

**A VIRTUAL COMMISSION MEETING WAS HELD ON MAY 4, 2020 THOSE IN ATTENDANCE PARTICIPATED BY ZOOM OR TELECONFERENCE AND STARTED AT 7 PM.**

**CALL TO ORDER**

Chairman Doney called the meeting to order.

**PLEDGE OF ALLEGIANCE**

Chairman Doney asked everyone to stand and join in the pledge of allegiance.

**ROLL CALL**

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

Also, in attendance was City Manager Holly Phelps, Finance Officer/City Clerk Nikki Brummond, City Attorney Monte Boettger, and Library Director Dani Buehler. Mr. Charlie Dennison from the News Argus was in attendance by telephone. Citizens Richard Battrick and Robert Snyder participated by phone.

Chairman Doney stated that because of the Governor's various Emergency Orders implemented to deal with the COVID-19 crisis, and the need to protect members of the public, City Commission members and City Staff from the spread of the Corona Virus, the normal and regular means of conducting our meetings in person are being temporarily modified.

Chairman Doney stated that the format for tonight's meeting has been adopted pursuant to the Letter of Advice from the Montana Attorney General's Guidelines for Conduction Local Public Meetings During COVID-19 Emergency, signed on March 27, 2020. A copy of the MT AG's Letter of Advice has been provided to the Commission and is also available on the City's website.

Chairman Doney explained that pursuant to the AG Guidelines, the City has provided notice by (News Argus, Radio, City website, posting) that tonight's regularly scheduled meeting would be held by audio/video means. The City is using a platform known as Zoom Video whereby Commission members, staff and the public may see and hear each other. If individuals do not have devices with cameras, they can still utilize the audio option, or they can call 978-990-5000 access code 125500, where they will be able to listen to the discussions and also be heard. Many of you have sight and sound access, but at a minimum anyone having access to a laptop, telephone or cell phone has sound access to tonight's meeting with the ability to not only listen but participate verbally as well.

Chairman Doney stated that in following the AG's Guidance, we are also limiting the scope of tonight's meeting to a very few agenda items that are necessary to be acted upon in order to continue to operate the City.

Chairman Doney explained that this is a new procedure for all of us. There will be technology challenges and glitches which we will have to work through, so please bear with us. In order to ensure that everyone can participate to the fullest extent possible, we will ask you to mute your own microphone on your device or phone. At such time where you need to speak, or have a question, then take your phone/device off mute to do so. Doing this will minimize the background noise that will have the potential to affect everyone who is attempting to participate tonight. Chairman Doney explained that a roll call vote will be taken for each item that requires action on behalf of the Commission. The City Clerk will call each Commission by name to cast their vote which will be either yeah or nay. City Manager Phelps explained that if the meeting were to get hacked, she would end the meeting immediately and would then resume the meeting in ten minutes. The meeting access codes are listed at the top of the agenda.

**APPROVAL OF MINUTES**

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

**COURTESIES**

There were none,

**PROCLAMATIONS**

There were none.

**BOARD AND COMMISSION REPORTS**

Commissioner Loomis reported that the Park and Recreation Board has not set a meeting yet.

Commissioner Hewitt reported that there will be an Airport Board meeting on May 7, 2020 at 3 pm.

Commissioner Doney reported that the Library Board met via teleconference on April 30<sup>th</sup> and the main item of discussion was the phased reopening of the Library. The Library staff will be back in the Library working May 8, 2020. Commissioner Doney reported that the Library will remain closed and will not open for patrons at this point. There is another Library Board meeting scheduled for May 22<sup>nd</sup>. Commissioner Doney reported that the Library Board continues to meet monthly via telephone.

Commissioner Oldenburg reported that the Central Montana Foundation met via teleconference on April 28<sup>th</sup>. The annual meeting of the Central Montana Foundation will be held May 26<sup>th</sup> and will not be open to the public due to COVID-19 restrictions. At the meeting there were four grant requests for a total of \$15,296. Commissioner Oldenburg reported that two of the requests were deemed ineligible due to the CMF’s grant guidelines. The Central Montana Community Cupboard was awarded \$2,000 toward the purchase of a new food storage equipment and the Fergus-Petroleum County 4-H Horse Committee was awarded \$1,500 for youth horse clinics.

**CITY MANAGER REPORT**

City Manager Holly Phelps reported on the following issues:

While there is a noticeable increase in activity now that the stay at home order has been lifted. The call volume for both the Police and Fire Department remain low.

The Library continues to provide curbside pickup of Library materials. The Library Director and the board will work on a phased plan to reopen the Library Director Dani Buehler reported the Library will remain closed for a while until they can determine how to best maintain social distancing and how to limit time for patrons. Library Director Buehler stated that the Library is excited about the ability to offer curbside service.

The opening of the Civic Center may still be some time out. Gyms are on the of the last places that will be opened back up under the Governor’s plan. Portions of the Civic Center may be able to open up for limited use in phase 2. The Recreation Director continues to work with the Health District regarding the opening of the Civic Center.

Camping at East Fork is currently being allowed, but we will be limiting the services available to campers at this time. There will not be any water available and the recreation department is working on signage for the restrooms advising users to wash and/or sanitize their hands.

The Recreation Department is still optimistic we can open the pool this summer. The City is currently accepting application for staff. The Recreation Director will work with the Health District regarding how and when we may open the pool. Applications are available at the City Office or on our website.

The Public Works Department has been preparing to patch the streets. The Park and Recreation staff has been assisting them with preparing the streets.

**PUBLIC COMMENT – non agenda items**

There were none.

**CONSENT AGENDA**

Commissioner Loomis made the motion to approve the consent agenda and Commissioner Dunnington seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from April 17, 2020 to April 30, 2020 for a total of \$40,741.09.

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

1. Discussion on TIF, TBID and TEDD.

City Manager Phelps explained that she wanted to review the activities of the Tax Increment Finance (TIF) Board, the Targeted Economic Development District (TEDD) Board and Tourism Business Improvement District (TBID) and that the boards currently have not been meeting due to the COVID-19. City Manager Phelps stated that there are not many changes to the TIF board but it has been combined with the TEDD and it is joint board. City Manager Phelps stated that this past year the City did get approval from the Department of Revenue for the expansion of the TEDD that would include the new grocery store in the certified values. Snowy Mountain Development Corporation (SMDC) assisted the City with the expansion of the TEDD. City Manager Phelps at that point realized there would be some cost to completing the expansion of the TEDD which would include legal notices, certified mailings and SMDC's services. City Manager Phelps explained that the TIF/TEDD Board had planned to have SMDC do the work to complete the expansion of the TEDD and it was the decision to pay for it out of TIF funds, because the TEDD does not have any funds. The following questions were asked of the City Attorney can TIF funds be spent outside of the TIF area or district and does the TIF board have final budget authority and the board did not follow the City's purchasing policy. It was determined that the TIF board did not have the authority to enter into a contract with SMDC and TIF revenues must used in the district. Both of these issues are outlined in State statute. City Manager Phelps and City Attorney Boettger met the chairman of the TIF/TEDD board and a representative of SMDC and explained that it was not allowed to use TIF funds for expenses outside the district. City Manager Phelps explained that it can be done by borrowing money from the general fund to the TEDD, and this is truly an oversight. Commissioner Doney commented that she wanted to make sure that the general fund will pay the bill for the TEDD fund and when the TEDD has funds it will pay back the general fund.

City Manager Phelps explained that the TBID is the local hoteliers and they charge a dollar per room per night. Those funds are submitted to the City and the TBID board determines what the funds will be spent on. The TBID sponsors many events to increase the tourism in our community. The City provides accounting services to the TBID at no cost, which is the collection of revenue, the payment of invoices and providing monthly financial information. City Manager Phelps stated that there is a TBID board meeting tomorrow and the board is talking about disbanding and is uncertain why. The collection and distribution of the TBID assessment is outlined in statute and is only allowed if approved by the City Commission. This is a very positive resource for the City. There is a process of how the TBID can disband and will be done in accordance to state law. City Manager Phelps stated that the TBID sunsets in ten years regardless. Tourism in Lewistown was up prior to 2020. Commissioner Oldenburg asked why the Bed and Breakfasts and the Air B n B's do not pay into the

TBID. City Manager Phelps explained that it has been discussed at the last two legislative sessions and maybe it will be included going forward. Commissioner Oldenburg stated that the TBID Board has done a tremendous service to the community. Commissioner Hewitt asked if the hoteliers will come and explain their reason for disbanding. City Manager Phelps explained that it would have to be done by resolution. Commissioner Doney asked how difficult would it be to distribute the funds if the TBID were to disband. City Manager Phelps answered hopefully the TBID board would obligate the funds and the City could follow their instruction and it would have to be consistent with the resolution on how the district was created.

## 2. Discussion on Commissioner priorities for FY2020-2021

Commissioner Doney commented that she was not sure how the Commissioners would like to look the goals. Commissioner Doney suggested that they review the goals that were set for 2019-2020, ask questions and then determine what the 2020-2021 priorities are. City Manager Phelps commented that one of the goals was sewer rates and we were in the process of looking at the rates and it is her recommendation to put this on hold due to the current economic pandemic we are a part of and feel it would be an issue better discussed at the end of the year or beginning of 2021. The next item was internet presence and City Manager Phelps stated that she feels it has improved and during these times we have adapted and are doing things differently and feel that the City has a better internet presence. City Manager Phelps explained that one of the priorities is the water chlorination and the City continues work toward this and there will be another public hearing regarding this because the City is in the process of looking for grants. City Manager Phelps explained that the City has continue with a fairly aggressive Street Maintenance Program and are currently work on the street bid for 2020. One of the priorities of the Commission was improving the contract process, which would include more detail to the Commission and more information as the projects are completed. City Manager Phelps commented that if the Commission thinks that something needs to be done differently to please let her know. One of the goals was improving access to recreation and City Manager Phelps feels that over the last year the City has spent a lot of time and effort at East Fork, the addition of Creekside park and the improvements to the trails with the Machler addition have all been great improvement for the community. City Manager Phelps feels that the relationship with the county is improving with the move to consolidated dispatch. City Manager Phelps stated that there are many housing projects going on in the community. There are maybe seven to eight single family homes being constructed in our community The City Manager continues to have discussions with individuals wanting to build apartments and this will continue on the forefront. The deadline for the census has been extended and at that time the ward boundaries would be updated. City Manager Phelps explained that the Commission was interested in more Commissioner trainings and that we were able to have some, but unfortunately due to the current situation some of the staff training has been cancelled. City Manager Phelps stated that the Commission would like to see more input from the department and with the change to electronic meetings has given us the capability the option to join in the meeting. Some of the other goal/priorities was City codes and that is an ongoing project that will be a continuous project. The Commission did do a lot of zoning and annexation this last fiscal year and will continue to work on it in the future. A couple of the goals were the public works building and infrastructure repair. The City continues to put money into all the properties to make the necessary improvements and the new parking lot for the City employees is a great example. City Manager Phelps included a sheet in the Commissioners packet for them to list their goals for a future meeting to come up with a complete list. City Manager Phelps commented that the goals set by the Commission help the department with the setting of budgets. However, this budget cycle looks a like different from previous years due to the pandemic situation, there may be more unpaid taxes than unusual, although the City will get the money eventually. Commissioner Doney commented that we can talk about the goals or it can be talked about at a future meeting. Commissioner Hewitt asked that it be discussed at a future meeting.

## 3. Discussion on COVID-19 phased reopening

City Manager Phelps explained that we struggle to see how the phased opening will affect all of the departments. The most complicated department is probably the recreation department. The City did not close

the parks or the trails during the closures. The City Office just opened their front door today, and surprisingly there wasn't as much traffic as expected with it being the first of the month. The Civic Center continues to remain closed and will look at how to provide sanitation and hand sanitizer when necessary. City Manager Phelps explained that any reopening of business which includes the Civic Center must provide a plan to the Health District for them to sign off on. City Manager Phelps explain that with the phased reopening they did some different things with the lifting of the stay at home orders, you can go to a restaurant and sit at a table with less than six people with social distancing between tables. City Manager Phelps still encourages social distancing and proper hygiene.

### **CITIZENS' REQUESTS**

Mr. Robert Snyder stated he wanted to be voice for self-responsibility. There is a large constituency in Lewistown and Fergus County that are concerned and they are being educated on how to protect themselves. Robert Snyder further stated that there is a much larger constituency that want to be responsible for their own health and get the restrictions and civil liberties issue behind us.

### **COMMISSIONER'S MINUTE**

Commissioner Oldenburg stated that Dawson Community College is still planning on being a member of the community.

Commissioner Loomis asked what the timeline was for the Breed Creek bridge installation. City Manager Phelps answered that they are in the fabrication process of the bridge, it will need to be permitted and looks like it will be installed in last summer.

Commissioner Turk explained that she had been asked about the City blading or graveling the road down to Casino Creek Dam. City Manager Phelps answered the road is Reservoir Drive and it is in the portion located in the City limits.

### **ADJOURNMENT**

Chairman Doney adjourned the meeting.

Dated this 4<sup>th</sup> day of May, 2020.

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Gayle Doney, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk