

**A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION
ON SEPTEMBER 21, 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, Oldenburg and Turk. Commissioners: Day, Hewitt and Loomis participated via zoom.

APPROVAL OF MINUTES

Chairman Doney stated that without objection and based on the corrections the September 8, 2020 minutes are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Day reported that the Central Montana Health District Board met recently to approve a couple of variances that needed to be approved prior to the cold weather. There was a vote by the CMHD board to hire a disease intervention specialist, which was created by the CMHD. This position is going to be funded by the State of Montana using COVID relief funds. These are funds that are specifically for a new hire with the understanding that this is a one-year position. Commissioner Day also reported that the CMHD order 11,000 reusable masks from the State.

Commissioner Doney reported that the Library Board had a meeting last Thursday. The Friends of the Library held the last book sale of the season and it appeared to be very successful. The Library board reviewed the Library statistics, the Library staff are still looking at options for workstations and the Library Director continues to look for and apply for grants for the wiring and internet situation at the Library. There is still some concern regarding the Library exterior.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

Fall soccer is underway, there are approximately 200 kids playing games and the season will continue until mid-October. There poor air quality did cause the cancellation of a few of the games and practices.

The Park and Recreation Director has also started the looking at the increase of use at the Civic Center for fall and spring activities. All activities or groups using the or wishing to use the Civic Center will need to work with Park and Recreation Director Jim Daniels and the health district to make sure everyone and everything is compliant with the Governor's directive.

The Police and Dispatch will start training on the Zurcher software the middle of October. All employees will receive at least 8 hours of training. The plan is that the departments will go live on the Zurcher platform on November 3rd.

The Friends of the Trails have been working with the Park and Recreation Department to get the 3rd and final bridge installed on the Machler property. The bridge is scheduled to arrive next month. A contractor has been hired to install the bridge and hope that the project can be completed this fall.

This year the Montana League of Cities and Towns annual conference will be held virtually. Some of the department heads will be attending. If any of the City Commissioners would like to attend please contact the City Office and talk with the Finance Officer or the City Manager

Century construction continues to work on Main Street. They will start milling Main Street on Monday and Public Works will receive 75 tons of the millings. The Street Department will be laying these millings and compacting them on several streets in town.

PUBLIC COMMENT - non agenda items

There were none.

CONSENT AGENDA

Chairman Doney explained that the consent agenda does look a little different, with the numerous business licenses included. The approval of business licenses is a formality in compliance with City Code and all necessary documentation has been received. However, if any Commissioners have a question, they can ask to have the item removed from the consent agenda. Commissioner Oldenburg ask to move the business licenses from the consent agenda. Commissioner Oldenburg asked if these business licenses were part of any large project in the community. City Manager Phelps answered that Jacobson Electrical Contracting Inc has been for a while, not sure what Triangle Electric Inc is doing and the other two are working on the 406 Café. Commissioner Oldenburg 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 September 1, 2020 to September 16, 2020 for a total of \$420,438.61. Commissioner Doney asked for a motion to approve the business licenses that were removed from the consent agenda. Commissioner Dunnington made the motion to approve issuing business licenses to the following: Jacobson Electrical Contracting Inc., Triangle Electric Inc., 5 Star Heating and Cooling Inc. and Sun Electric and Commissioner Oldenburg seconded the motion. The motion passed unanimously.

REGULAR AGENDA – Resolutions, Ordinance & Other Action Items:

Commissioner Oldenburg asked that the approval of the Police Bargaining Unit agreement be acted on first. Commissioner Doney stated that she will be recusing herself from this item. Commissioner Doney stated that she will not be taking part in the discussion or voting as she has done every time this item is before the Commission for approval.

1. Discussion and action on approving the Police bargaining unit agreement for July 1, 2020 to June 30, 2023

City Manager Phelps explained that there were a few changes made to the contract, some of it was clarification for certain items. The contract was changed to reflect the addition of the K9 officer. One of the changes to the contract is training pay that will be given to any individual who is training another employee. The training pay will be \$1 per hour when actual training. There was a change made to the title of dispatch to Communications officer and there was a step put in place for a raise in pay once training is completed. Any certification of time and completion of training will be documented to the Finance Officer and will be in effective one month later. City Manager Phelps explained that the officers will receive CPI, dispatchers increase varied dependent on the position and animal control received 1.3%. Commissioner Turk asked when the contract begins. The answer was July 1st and the employees will receive retro pay back to July 1st. City Manager Phelps stated that with the large purchases which included Zurcher and patrol vehicles, those departments do not have a lot of extra funds. As a result, the first year has some very modest increases and propose CPI increases in future years. Commissioner Oldenburg made the motion to approve the Police bargaining unit agreement for July 1, 2020 to June 30, 2023 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. Commissioner Doney recused herself.

2. Discussion and action on Resolution No. 4037, a resolution approving an application for TIF Funds made to the Lewistown Tax Increment Finance District Board

City Manager Phelps explained that this is a TIF application from Blue Stone Boutique for improvements to their storefront and new signage. The TIF board matches one to one on funds and the TIF Board approved a grant in the amount of \$1,661. The board received a letter of support from the property owner. Commissioner Dunnington asked if there is some lighting involved with the signage and if it was compliant with the City's sign ordinance. City Manager Phelps answered yes, and it does comply with the sign ordinance and Blue Stone Boutique will required to get a sign permit. Commissioner Dunnington made the motion to approve Resolution No. 4037, a resolution approving an application for TIF Funds made to the Lewistown Tax

Increment Finance District Board 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.

3. Discussion and action on entering into a Storm Drain Maintenance agreement between the City of Lewistown and the American Prairie Foundation

City Manager Phelps explained that the storm drain maintenance agreement was drafted by the City Attorney between the City of Lewistown and the American Prairie Foundation regarding tying in their roof drain to the Montana Department of Transportation main storm drain located in the middle of Main Street. As a result, the Montana Department of Transportation is asking the City to enter into a Memorandum of Agreement which the City takes on the maintenance and liability that may occur with the storm drain connection. The agreement between the City of Lewistown and the American Prairie Foundation is who would take on the responsibilities of maintenance and liability. City Manager Phelps further explained that the City is basically serving as a bridge to accomplish this project. Commissioner Oldenburg made the motion to approve entering into a Storm Drain Maintenance agreement between the City of Lewistown and the American Prairie Foundation 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.

4. Discussion and action on City/State Memorandum of Agreement US 87 / N57 / Main Street – Lewistown September 2020

City Manager Phelps explained that this is the agreement between the City and State of Montana regarding the storm drain. This agreement states the City will hold harmless the State of any damages that may occur from the storm drain and the City will be required to maintain the line. The State agrees to notify the City of any problems and as discussed in the previous item the City will pass the responsibility to the American Prairie Reserve. If this agreement is approved it will become the exhibit to the agreement that was just approved. Commissioner Turk made the motion to approve the City/State Memorandum of Agreement US 87 / N57 / Main Street – Lewistown September 2020 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. 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 asked if the City Manager review can be tabled until all Commissioners can be present. Commissioner Doney feels the review merits that and does not want to have a review unless all Commissioners are present. Commissioner Turk made the motion to table the City Manager review until all Commissioners can be present 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.

CITIZENS' REQUESTS

Mr. Robert Snyder asked if the business license reached a certain amount is that the reason for the approval. City Manager Phelps answered that the Commission must approve any business that is required to obtain a surety bond. Those included would be plumbers, electricians and mechanical.

COMMISSIONER'S MINUTE

Commissioner Turk asked the City Manager is the owner of the Glacier has talked with the City about putting a balcony on the building over Main Street. City Manager Phelps answered that she has not heard anything about it.

Commissioner Hewitt reported that she attended the Airport Board and the Airport is doing well. The Chokecherry Jam went well and would like to see it there again.

Commissioner Loomis asked how the Commission felt Chokecherry went. Commissioner Oldenburg commented that she did not attend, as she was worried there would be large number of people without masks and that she understands from others that was the case. Commissioner Hewitt reported that many people told her the vendor separation was good and the food being on the side streets was better.

ADJOURNMENT

Chairman Doney adjourned the meeting.

Dates this 21st day of September, 2020.

Gayle Doney, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk