

## LEWISTOWN CITY COUNCIL MEETING

DATE October 22, 2019

The Lewistown City Council met in regular session in the Lewistown Visitors Center. Mayor Elmer Littlefield called the meeting to order at 6:30 p.m. with the Pledge of Allegiance.

**ROLL CALL: PRESENT:** Aldermen Sally Clark, Trever Kelley, Doug Lafary, Kendall Miller, Kim Pascal, John Spotloe and Mayor Elmer Littlefield. Also present: Wendy Martin from the Fulton Democrat, Hannah Schrodt, Canton Daily Ledger, City Clerk Cindy Goddard, City Treasurer Debby Brown, Chief of Police John Werland, City Attorney Nathan Collins, Linda Helle, Ed Helle, Jane Pascal, Vicki Irwin, Nate Atkins, Greg Rowe, Melinda Rowe, Jayson Herrick, Karen Ball, Leigh Ball, Pam Elkin, Marty Sepich, John Foxall, Jeremy Brannan, Randy Munson, Terry Pig, John Ball, Rachelle McCoy, Chris Johnson, Phil Johnson, Dana Schrock, Jerry Ford, Rich Chambers, Billie Simmons, John Beyers, Nathan Johnson, Craig Eveland, Cindy Arnett, Dennis Irwin, Brandi Benson, Jeff Miller, Jayson Herrick College student.

**DECLARATION OF QUORUM** by Mayor Elmer Littlefield

**CLERKS REPORT/MINUTES:** Cindy Goddard.

Alderman Pascal made a motion to approve the minutes of October 8, 2019, second by Alderman Clark roll call vote, the motion carried all ayes.

**TREASURER'S REPORT:** Debbie Brown. Nothing at this time.

**PRESENTATION OF BILLS:**

Alderman Clark made a motion to approve all bills properly endorsed; Seconded by Alderman Kelley roll call vote, the motion carried with all ayes.

**PUBLIC COMMENTS AND PETITIONS:** 5 minutes each is rule

John Ball stated he has a long standing relationship with Lewistown, family members lived here and he is a 40 plus member of VFW and American Legion 1, he has earned respect from the community and veterans. One statement, he encourages more citizens to attend meetings, and stated that the VFW and American Legion represent many activities and scholarships. He explained and described Jason Herrick's military service and that he is a veteran and what he does for the community. He described all activities he is in and what he owns. With this history and background how can Mayor call him a coward? Wants to know why an elected official would do that? And request an apology from the Mayor. The Mayor responded that he never called Jayson a coward and he has two people that heard it. The Mayor explained that he was in the ROTC in high school and was disrespected during the Vietnam War. Also the Mayor said he was very proud of being in the ROTC and would never disrespect a veteran.

**ATTORNEY'S REPORT:** Attorney Nathan Collins. Explained the paper he handed out. It was a water customer application for deferred payment. Wants on agenda next meeting after the alderman review it and have any suggestions. Alderman Miller wants to know if people can still ask to be on the agenda and go before alderman if they want to. Yes if they want to.

**ENGINEER'S REPORT:** Keith Plavec. No Engineer present.

**COMMITTEE REPORTS:**

Finance – Alderman Clark: Nothing to report.

Utilities/Publications – Alderman Kelley: Nothing to report.

Buildings and Grounds – Alderman Kelley: Nothing to report.

Police/ESDA – Alderman Lafary: The new police truck is now in service. Brandie Benson will be done at the end of the month. The Mayor said an ad will be placed in the paper for hiring a new police officer.

Street & Alley – Alderman Miller: Nothing to report.

Tourism – Alderman Pascal: The city Halloween Party is this Saturday at the Lewistown Visitors Center for children in Lewistown, would like volunteers.

Sewer – Alderman Spotloe: Nothing to report.

Water – Mayor Littlefield: Proceeding with new meters.

**OLD BUSINESS:**

1. Vote on Mayors Veto – Mayor Littlefield wanted to say something before voting takes place regarding Kathy Grzanich and her water bill. People think she did not pay any of the sewer bill. She paid almost all her sewer bill; it was \$1.10 less than minimum. The call was on Sunday, public works went and could not find shut off valve, usually they do good job, the water was going thru the pit, there was a plumber there the next day, but the public works did not get it shut off. There was around 23,000 to 24,000 gallons of water. The city guys should not have left without shutting it off. Usually they do great job. One more comment. He has pictures of basement (Jayson Herrick rental property) where the sewer line has a hole in it the size of a softball. If 136,000 gallons of water went into that basement with a dirt floor, in a few days later you would have still sunk like quicksand. Alderman Miller made a motion to over ride the veto of Mayor Littlefield's regarding adjusting off the entire sewer bill after water leak, second by Alderman Kelley, roll call vote, motion carried all ayes.

### NEW BUSINESS:

1. Jason Herrick to Discuss City Ordinances – Jayson Herrick, comes here as tax payer for the community, lived here his entire life except when he was in service for 4 years. He still paid taxes while he was gone. The Community picked him up when he was down. He feels this is the lowest the city has ever been, that the mayor has belittled people, and put citizens down, not sure what he is trying to achieve. He urges the Aldermen to pass an ordinance because we are a Non Home Rule Community, to consider, for the best interest of the community to become a Home Rule City. Wants to put this on the referendum to become a Home Rule Community Per Jason we almost violated the FOI by not moving the meeting to a larger area and not letting him on the agenda. He encourages the city employees to learn the rules. He asked the Mayor to step down.

Mayor said he is here to protect the citizens and we are not a Home Rule Community. He needs to look at it a little bit better. It is a disaster when a city becomes Home Rule. No law says he has to resign. Motion for adjournment. NOTHING!

Jayson states that the state recognizes the dismissal of a governor. He encourages the council to go into closed session to discuss the Mayor stepping down. Encourages Home Rule, it opens up zoning and voting districts. He has signatures to recall Mayor. 10% registered voters that can vote, that is 391 signatures needed to remove the Mayor. Jayson said the Mayor is going to battle this and hates to see city resources used. Jayson asked the Mayor will you leave office if I walk in with 505 signatures will you resign. The Mayor said NO. Rachelle McCoy comments were, what if it is a safety factor, let's stay safe.

Mayor Littlefield said that just because he disagreed with the council, that it was a poor reason to get rid of a Mayor. I did not embezzle or do anything wrong. So that is not a reason to leave office. Alderman Lafary asked if we have to be a Home Rule city to get the Mayor out, Attorney Collins answered yes. Alderman Miller said that when he was the Mayor he was reprimanded by the six Aldermen regarding a decision he made. It was with the high school and when they made the new track he sent a city worker to get dirt and cinders. They tested OK he had it placed at the Well Field. He would do it again because he felt it was the right thing to do. He said if it would have been the community it would have been a bigger impact on him instead of the council. Alderman Clark asked if the cause of all this was caused by the alderman in this situation. She will take the blame for things if she needs to. It is ridiculous that they have to argue against each other. She feels that the Mayor belittled and yelled at people at different times. The thing with Shelly Hocking telling her husband that it is "none of your business" was wrong. Alderman Clark said to Mayor Littlefield you are not acting like a mayor and can't

believe you don't think you do anything wrong and degrading people. Mayor Littlefield's response was that the Shelly Hocking situation had nothing to do with city council. Alderman Pascal wants to go into closed session. The Mayor said it is against law to go into closed session for this matter. Alderman Clark wants to get a few ordinances updated. Attorney Collins stated we are in the process of updating a few ordinances.

Jason asked again if Mayor will resign. (silence) Keeps asking if he feels he is doing the city justice.

Mayor asked are we going to sit here all night.

Comments: Chris Johnson didn't come from here, but she is proud to live here. All little towns are hard to become a member of. Mayor needs to learn how to talk to people and not belittle people. Need to listen to each other. People need to stick together with him. Please listen. Mayor said thank you for your comments.

Alderman Miller stated that he complimented the Mayor and City Clerk for trying to save the city money and for doing a good job. He hopes from now on he will be better and get the message.

Jayson Herrick: With a community this size everyone is affected by the VFW. The situation with the VFW with the water leak, first of all the council didn't even get to discuss it, it was a \$300 bill and they were asking for half off. Any community this size there is not one section of town or one person that is not affected by the VFW unless they are living in a box. Under John King and Dennis Monn that would have got done, the piece would have got put in and nobody would have had a problem with it. It's the tax payer's money and I don't think they would have not even raised a stink. Yet you the mayor raised a stink about it, over probably the most giving organization in our community. That is the thing that is rubbing the people wrong. The Mayor asked "Even if it is against the Law?" Jayson, yes, tell me the last time you heard that a city councilman was arrested for giving X amount of water away. It takes a citizen going to a judge to file a complaint. Nobody is going to do that, it is common sense.

Comment: Randy Munson, I was on the agenda a few months ago, and was not allowed to speak at the council meeting and it was going to committee meeting, he states that he was never allowed to speak at all. Mayor explained it went to a committee meeting and he was told he could return to the next council meeting and he did not attend.

Alderman Clark says she is a member of VFW and American Legion. The Veterans are the backbone of our community, and she went through the Vietnam War with her first husband. The Veterans come first. We are all neighbors and take care of each other in this town. Neighbors bring you soup when you are sick.

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Jerry Ford said that it hurt when he was reminded about his money situation, because he had a stroke. Don't need to be reminded about the money situation. The Mayor stated he felt like he was helping him and understand, and apologized to him at that point, he never had intentions to offend him.

Jeremy Brannan stated that he was at meeting to represent his Grandmother felt belittled and was crying after meeting. The Mayor was trying to tell her I understand.

Jayson keeps saying you need to say I resign. Make the right decision.

Jayson keeps saying you (the Mayor) have a mental health problem.

Mayor: You can go on all night if you want, this is ridiculous.

**CLOSED SESSION:** No closed session

**ADJOURNMENT:**

Alderman Spotloe made a motion to adjourn at 7:31 p.m.; Seconded by Alderman Miller motion carried all ayes.

  
Cindy Goddard, City Clerk