10. Public hearing on the 2019-2020 budget for the City of Lewistown.

Chairman Turk opened the public hearing to hear comments on the 2019-2020 budget for the City of Lewistown. City Manager Phelps explained that tonight a balanced budget is being presented for approval. City Manager Phelps further explained that we tend to budget for worst case scenarios and with the intention of spending conservatively to have an adequate cash remaining. Commissioner Turk asked for comments from the audience or Commission. There being none, the public hearing was closed.

11. Discussion and action on Resolution No. 4007, a resolution relating to final budgets, budget authorities and annual appropriations for the fiscal year beginning July 1, 2019 and ending June 30, 2020

City Manager Phelps stated that the City finished the fiscal year exceptionally well with an estimated cash remaining of \$8,000,000 for all funds, the proposed revenues are around \$10,000,000 and proposed expenditures at about \$13,000,000. As a result, the anticipated cash remaining is around \$5,000,000 and feel that the City is well positioned to be able to move forward with the budget and complete the proposed projects in the budget. Commissioner Doney made the motion to approve Resolution No. 4007, a resolution relating to final budgets, budget authorities and annual appropriations for the fiscal year beginning July 1, 2019 and ending June 30, 2020 and Commissioner Dunnington seconded the motion. Commissioner Turk asked for comments from the Commission and audience. There being none, the question was called for and the motion passed unanimously.

12. Public hearing on Resolution No. 4008, a resolution authorizing an increase in the City of Lewistown's mill levy in order to fund increases in premium contributions for medical group benefits for City employees and exempting the same from the mill levy calculation limitation provided for by law

Chairman Turk opened the public hearing to hear comments on Resolution No. 4008, a resolution authorizing an increase in the City of Lewistown's mill levy in order to fund increases in premium contributions for medical group benefits for City employees and exempting the same from the mill levy calculation limitation provided for by law. City Manager Phelps explained that legislation was passed to allow cities to assess a permissive mill to help offset the increase in health insurance premiums. The City has the ability to assess for the increase in premiums for the number of employees for the increase in health insurance premium from 2000. Commissioner Turk asked for comments from the audience or Commission. There being none, the public hearing was closed.

13. Discussion and action on Resolution No. 4008, a resolution authorizing an increase in the City of Lewistown's mill levy in order to fund increases in premium contributions for medical group benefits for City employees and exempting the same from the mill levy calculation limitation provided for by law

City Manager Phelps explained that the City must pass this resolution authorizing the permissive levy. The increase in health insurance premiums is \$175,003 which will be 25.97 mills based on the City's current mill value. Commissioner Oldenburg made the motion to approve Resolution No. 4008, a resolution authorizing an increase in the City of Lewistown's mill levy in order to fund increases in premium contributions for medical group benefits for City employees and exempting the same from the mill levy calculation limitation provided for by law and Commissioner Doney seconded the motion. Commissioner Turk asked for comments from the Commission and audience. There being none, the question was called for and the motion passed unanimously.

14. Discussion and action on Resolution No. 4009, a resolution providing for the annual tax levy mills for fiscal year beginning July 1, 2019 and ending June 30, 2020

City Manager Phelps explained that the City's taxable value is \$6,738,394 and the mill value is \$6,738. The total number of mills for the general fund is 217.86 which will generate \$1,468,027 and this is only a small portion of the general fund revenues. Commissioner Doney made the motion to approve Resolution No. 4009, a resolution providing for the annual tax levy mills for fiscal year beginning July 1, 2019 and ending June 30, 2020 and Commissioner Oldenburg seconded the motion. Commissioner Turk asked for comments from the Commission and audience. There being none, the question was called for and the motion passed unanimously.

15. Public hearing to hear comments on Resolution No. 4010, a resolution amending the 2018-2019 budget of the City of Lewistown

Chairman Turk opened the public hearing to hear comments on Resolution No. 4010, a resolution amending the 2018-2019 budget of the City of Lewistown. City Manager Phelps explained that state law allows the City Commission to amend a budget if necessary. At the last meeting a resolution was passed setting the date and time for the public hearing. The next item is a resolution which is the actual budget amendment. City Manager Phelps explained that the reasons for the budget amendment are for unanticipated revenues or expenses. Commissioner Turk asked for comments from the audience or Commission. There being none, the public hearing was closed.

16. Discussion and action on approving Resolution No. 4010, a resolution amending the 2018-2019 budget of the City of Lewistown

City Manager Phelps stated that there were a couple of items missed when the budget was passed last fiscal year, the TEDD district was not expected to bring in any money and it did generate a small portion of money, and the Riverdale loan payments were not accounted for. City Manager Phelps commented that once this resolution is approved and entered into the system the budget will be balanced for the previous fiscal year. Commissioner Oldenburg made the motion to approve Resolution No. 4010, a resolution amending the 2018-2019 budget of the City of Lewistown and Commissioner Loomis seconded the motion. Commissioner Turk asked for comments from the Commission and audience. There being none, the question was called for and the motion passed unanimously.

17. Discussion and action on approving Resolution No. 4011, a resolution designating an environmental certifying official for the City of Lewistown's Community Development Block Grant (CDBG) Planning Grant application to assist Eagles Manor with planning activities

City Manager Phelps explained that Eagle's Manor would like to move forward with a CDBG planning grant and as part of that process this resolution must be passed to include with the application. This resolution is designating Holly Phelps to be the environmental certifying official for the project. Commissioner Loomis made the motion to approve Resolution No. 4011, a resolution designating an environmental certifying official for the City of Lewistown's Community Development Block Grant (CDBG) Planning Grant application to assist Eagles Manor with planning activities and Commissioner Doney seconded the motion. Commissioner Turk asked for comments from the Commission and audience. There being none, the question was called for and the motion passed unanimously.

18. Discussion and action authorizing the City Manager to sign a letter stating that findings by the City that these planning activities are exempt from Environmental Review

City Manager Phelps explained that there was a letter included in the packets stating that funding activities are exempt from environmental review. City Manager Phelps stated she is asking approval to prepare and sign this letter as part of the planning grant application. Commissioner Dunnington made the motion to authorizing the City Manager to sign a letter stating that findings by the City that these planning activities are exempt from Environmental Review and Commissioner Oldenburg seconded the motion. Commissioner Turk asked for comments from the Commission and audience. There being none, the question was called for and the motion passed unanimously.

19. Discussion and approve authorizing the submission of a Community Development Block Grant Planning Grant application for Eagles Manor and authorizing the City Manager to sign the grant application

City Manager Phelps explained that this project has been discussed a few times. City Manager Phelps further explained that the City would be the project sponsor. The City did not have any proposed projects for this planning grant cycle and would recommend approval. Ms. Kathie Bailey explained that Snowy Mountain Development Corporation will help administer the grant and were able to find matching funds through some of the activities SMDC is already doing. This is a needed facility and in need or renovations. Commissioner Doney made the motion to authorize the submission of a Community Development Block Grant Planning Grant application for Eagles Manor and authorizing the City Manager to sign the grant application and Commissioner Oldenburg seconded the motion. Commissioner Turk asked for comments from the Commission and audience. There being none, the question was called for and the motion passed unanimously.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Loomis commented that the budget has been reviewed over the last several meetings. Commissioner Loomis wanted to make sure that the public know that these resolutions were reviewed during the Committee of the Whole.

Commissioner Doney thanked the City Manager and Finance Officer for all their hard work and time on the budget. Commissioner Doney stated that both employees were willing and helpful when questions were asked and additional information requested.

ADJOURNMENT

Chairman Turk adjourned the meeting.

Dated this 3rd day of September, 2019.

Patty Turk, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk