

**THE LEWISTOWN CITY COMMISSION HELD A VIRTUAL COMMISSION MEETING ON APRIL 6, 2020 THOSE IN ATTENDANCE PARTICIPATED BY ZOOM OR TELECONFERENCE. THE VIRTUAL MEETING 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, Police Chief Justin Jenness, Library Director Dani Buehler, and Public Works Director JR Killham. Mr. Charlie Dennison from the News Argus was in attendance by telephone and Robert Pfund from KXLO/KLCM radio was in attendance by telephone.

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 March 16, 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 meetings are suspended until further notice.

Commissioner Oldenburg reported on that the Central Montana Foundation Board met on March 25<sup>th</sup> by via an internet group exchange. The Board has extended the deadline for the major grant requests to April 17<sup>th</sup>, which are grant requests over \$5,000. A permanent endowment account for Saving Animals from Euthanasia was approved. There were two regular grant requests and one was approved for the Fergus County Safety Committee. The Central Montana Foundation Board annual meeting is scheduled for May 26<sup>th</sup> but due to the COVID-19 situation it may not be open to the public.

Commissioner Byerly explained that he will be forwarding the daily email he receives from the Fergus County Health District for the COVID-19 statistics. There has been a number of tests performed and at this time there is only one positive case and it was in Musselshell County. The Central Montana Health District is doing a contact review.

Commissioner Doney reported that the Library Board is continuing to meet telephonically.

### **CITY MANAGER REPORT**

City Manager Holly Phelps reported on the following issues:

Much of the City Manager's time has been spent dealing with the Corornavirus. The City Manager participates in several weekly phone conferences discussing the Coronavirus. Our State and National delegation reached out to the City regarding COVID-19 and updated us on the legislation and want to be sure that the Cities and Towns have the resources they need during this time.

The Parks and Recreation Department is currently accepting applications for pool staff. Applications are available from the City Office and are available online as well. It is too early to anticipate an opening day for the pool but we would like to be prepared when that day comes.

Each and every department is adjusting procedures to deal with the Coronavirus and how they are conducting business. There are some staff that is working remotely and some departments have locked doors. The City wants to remind the community that the City employees are still here and still serving the needs of the community and doing our best to keep our staff safe.

While many of our conferences and trainings have been canceled there is numerous free trainings being done online. At this time much of our staff is participating in online training and/or phone conferences.

**PUBLIC COMMENT – non agenda items:**

There were none.

**CONSENT AGENDA**

Commissioner Hewitt made the motion to approve the consent agenda and Commissioner Dunnington seconded the motion. The Clerk called for a roll call vote and the motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from March 12, 2020 to March 31, 2020 for a total of \$87,117.60.

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

1. Discussion and action on Resolution No. 4023, a resolution declaring a state of emergency exists in the City of Lewistown related to the communicable disease COVID-19 Novel Coronavirus

City Manager Phelps explained that this is a resolution that was prepared by the City Attorney and it is declaring an emergency. City Manager Phelps explained that this is not being done because the conditions have changed or worsened but want to make sure that we are in a position to be able to receive federal funding. City Manager Phelps stated that in order to receive the funding the City would have to have expenses in excess of two mills which is approximately \$13,000. At this time the League of Cities and Towns and the Montana Association of Counties has written a letter to the Governor asking him to waive the two-mill emergency mill requirement and have not heard a response at this time. City Manager Phelps further explained that if the City did spend the two mills the City Commission would have the ability to not pass the emergency mills onto the constituents. This emergency declaration has no bearing on that action itself. Commissioner Turk made the motion to approve Resolution No. 4023, a resolution declaring a state of emergency exists in the City of Lewistown related to the communicable disease COVID-19 Novel Coronavirus and Commissioner Hewitt seconded the motion. Commissioner Loomis asked if the City Manager could explain the reason for the resolution again. City Manager Phelps explained that the resolution declares a state of emergency for the City of Lewistown and that in order for the City to receive any federal funding the City would have to have expenses in the amount of two mills which equals \$13,000 and give the City the right to levy it back on the taxpayers. Commissioner Doney asked for comments and questions, there being none, the question was called for. City Clerk Brummond called for a roll call vote and the motion passed unanimously.

## 2. Discussion and action on awarding the 6<sup>th</sup> Avenue water main replacement project

City Manager Phelps explained that bid for the 6<sup>th</sup> Avenue water main replacement project was advertised and only one bid was received. City Manager Phelps stated that this would be to replace the water main under 6<sup>th</sup> Ave as it crosses Main Street. The bid tabs were included in your electronic packet and put together by Robert Peccia and Associates. The one bid received was from Central Excavation in the amount of \$474,476 and the engineers estimate was \$473,292. Public Works Director JR Killham that he did have conversations with various local contractors and they did look at the job, but it did not fit into their schedules. City Manager Phelps explained that included in the virtual packet was a recommendation letter from the engineers. The bidder is more than capable of doing the work, has the appropriate bid bond and is currently doing work for the Town of Stanford. Commissioner Hewitt made the motion to approve the bid from Central Excavation in the amount of \$474,476 and Commissioner Dunnington seconded the motion. Commissioner Doney asked for comments and questions, there being none, the question was called for. City Clerk Brummond called for a roll call vote and the motion passed unanimously.

### **CITIZENS' REQUESTS**

There were none.

### **COMMISSIONER'S MINUTE**

Commissioner Loomis reported that the Central Montana Resource Council would like more information on the chlorination timeline and Peccia's involvement in the process. Commissioner Loomis commented that he has submitted some questions to the City Manager and Public Works Director. City Manager Phelps explained that due to the Governor's Directive on state employees they are unable to travel through the month of April. The Department of Commerce has received requests to extend the time lines for the TSEP process. City Manager Phelps stated that as part of the TSEP's process the City still needs to hold another public hearing. Commissioner Byerly asked if the City Manager would share the questions and the answers with all of the Commission. City Manager Phelps answered that she would be sure to do that.

Commissioner Doney thanked Commissioner Byerly for sharing all of the Central Montana Health Department updates.

### **ADJOURNMENT**

Chairman Doney adjourned the meeting.

Dates this 6<sup>th</sup> day of April, 2020.

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Gayle Doney, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk