

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON JULY 6, 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: Doney, Dunnington, Hewitt, Loomis, Oldenburg and Turk.

APPROVAL OF MINUTES

Chairman Doney stated that without objection and based on the corrections the June 15, 2020 minutes are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Hewitt reported that she attended the Airport Board meeting on July 1st. The airport manager reported that they are having issues with mowers and will be purchasing a new one soon. The pilots are very appreciative of the sweeping around the hangars and runways. Commissioner Hewitt reported that the Airport has a very bad gopher problem on the airport property. The gophers are burrowing under the runways and wreaking havoc on the airport property. Commissioner Hewitt reported that they may put security cameras in the big hangar.

Commissioner Oldenburg reported that the Central Montana Foundation met on June 23rd. There were two grants that were awarded from the COVID-19 Relief Grant Fund one was in the amount of \$6,680 to the Chamber of Commerce for hand sanitation stations and the other one was in the amount of \$2,000 to the CMMC Auxiliary to assist with their gift shop inventory expenses. Commissioner Oldenburg commented that two additional community grants were awarded. One was awarded to an Eagle Scout for \$1,329 to build a stairway down to the Hansen Creek Dam fishing access area and the second one was awarded to the Yellowstone Boys and Girls Ranch for \$600 to complete their playground project.

Commissioner Loomis reported that the Park and Recreation Board met up at East Fork Recreation Area for a work meeting. There were lots of volunteers to help with mowing, weed eating and picking up garbage. There were lots of positive comments and the citizens using the area were very appreciative of the work that has been done in East Fork campground area.

Commissioner Doney reported that the Library Board met on June 18th. The Board reviewed some management policies and the Memorandum of Understanding has been signed. The Library continues to be busy and the changes appear to be going well.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

The City Manager followed up with both the Police and Fire Departments regarding fireworks. They did not receive very many calls regarding fireworks. The calls that they did respond to were either located in the county or were unable to locate the individuals that were responsible for lighting the fireworks. The departments did work with the local firework vendors and provided them with a copy of the fireworks ordinance. There was also information regarding the rules on Facebook, in the News Argus and on the radio.

Public Works has been very busy this last week. In addition to the construction projects there were five water leaks. They responded to them as fast as they could and working to finish them up.

The swimming pool has been very busy on the nice days. The Library continues to be busy and East Fork has had many campers, even during the week.

Century Construction has completed most of the City projects, but will be back in a couple of weeks to finish the City's paving projects. There is also some additional concrete work that must be done and a little work to finish on the City's parking lot.

The Breed Creek bridge is currently being constructed. It is hoped that the bridge will be installed early this fall. The landscaping at Creekside is scheduled for later this month.

PUBLIC COMMENT – non agenda item

There were 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 June 12, 2020 to June 30, 2020 for a total of \$112,101.12.

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

1. Discussion and action on nominating and appointing a Commissioner for Ward I for the remainder of the unexpired term vacated by Dave Byerly

Commissioner Doney explained that the City advertised this vacancy and received five applications/resumes. The City Commissioners have done interviews on all five candidates. Commissioner Doney explained that the Commission will move forward in this fashion. Commissioner Doney will open the nominations and a nomination must be seconded. All candidates that receive a nomination and a second will be voted on and the City Clerk will keep the tally for each vote. Commissioner Loomis thanked all of the candidates that took the time to apply for the vacancy and participated in the process. Commissioner Doney opened the floor for nominations. Commissioner

Oldenburg thanked all the participants and nominated Ms. Ruth Wicks and Commissioner Loomis seconded the nomination. Commissioner Hewitt nominated Mr. Robert Snyder and Commissioner Dunnington seconded the nomination. Commissioner Doney stated that nomination remain open and asked for anymore nominations? Commissioner Hewitt nominated Ms. Loraine Day and Commissioner Turk seconded the nomination. Commissioner Doney asked for anymore nominations, there being none, the nominations were closed. Commissioner Doney explained that she is going to move forward and ask for the vote in the order the candidates were nominated. Commissioner Doney asked all those in favor of Ms. Ruth Wicks and City Clerk Nikki Brummond reported that there were four votes in favor. Commissioner Doney asked all those in favor of Mr. Robert Snyder and City Clerk Brummond reported that there were three votes in favor. Commissioner Doney asked for all those in favor of Ms. Loraine Day and City Clerk Brummond reported that there were five votes in favor. Commissioner Doney stated that we have a majority vote of five and that would mean that Ms. Loraine Day is the new Commissioner of Ward I. Commissioner Doney asked that Ms. Loraine Day to be sworn in tonight by City Clerk Brummond. City Clerk Brummond swore in Ms. Loraine Day. Commissioner Doney explained to the Commission that Mr. Dave Byerly was the Vice Chairman and would like to know if the Commission would like to elect a vice chairman tonight. Commissioner Doney explained that she has been advised by the City Manager and City Clerk that if she were unable to attend the meeting the previous chairman would step in until a vice chairman can be appointed. City Clerk Brummond stated that she will put the election of the Vice Chairman on the next agenda as an action item.

2. Discussion and action on authorizing the City Manager to sign a Memorandum of Understanding between the Montana Department of Transportation and the City of Lewistown to receive the funding for the maintenance of the Kiwanis Park public rest area

City Manager Phelps explained that before the Commission tonight is the Memorandum of Understanding (MOU) between the City and the Department of Transportation. City Manager Phelps stated that this is the same MOU that has been in place for several years. City Manager Phelps stated that the reimbursement amount for this agreement is \$6,890 and these funds are used to offset the cost of maintaining the rest area. The eligible expenses are facility maintenance, utilities, cleaning supplies and janitorial services. City Manager Phelps reported that the Kiwanis Club maintains this rest area and provides the proper documentation to the City in order to be reimbursed. Commissioner Turk made the motion to authorize the City Manager to sign a Memorandum of Understanding between the Montana Department of Transportation and the City of Lewistown to receive the funding for the maintenance of the Kiwanis Park public rest area 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.

3. Discussion and action on approving a grant agreement for the Lewistown Municipal Airport and authorizing the City Manager to sign the agreement

City Manager Phelps explained that included in the Commission packets is the agreement with the Federal Department of Aviation for the apron improvements at the Airport. City Manager Phelps explained that the grant is for up to \$100,000 for the apron improvements and some rehabilitation of the main runway. City Manager Phelps commented that the City of Lewistown is a co-sponsor of the grant because the City is a co-owner of the Airport. Commissioner Dunnington made the motion to approve the grant agreement for the Lewistown Municipal Airport and authorizing the City Manager to sign the agreement 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.

4. Discussion and action on approving Resolution No. 4026, a resolution requesting distribution of Bridge and Road Safety and Accountability Program Funds

City Manager Phelps explained that this is an annual resolution that is passed by the City Commission, it is referred to as the BARSAA resolution. This is the Bridge and Road Safety and Accountability Program funds which are essentially gas tax funds. This was enacted in the last legislative session; the City must provide a match of \$1 to each \$20 requested. The City uses their Street Maintenance Funds to match the request, which is not a problem for the City of Lewistown. City Manager Phelps explained that the entire City-wide project is what is provided on the back of the resolution to show the match documentation. The City will receive \$145,340 this year and these are based on last years numbers. City Manager Phelps commented that it is expected that there will be a decrease in the gas funds because of the COVID-19 restrictions, which in turn limited travel on the roads. Commissioner Doney stated that this is done every year because the amount changes. City Manager Phelps answered yes that is correct and the state has put a procedure in place that must be followed to receive the money. Commissioner Hewitt made the motion to approve Resolution No. 4026, a resolution requesting distribution of Bridge and Road Safety and Accountability Program Funds and Commissioner Loomis 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 setting the boulevard maintenance assessment for fiscal year 2020-2021

City Manager Phelps explained that the Commission has had some discussion on what to do with the Boulevards and last year the assessment was doubled. City Manager Phelps stated that she thinks there are 18 boulevards and it would be those property owners with street frontage adjacent to the boulevard are assessed. The assessment goes into the general fund to help offset the maintenance of the boulevards. City Manager Phelps further explained that included in the packet is a proposal from Hyalite Engineering to work on gathering public comment and a proposal of what can be done. Commissioner Oldenburg asked if the adjacent property owners could be involved in the process and City Manager Phelps answered yes and it would be early on and during the scope of the process. City Manager Phelps stated that the BARSAA funds or the other gas tax funds could be used for these improvements. The total for the boulevard assessment is \$1,110 for a fiscal year. Further discussion followed. Commissioner Turk made the motion to set the boulevard maintenance assessment \$.05 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 with Commissioner Loomis voting against.

6. Discussion and action on setting the street maintenance assessment for fiscal year 2020-2021

City Manager Phelps explained that over the last several years the Commission has been increasing the street maintenance assessment. Last year's assessment was .033 per square foot. The options are as follows: option #1 brings it down to .031, option #2 stays the same at .033 and option #3 is .0300. City Manager Phelps stated that there is a cap on the residential lots at 15,000 square feet and there is no cap on commercial property. The commercial properties do contribute to a lot of the additional traffic in the City. Commissioner Phelps stated that setting this rate is a great way to move forward with the Street Maintenance budget. Commissioner Doney is okay with leaving the rate alone due to the current situation and be able to stay caught up and don't get behind. There was some discussion on the possible decrease in the gas tax in the future. Commissioner Turk agrees with leaving the rate alone this year. Commissioner Oldenburg stated that she would like a little more to look at this item and more information. Commissioner Oldenburg made the motion to table setting the street maintenance assessment for fiscal year 2020-2021 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.

CITIZENS REQUESTS

Ms. Doreen Heintz addressed the Commission regarding her house located on Virginia Street and shared some photos of her house after rain storm. Commissioner Doney asked if she lived on an unpaved street. City Manager Phelps answered that Virginia Street is not paved but does have millings. City Manager Phelps further explained that every year the Public Works Department goes around and evaluates each street using the Paser system. City Manager Phelps stated that if there is not curb and gutter which is best for paving. City Manager Phelps suggested Ms. Heintz get a hold of Public Works so they are aware of the situation and see what could be done for the potholes.

Mr. Thomas Greenburg thanked the Commission for the interview of the Commissioner vacancy.

COMMISSIONER’S MINUTE

Commissioner Loomis reported that he has been contacted by a citizen regarding the tree limbs across the sidewalks. Commissioner Loomis stated that the issue has been rectified.

Commissioner Loomis stated the he has been questioned the trees being planted on Main Street. City Manager Phelps explained that it is a State project.

Commissioner Hewitt reported that there is a bench in Symmes Park and is falling apart. It is actually a concrete picnic table on the highway.

ADJOURNMENT

Chairman Doney adjourned the meeting.

Dated this 6th day of July, 2020.

Gayle Doney, Commission Chairman

ATTES:

Nikki Brummond, City Clerk