

A COMMISSION MEETING OF JULY 5, 2016 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Chairman Byerly called the meeting to order.

PLEDGE OF ALLEGIANCE

Chairman Byerly asked everyone to stand and say the Pledge to the Flag.

ROLL CALL

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

APPROVAL OF MINUTES

Commissioner Hewitt made the motion to approve the June 20, 2016 minutes as presented and Commissioner Turk seconded the motion. The motion passed unanimously with the exception of Commissioner Putnam abstaining.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Doney reported that she attended the Local Study Commission meeting on June 27, 2016 and the tentative report was revised and approved by the Local Government Study Commission. There will be a public hearing on the report on July 8, 2016 at 7 p.m. here at the Council on Aging building.

Commissioner Turk reported that there will be a Library Board meeting on July 14th.

Commissioner Byerly reported that he attended the Central Montana Health District Board meeting and the budget was reviewed. Commissioner Byerly commented that the structural changes that were made with the health district are proving to be financially beneficial and the strengthening of the health district have been beneficial.

Commissioner Gremaux reported that there was a Central Montana 911 Board meeting but he was unable to attend. Commissioner Gremaux reported that they voted in officers and Chief Birdwell is Chairman, chief Kucera is Vice Chairman and Ms. Dorothy Gremaux is the Secretary. Commissioner Gremaux stated they are going to talk to an attorney about the next step on the phone system. It was voted on to go to firefox software on a yearly rate for text to 911 and also voted to replace the desktop power supplies as needed.

Commissioner Hewitt reported that she would be attending the Airport Board on July 6th at 3 p.m.

Commissioner Putnam reported that the Parks and Recreation Board meets tomorrow, July 6th and she did attend the Central Montana Foundation Board meeting. The CMF did give money to the Boys and Girls Club for the improvements in the STEM room as was requested. There were a lot of thank you's for all of the scholarships that were given.

CITY MANGER REPORT

Interim City Manager Holly Phelps reported on the following issues:

The 4th of July weekend was filled with a lot of community activities.

The handrail was installed around the basement access to 301 Broadway. It will be powder coated next week.

The pool is open and with the warm weather attendance has been good. There have been very few problems reported. The contractor has begun installation of the sprinkler system.

The Public Works Department received an information grant from the Montana State Library. This will allow the department to purchase two tablets and GIS software that will allow the crew to collect and access data in the field. This will include water, sewer and storm features.

The City has not received the signed copy of the Fairgrounds or the Roundhouse Road easement from the County. Once we receive it we will bring it to the Commission for approval.

CONSENT AGENDA

Commissioner Doney made the motion to approve the consent agenda as presented and Commissioner Putnam seconded the motion. The motion passed unanimously. The consent agenda was acknowledgement of the claims that have been paid from June 16, 2016 to June 29, 2016 for a total of \$265,776.79

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Discussion and action on amending the general bargaining agreement to give a 1% increase to the general bargaining unit employees

Ms. Phelps explained that in 2015 the City Commission approved a union contract for three years with the general bargaining agreement. The general bargaining agreement is wastewater treatment plant, public works, city office, library and recreation. Ms. Phelps stated that at that time the employees did received a wage increase and negotiated cost of living increases for the subsequent two years. Ms. Phelps stated that the cost of living increase is .1% and as a goodwill offering to the employees she is asking to amend the contract for a onetime 1% increase. Commissioner Putnam made the motion to approve a 1% increase to the general bargaining agreement employees and Commissioner Turk seconded the motion. Commissioner Putnam stated that the common sense to maintain employees because the cost of hiring and training new employees is more than one percent

and it makes a great deal of sense to go with 1%. Commissioner Byerly asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously. Commissioner Byerly stated that he wanted the employees to know that the City Commission was unanimous and strong in its support of the 1% increase and recognizes and appreciates the quality staff we have and know 1% isn't a lot but it is 10x what the contract calls for.

2. Discussion and action on Resolution No. 3882, authorization of stipends

Ms. Phelps explained that in the packet is the resolution that is currently in place for the authorization of stipends to be paid to the City Commissioners. The resolution currently reads that City Commissioners will receive the stipend for up to two absences each fiscal year if needed for personal reasons. City Commissioner will receive the stipend for any other absence expressly approved by the Commission that is necessary in order to attend City business that conflicts with a regular commission meeting. Ms. Phelps further explained that this resolution was discussed at the last commission meeting and it was recommended the Commission come up with some wording and email it to the City Clerk for it to be included in the packets and no suggestions were received. Commissioner Putnam read the following; effective July 1, 2016 City Commissioners will receive a stipend throughout the fiscal year. The Commissioner must inform the City Manager or City Clerk of absence if at any time a Commissioner's attendance or lack thereof becomes a concern to a Commissioner and that Commissioner brings it forward to the Commission for review and discipline the Commission reserves the soul right to limit the stipend to a Commission based on attendance. Commissioner Putnam explained what this would do is it would remove the stipend from attendance and the only time attendance would be a factor with the stipend is if the Commissioners decided that that Commissioner's attendance was an issue and should be brought forth for discipline. Commissioner Hewitt stated that the issue of attendance was discussed a year ago and it was her understanding that many years ago Commissioners had quit attending the meetings. Commissioner Hewitt commented that this is her thoughts that the City Commissioner will receive the stipend for an absence due to conflicting City business, sudden illness or family emergency would be approved by the City Commission. Commissioner Hewitt would suggest 2 to 4 absences. Commissioner Turk commented that she was the only Commissioner on the Commission back in the day when we had an extensive leave for months on end and there was no pay during this time on the Commission. Commissioner Turk stated that she does agree with Commissioner Putnam's comment about the Commissioners controlling and commenting on excessive absences. Commissioner Turk commented that she has never had a job that she could take leave and get paid for it. Commissioner Turk explained that she feels the way it reads now it gives you two absences for personal reasons and being gone for City business was never quantified. Commissioner Gremaux commented it is not pay it is a stipend and has nothing to do with pay. Commissioner Gremaux stated it is a stipend to cover the extracurricular activities the Commission is involved in as part of the job of a Commissioner to cover printing, gas to get to meetings etc. Commissioner Putnam stated that she is very much in agreement with Commissioner Gremaux is that a stipend is never intended to be counted, you cannot put a number of attendances on it, you can put the Commission in charge of good standing concerning the stipend but you cannot put an attendance number on a stipend. Commissioner Doney asked that if there is no number that is assigned as Commissioner Putnam is indicating and in the previous terms when they had the problem of absenteeism and it was up to the Commissioners to bring it forward and they were reluctant to chastise another Commissioner and had no format to bring it forward. Commissioner Doney then asked what do you do if a Commissioner is gone for four or six months at a time and as a result the ward truly does not have representation this is accountability to the citizens who put you in office and if that individual does not have the wherewith all to get to those meetings and has no concern then the Commission is generally reluctant to chastise another

Commissioner publicly. Commissioner Doney further stated you have no other mechanism but the number of absences outlined in the resolution. Commissioner Putnam stated that it should be the Commission and the fact that the Commission did not chastise a member that did not show up month after month. Commissioner Putnam stated that the Commission at that time was at fault. Commissioner Doney stated that the limiting absences gave some accountability. Commissioner Doney commented that regardless of the stipend she would in good conscious like them to be accountable for each other and an easy way to do that is outlining it in the resolution and four absences is almost twenty percent of the total meetings. Commissioner Putnam commented that she has to travel for work and that was the reason for two of the absences. Commissioner Putnam commented that the reason she brought this up before was that she did not get paid for the Commission meeting that was in conflict with the annual high school awards banquet that she attended on behalf of the Central Montana Foundation. Commissioner Putnam explained that she had already missed two meeting so she was not paid for that one and the outcome of the meeting was not exactly how I recall and my recollection is different than the minutes. Commissioner Gremaux stated that he is in agreement with Commissioner Doney and there should be some sort of a number for accountability. Commissioner Gremaux explained that he served on the last study commission and it was recommended that the City Commissioners be paid. The reason was to keep some continuity, encourage others to run and help minimize out of pocket expenses. Commissioner Poss commented that he understands both issues and should have some number and maybe address consecutive absences and that is where we need to address the issue. Commissioner Putnam stated that when the stipend is dependent on the attendance at the City Commission meetings then it also belittles the other activities you are involved in and the amount of time we spent on boards outside of the City Commission meetings. Commissioner Byerly stated that he does not sense any objection to the concept of a stipend for service on the City Commission versus payment for a meeting. Commissioner Byerly explained that from all of the discussion there needs to be some sort of trigger that indicates a Commissioner has missed x number of meetings in a fiscal year that would trigger a review or a committee of the whole. Commissioner Byerly stated that when the clerk sees a fourth missed Commission meeting would trigger a review. Commissioner Poss stated that you need to define what the review will be which could be a single Commission doing a follow up phone call and reporting back to the Commission. Commissioner Byerly commented that he thinks the issue should go to the Chairman and if the issue is with the Chairman then it should go to the Vice Chairman and the whole Commission has some stake in ensuring that the seven Commissioners are making a good faith effort to represent their wards. Commissioner Chairman stated that he as the Chairman has no problem with talking to a Commissioner and then it needs to be reported back to the Commission as a whole. Further discussion followed. Commissioner Byerly summarized that four absences for whatever reason would trigger the clerk would notify the chairman and the chairman speaks to the commission member and reports back to the commission. Commissioner Poss commented that he is okay with the four absences but consecutive absences need to be addressed and maybe it should be two consecutive non communicated absences trigger a call from the Chairman and then a follow up with the Commission. Commissioner Doney commented that accountability is very important. Commissioner Putnam commented that this City Commission has not had very many absences. Commissioner Turk commented that this was address last year at this time and now we are discussing it again and would like it to not be looked at again. Commissioner Byerly stated that the City Attorney will look at the resolution and changes and then bring it back to the Commission for approval.

CITIZENS' REQUESTS

Mr. Mike Chapman addressed the Commission regarding the fireworks. Mr. Chapman does not understand why the Police Department does not patrol the neighborhoods instead of having to call the Police Department to notify them of the fireworks. Mr. Chapman stated that somehow we need to get a handle on enforcing our codes. Mr. Chapman stated that he runs his dog at the airport and the knapweed, thistles and hounds tongue is rapid and rarely is there an effort to spray. Mr. Chapman commented that he needs to attend an airport board and ask why the weeds are not being addressed. Commissioner Putnam stated that the Commission did look at the fireworks issue last year and it was determined to leave it alone. Ms. Phelps stated there were no changes made and will be addressed on complaint basis. Commissioner Byerly stated that this should be looked at prior to the Commission meeting next year. Commissioner Doney would like to see what kind of calls have been received and the available man power and some education prior to the event.

Ms. Suzanne Westhoff asked who owns the D'Autremont complex because there were a lot of fireworks going off out there and an officer drove through the lot and did nothing. Ms. Westhoff stated that is just a statement. Ms. Westhoff asked if the consent agenda could be broken down into broad categories. City Clerk Nikki Brummond answered that there is no payroll included in the consent agenda and it is strictly bills.

COMMISSIONER'S MINUTE

Commissioner Putnam introduced her granddaughter Jenna Gibson, visiting from Jordan.

Commissioner Byerly introduced his family also.

Commissioner Doney asked if we are checking to make sure people are not living at East Fork Campground because she is seeing a lot of addresses as East Fork. Commissioner Doney stated that there is a partially burnt home at 413 8th Ave N and there is a lot of garbage at the location and is wondering what is going on. It appears that the health district can't go on private property.

ADJOURNMENT

Chairman Byerly adjourned the meeting.

Dated this 5th day of July, 2016.

Dave Byerly, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk