

A COMMISSION MEETING OF JANUARY 5, 2015 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

City Clerk Nikki Brummond called the meeting to order.

PLEDGE OF ALLEGIANCE

City Clerk Nikki Brummond asked everyone to stand and say the Pledge to the Flag.

SWEARING IN OF STUDY COMMISSIONERS

Commissioner Doney gave the oath of office to Alexandra Dunnington, John Sturtz, Darryl McKenzie, Richard Ellestad and Richard Krillenberger. Those five are serving as the study commissioners for the local government review.

ROLL CALL

Present were Commissioners Byerly, Doney, Gremaux, Hewitt, Putnam, Poss and Turk.

ELECTION OF CHAIRMAN AND VICE CHAIRMAN

City Clerk Nikki Brummond asked for nominations for Chairman. Commissioner Doney nominated Commissioner Rick Poss for Chairman and Commissioner Turk seconded the nominations. City Clerk Nikki Brummond asked for anymore nominations. Commissioner Putnam nominated Commissioner Frank Gremaux for Chairman. Commissioner Poss nominated Commissioner Dave Byerly for Chairman. Commissioner Byerly declined the nomination. City Clerk Nikki Brummond asked for anymore nominations, there being none; the nominations were closed. Those voting in favor of Commissioner Poss were Byerly, Doney, Poss, and Turk. Those voting in favor of Commissioner Gremaux were Gremaux, Hewitt and Putnam. Commissioner Poss accepted the role as chairman.

Chairman Poss asked for nominations for Vice Chairman. Commissioner Doney nominated Commissioner Byerly and Commissioner Byerly declined. Commissioner Byerly nominated Commissioner Frank Gremaux for Vice Chairman and Commissioner Turk seconded the nomination. Chairman Poss asked for anymore nominations, there being none, the nominations were closed. Chairman Poss call for the vote and those voting in favor of Commissioner Gremaux were: Byerly, Gremaux, Hewitt, Poss, Putnam and Turk. Commissioner Doney abstained. Commissioner Frank Gremaux accepted the role as Vice Chairman. Commissioner Poss thanked past Chairman Doney for her time as Chairman. Commissioner Doney thanked him and commented that it is a good chair to sit in and everyone should have a chance to do so.

APPROVAL OF MINUTES

Commissioner Turk made the motion to approve the minutes for November 20, 2014, December 1, 2014 & December 15, 2014 and Commissioner Putnam seconded the motion. The motion passed unanimously.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSIONER REPORTS

Commissioner Turk reported that the Library Board will be meeting this Thursday.

Commissioner Doney reported that she just received the dates the study commission will be meeting and will provide a copy to the Commissioners. The dates are being finalized.

CITY MANAGER REPORT

City Manager Kevin Myhre reported on the following issues:

On December 30th, the water department and street department worked to repair a water main leak in the alley north of Water Street between 12th and 13th Avenues.

Public Works and the Code Enforcement Officer have been making contact with business owners where it appears that snow is being pushed from parking lots into the street areas. By City ordinance sidewalk snow may be pushed into the street but snow from parking lots must be stored on private property.

The City Manager has met with the City and County Attorneys and Commissioner Youngbauer on December 19th to discuss the creation of the district board and the requirements to utilize the funds to be collected by the Fergus County Park district assessment. The Department of Revenues' preliminary estimate of dwellings is approximately 5% less than earlier estimates. Ultimately the costs of the pool renovation will be determined by the bid process and available funding at that time. The City Attorney and City Manager have been talking with Bob Murdo, who is a bond counselor and was the same company that the County used for the fairgrounds project.

As of January 1st, Fire Captain Joe Ward will take over the duties of the Fire Marshall position. Fireman Sean Edwards has served as Fire Marshall for several years and will be moving into a shift firefighter role. Mr. Ward will be working closely with the building official and building inspector. Under the current operation, the Fire Marshall position is filled by an appointment by the Fire Chief from the current staff of the Fire Department. The duties are in addition to regular fire fighting responsibilities.

The fairgrounds water and sewer project is moving ahead and great progress is being made. The City Manager has been working with the project engineer and Public Works to identify the best way to assess the service connections at the facility. There are a large number of connections within the facility and it is served by an eight inch water main. There is no rate identified in City ordinance for that type of connection. The City may need to amend the ordinance to make provisions for the change.

The Street Department is working to break in the new snow blower unit under the manufactures specifications. The recent snow storm was the first opportunity to fully utilize the unit.

CONSENT AGENDA

Commissioner Gremaux made the motion to approve the consent agenda and Commissioner Doney seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from December 11, 2014 to December 31, 2014 for a total of \$86,537.11

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Discussion and action on suspending the snow route ordinance related to hours for a three month period

Mr. Myhre explained that back in 1999 the Public Works Director at the time worked to put a snow route ordinance into effect. The snow route ordinance stated that you cannot obstruct City snow removal equipment between the hours of 2:00 am to 7:00 am on the streets designated a snow route. Mr. Myhre explained that it does push people to park off the streets year round. Mr. Myhre explained that he asked the Planning Director, Police Chief and Public Works Director to get together and come up with a plan to try to see if something else works. Public Works Director Holly Phelps explained that it was discussed to keep the downtown area with the stated times. The downtown area would include Broadway, Janeaux, the Avenues between 2nd and 7th. This would enable the street department to clear from curb line to curb line. Ms. Phelps further explained that they would like the snow route designation to stay but to suspend the hours of no parking to be removed. Commissioner Turk asked how the citizens and business owners will be notified of the change. Mr. Myhre answered that Ms. Phelps is asking to try this plan which would suspend the parking hours in the residential area for this season and see how it works. There will still be some complaints because the cars will be plowed in. Commissioner Doney made the motion on an experimental basis from now until April 1st to suspend the snow route ordinance related to hours for a three month period in the residential areas and Commissioner Byerly seconded the motion. Commissioner Poss 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 reappointing Commissioners to the following boards: Airport, Library, Park and Recreation, Central Montana Health District, City County Planning, Central Montana Foundation, Central Montana 911 and Snowy Mountain Development Corporation

Mr. Myhre explained that Commissioners sit on different boards and may want to try a different board. Essentially all Commissioners sit on one of the boards and Mr. Myhre sits on the Snowy Mountain Development Corporation for the Commission. Commissioner Turk stated that Library Director KellyAnne Terry has asked that she continue on the Library Board and would like to remain on the Library Board. Commissioner Gremaux stated that he is on the 911 Board and would like to remain on that board. Commissioner Byerly commented that he just started on the Central Montana Health District Board and would like to remain on that board. Commissioner Putnam reported that she is on the Central Montana Foundation Board and the Park and Recreation Board and is fine staying on both boards. Commissioner Hewitt stated that she will remain on the Airport Board. Commissioner Doney commented that she is serving as the ex officio for the study commission and feels that is enough work at this time. Mr. Myhre explained that Recycle our waste Lewistown (ROWL) would like someone from the Commission to attend the meeting. Commissioner Poss commented that he will continue on the City County Planning Board. Commissioner Turk made the motion to reappoint the Commissioners to the following boards: Commissioner Hewitt to the Airport Board, Commissioner Turk to the Library Board, Commissioner Putnam to the Park and Recreation Board and Central Montana Foundation Board, Commissioner Byerly to the Central Montana Health District Board, Commissioner Poss to the City County Planning Board, Commissioner Gremaux to the 911 Board and City Manager Myhre to the Snowy Mountain Development Board and Commissioner Putnam seconded the motion. Commissioner Poss 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 reappointing Carol Woolsey to an additional two year term as a City representative to the City County Planning Board/Lewistown Zoning Commission

Mr. Myhre explained that Planning Director Duane Ferdinand works closely with the City County Planning Board. Ms. Carol Woolsey has expressed her interest in serving another term on the City County Planning Board/Lewistown Zoning Commission. Commissioner Doney made the motion to approve reappointing Ms. Carol Woolsey to an additional two year term as a City representative to the City County Planning Board/Lewistown Zoning Commission and Commissioner Putnam seconded the motion. Commissioner Poss asked for comments from the audience and Commission. There being none, the question was called for and those voting in favor were Commissioners: Byerly, Doney, Gremaux, Poss, Putnam and Turk. Commissioner Hewitt voted no.

4. Discussion and action on allowing City staff to submit the annual Certified Local Government Grant Application to the Montana State Historic Preservation Office and the authorization to enter into a grant agreement once the grant is approved

Mr. Myhre explained that the planning office for approximately the last ten years has been funded by the general fund and the certified local government (CLG) grant. The program is administered by the State Historic Preservation Office (SHPO). In order to qualify for the 12 month funding level of \$5,225, the CLG must have a historic preservation officer working at least 80 hours per month and have an established address, telephone number and message retrieval system. The grant can be used for salaries or operating costs. Mr. Myhre commented

that the City must apply for the grant every year and would like to be able to submit the application. Commissioner Turk made the motion to approve allowing City staff to submit the annual Certified Local Government Grant Application to the Montana State Historic Preservation Office and the authorization to enter into a grant agreement once the grant is approved and Commissioner Doney seconded the motion. Commissioner Poss 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 moving forward with the bidding of the bulk water filling station project

Mr. Myhre explained that City Commission has previously approved paying the engineer to put together a plan to build a bulk water distribution system. The new system would have the ability for filling overhead tanks, smaller connections and the ability to fill a five gallon jug. The estimate is \$115,000 for the project. Mr. Myhre explained that it will have to go out for bid but prior to starting that process we want to make sure that the City commission would like to continue on this project. Mr. Myhre stated that he thinks this is something the City of Lewistown has needed for a long time and important for the community to have access to good water. Commissioner Byerly stated it is his understanding that the bulk water is somewhat inexpensive for the amount of water you get and wondered if the rates could be looked at. Mr. Myhre answered that the City Commission did raise the bulk water rates and it would have to be reviewed at some time in the future. Further discussion followed. Mr. Myhre explained that is this is approved and the Commission can chose not to move forward if the bids are higher than anticipated. Commissioner Doney made the motion to approve moving forward with the bidding of the bulk water filling station project and Commissioner Putnam seconded the motion. Commissioner Poss 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 approving a three year audit contract with Olness & Associates and authorizing the City Manager to sign

Mr. Myhre stated that he asked the Finance Officer to put some work into price of audits around the state. Finance Officer Nikki Brummond explained that she was able to print audit information for all counties, cities and school districts off of the Department of Administration's website. Ms. Brummond explained that according to the report it takes about 220 hours for the City of Lewistown's audit. Ms. Brummond then compared other cities that had around the same amount of hours and that it appears that the City of Lewistown pays around the average amount compared to the cities with the same hours. Ms. Brummond did explain that if the City receives over \$500,000 in federal funding a A-133 single audit must be done and that would cost additional money. Mr. Myhre explained that the type of audit that is being contracted for is a regular audit that is required by law and is not a fraud audit. Mr. Myhre stated that a fraud audit can be done if the Commission would like to do that. Commissioner Poss stated that he wanted to look at what the City is paying compared to other cities since the auditors have remained the same for many years. Commissioner Doney made the motion to approve a three year audit contract with Olness & Associates and authorizing the City Manager to sign and Commissioner

Gremaux seconded the motion. Commissioner Poss 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 setting the regular Commission meetings for 2015

Mr. Myhre explained that the City Commission meetings are schedule for the first and third Monday of every month and if a holiday falls on that Monday, then the meeting will be held on Tuesday of the same week. Mr. Myhre stated that there is nothing preventing us from meeting on the holidays. Mr. Myhre explained that there are only three holidays that affect the meetings. Commissioner Doney made the motion to approve setting the regular Commission meeting for 2015 with the specified dates moved to Tuesday and Commissioner Putnam seconded the motion. Commissioner Poss asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

8. Semi- annual 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 Poss explained that the City Manager has asked that the meeting 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

There were none.

ADJOURNMENT

Chairman Poss adjourned the meeting.

Dated this 5th day of January, 2015.

Rick Poss, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk