

A REGULAR COMMISSION MEETING OF FEBRUARY 18, 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: Byerly, Doney, Dunnington, Hewitt, Loomis, Oldenburg and Turk.

APPROVAL OF MINUTES

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

COURTESIES

There were none,

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Loomis attended the Park and Recreation Board meeting on February 5, 2020. The Board discussed the lights in the gym and Peak Electric continues to work on the lighting issues and maybe changing the bulbs so they aren't as intense. Commissioner Loomis reported that it cost a lot for the Ice-Skating Association to keep the ice frozen this season. The priorities for the Civic Center as part of recreation district funding is the women's and men's locker rooms and the lights in the gymnasium.

Commissioner Byerly reported that there was a Central Montana Health District Board meeting on February 20, 2020 at 1 pm.

Commissioner Hewitt reported that she attended the Airport Board meeting on February 5, 2020. The Airport Board coapplied with the Disaster and Emergency Services for three radios and a base station. All Weather Tech replaced the electric boiler with a propane boiler at the WTI shop. The Airport Board had an electrician check on the light on top of the water tower that continues to go out. The reason is the wiring is rotten and deteriorating due to age and weather. The electrician will be working to replace the wiring and install an LED light. The Airport Board will be checking with the Historical Society to see if they will help with the cost of the lighting of the water tower because the water tower is on the national historic register. The apron project for next year is totally funded.

Commissioner Dunnington reported that City County Planning Board/Zoning Commission meeting was cancelled for this month.

Commissioner Doney reported that she attended the Library Board retreat on February 9th. Some goals were set and they looked at some programming. The regular Library Board meeting will be on February 20, 2020.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

The training on February 5th with Dan Clark from the Local Government Center. It was great training and if you were unable to attend it was recorded and you can get with the Finance Officer to listen to the training. The City's Policy Manual was included in the Commissioner's packet which was discussed during the training with Dan. The most recent one was approved in December of 2017. The majority of changes that were made were changes that were done on the State or Federal level.

The 2020 census is just around the corner. The City Manager is part of the Fergus County Complete Count Committee. Census day is April 1, 2020 and the Library is planning to host a Census event. Citizens should start receiving notice of the Census as early as mid-March. The goal is to make sure that everyone in Fergus County is counted.

The City Manager and Finance Officer are working to have monthly management training. This allows us time to look at the policies or have specialized training. Last week one of the auditors took the time to come and review the City's purchasing policy, budget reports and claims.

The City has several copies of the Montana Municipal Officials Handbook which was put together by the Local Government center, with help from MMIA and other officials from around the state. This handbook has tons of information from governance and budgeting to Commission procedures. If you are interested in checking out a copy please let the Finance Officer know.

The City Manager has been notified by the Police Bargaining Unit that they are ready to open up contract negotiations. The City Manager has responded with available dates and is waiting to schedule an appointment.

The Library was closed on February 14th starting at 2 pm and all day on February 15th in observance of President's Day.

Olness and Associate have completed our annual audit. Once the report has been finalized, the City Manager will share the report with the Commission.

PUBLIC COMMENT – non agenda items

Josh Wright addressed the Commission and wants to know where the Commission is at with the chicken ordinance. Josh Wright would like to get chickens sooner than later because spring is coming.

CONSENT AGENDA

Commissioner Oldenburg 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 January 30, 2020 to February 12, 2020 for a total of \$192,881.92

REGULAR AGENDA – Resolutions, Ordinance & Other Action Items:

1. Discussion and action on first reading of Ordinance No. 1764, an ordinance amending Chapter 7, Title 9 of the Lewistown City Code, revising regulations for purchase and transfer of cemetery lots, setting of fees, grave openings and closings, burial regulations; establishing general restrictions and making miscellaneous changes

City Manager Phelps explained that a cemetery ordinance committee was formed and has been meeting on this issue for approximately five months. Before you this evening is the draft ordinance which is the result of all the meetings. The committee worked to address items that weren't in the current ordinance, out of date and clarify the intent of the ordinance. City Manager Phelps stated that on page two of the ordinance it explains the process for the City to buy back a lot and one of the changes was the purchase rate. Currently the City will purchase a lot back at 60% of the current selling price and the committee is proposing purchasing a lot back at 50% of the current selling price. The ordinance now outlines what documentation the City will require when buying back a lot. City Manager Phelps explained that on page 3 all activities which includes opening and closing of graves, setting and removal of headstones be under the direction of City staff. City Manager Phelps stated that burial regulations were revised quite substantially. The committee is proposing with this ordinance that all interments or disinterment will be under the direction of a licensed funeral director. Only human remains may be interred and a maximum of one body and three cremains my occupy a single plot. Also, no more than three cremains may occupy a single plot. The Veterans section was added to the ordinance as there was never any guidelines for the Veterans section in the current ordinance. It states that one gravesite within a veteran's section is provided at no cost to a veteran who is a resident of Fergus County. City Manager Phelps explained there is detail regarding the required documentation for a Veteran and what is considered a family member. It was determined that for a single plot a maximum of one headstone and one footstone shall be allowed. City Manager Phelps commented that the footprint of the gravesites will be limited in size. Currently the perpetual care and maintenance fund is funded by 40% of the sale of a plot and the committee is proposing raising this to 50%. Mr. Ralph Mihlfeld, owner of Creel Funeral Home, addressed that he would like to make sure that the option of a columbarium not be forgotten. Mr. Mihlfeld gets regular requests and lots of questions regarding the possibility of a columbarium. Mr. Ralph Mihlfeld asked how the City is going to verify that they are working with a mortician and suggested asking for the mortician license as part of the form that is completed prior to interment. City Manager Phelps stated that Richard Brown, owner of Cloyd's Funeral Home, sent his suggestions to the City Manager and his only suggestion is double burial, it is not something we are receptive to. It would be two bodies stacked on top of each other and we would not allow cremains. City Manager Phelps stated she is not recommending double burials. Commissioner Byerly made the motion to approve the first reading of Ordinance No. 1764, an ordinance amending Chapter 7, Title 9 of the Lewistown City Code, revising regulations for purchase and transfer of cemetery lots, setting of fees, grave openings and closings, burial regulations; establishing general restrictions and making miscellaneous changes with the following changes on page 4 change Fergus County to City of Lewistown and page 6 under J add the wording of perpetual care with the intent that the perpetual care be set by resolution 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.

2. Discussion and action on approving an agreement with Robert Peccia & Associates to furnish engineering services to the City of Lewistown for water, wastewater and on-call engineering services

City Manager Phelps explained that the City put out a request for proposal (RFP) last year to solicit engineering services from firms across the state and have decided to continue services with Robert Peccia. This is basically an on-call agreement to furnish engineering services for water, wastewater and streets. Commissioner Turk made the motion to approve entering into an agreement with Robert Peccia &

Associates to furnish engineering services to the City of Lewistown for water, wastewater and on-call engineering services 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. Discussion and action on approving an engineering contract with Robert Peccia & Associates for the 6th Ave water main improvements

City Manager Phelps explained that this agreement is for a specific project which is a water main upgrade. It is important to get this upgrade now so it can be included in the Montana Department of Transportation main street reconstruction project. This would be an alley either side of Main Street and would allow for the eventual upgrading of a large water line that would run from Brassey to Montana. Commissioner Dunnington made the motion to approve entering into an engineering contract with Robert Peccia & Associates for the 6th Ave water main improvements and Commissioner Hewitt 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.

4. Discussion and action on approving an engineering contract with Robert Peccia & Associates for McKinley Street roadway improvement design

City Manager Phelps explained that this is a project that would be a complete build out of McKinley Street from Wunderlin Ave to Entrance Ave. This street was never paved or had any curb and gutter. Commissioner Loomis made the motion to approve an engineering contract with Robert Peccia & Associates for McKinley Street roadway improvement design 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.

5. Discussion and action on awarding the bid for the Breed Creek trails bridge which is part of the Recreational Trails Program grant

City Manager Phelps explained that this is the third and final bridge for the Machler Trail loop. This is a smaller bridge and will be used to cross Breed Creek. The Friends of the Trail applied for a Recreational Trails Grant and received \$40,500 which should cover the cost of the bridge and most of the installation. This bridge was put out to and the City received three bids. City Manager Phelps recommends awarding the bid to True North Steel as they meet all the requirements of the project. Commissioner Turk made the motion to award a bid to True North Steel for the Breed Creek trails bridge which is a part of the Recreational Trails Program grant and Commissioner Hewitt 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.

6. Discussion and action on reappointing Toni Gies to Lewistown's Design Review Board for an additional three-year term

City Manager Phelps stated that Ms. Toni Gies has served on Lewistown's Design Review Board for several years. Ms. Gies is a very active member of the Design Review Board and was very active in the completion of the sign ordinance. Commissioner Oldenburg made the motion to approve reappointing Toni Gies to Lewistown's Design Review Board for an additional three-year term and Commissioner Dunnington 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. 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.

Commissioner Doney explained that we will continue with the Citizens Requests and Commissioners minute. After that 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.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Byerly recognized Commissioner Hewitt for attending the Airport Board meeting and then attended the Local Government Center training. Commissioner Hewitt thanked Commissioner Byerly for the comment.

ADJOURNMENT

Chairman Doney adjourned the meeting.

Dated this 18th day of February, 2020.

Gayle Doney, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk