

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON SEPTEMBER 7, 2021 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Chairman Turk called the meeting to order.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present were Commissioners: Hewitt, Loomis, and Turk. Commissioners Dunnington and Oldenburg were absent. Commissioner Day was absent.

APPROVAL OF MINUTES

Chairman Turk stated that without objection and based on the corrections the August 16, 2021 minutes are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Hewitt reported that the Airport Board met on September 1st. The fence for the lots along the highway has been moved and the lots are now available for lease. All the fences on the Airport property have been reported and there are five people waiting for a t hanger. All the hay has been cut and baled. The terminal repairs are done as a result of the wind damage. The FAA weather cameras are at the Airport and are waiting on Mid Rivers to come and install the cameras.

Commissioner Doney reported that there was a Library Board meeting on August 26th. Commissioner Doney reported that the new library director is here and introduced her to the Commission and commented that we are really glad that she is here. Commissioner Doney stated that the Library Directors name is Alissa. Commissioner Doney reported that the Library Board meeting was routine business and the next meeting is September 16th.

Commissioner Oldenburg reported that the Central Montana Foundation met on August 24th and Allied Investment Advisors gave the quarterly financial report. The medical center report included the cancer center developments and hope to hire a foundation director soon. Commissioner Oldenburg reported that a new grant application was approved for the Central Montana Foundation, which clarifies and clearly states what documentation is necessary when submitting grants. There was one grant request from Geysers Daycare and it was approved for just under \$3,000.

Commissioner Loomis reported that the Park and Recreation Board met on September 1st. The Labyrinth Garden is undergoing some improvements, the ice rink is being upgraded and there was some discussion about building a multi-purpose enclosed structure next to the pool. This would be used for concessions and the ice-skating association. The Trails and Ales will be held on September 11th from 4 pm to 7 pm. Commissioner Loomis reported that Red Clay construction is sealing cracks on the trails. The City has planted approximately 30 new trees and the fall soccer league is starting up. Commissioner Loomis reported that Park and Recreation board member Ms. Kelly Comer is applying for the Fergus County Recreation District Board.

Commissioner Doney commented that she has visited East Fork Recreation Area a few times lately and it looks fabulous. The day use is being respected and the camping area looks great.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

The City of Lewistown currently has a few positions open. These include 2 dispatch positions, and a wastewater worker. We recently hired 2 public works employees and a new police officer who will be attending the police academy this fall. We continue to look for a City Attorney and City Planner

This month this year's Street Improvement project are coming to a close. Again, this year Public Works and the Police departments are working together on upgrading or improving signage around town.

This year the Chokecherry festival is back to normal. The Chokecherry Jam starts things off on Friday night. The Jam will once again take place at the Airport. The Kiwanis pancake breakfast is back and the Chokecherry Festival will include a car show again this year. The day's events conclude with Trails and Ales. The event will be held at Creekside from 4 to 7 pm and will include music from Haeli Allen.

The Ice-Skating Association recently received new boards to go around the rink. The group is working on installing the new boards and concrete around the rink, as well as, leveling the area between the parking lot and ice rink.

We were recently notified that the Montana League of Cities and Towns conference will once again be virtual. This does make it easier for others to attend the conference for a specific session. Once the agenda is released, we will share it with the commission, and if anyone sees any sessions that interest them, let Nikki or I know.

I recently started a series of department head trainings on the City's policy and procedures manuals. We are becoming more familiar with these documents and look at what policies may need to be updated or revised.

City Manager Phelps stated she did pass out the agenda for the Central Montana Health District Board meeting on September 9th. There are many items on the agenda regarding the future of the health district.

City Manager Phelps reported that the Finance Officer did receive her scholarship for her to attend a regional conference.

PUBLIC COMMENT – non agenda items

Commissioner Turk stated that this is for comments on non-agenda items. The rules for citizens participation in on the back of the agenda and asked the members of the public to take a minute and familiarize themselves with the rules. Commissioner Turk further stated that the public must raise their

hands and be called on prior to talking and to be sure to identify themselves for the record. There were none comments from the public.

CONSENT AGENDA

Commissioner Loomis made the motion to approve the consent agenda and Commissioner Oldenburg seconded the motion. The consent agenda was the acknowledgment of the claims that have been paid from August 12, 2021 to August 31, 2021 for a total of \$247,406.68

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Discussion and action on approving Resolution No. 4064, a resolution redefining the boundaries of Street Maintenance District No. 1 in the City of Lewistown

City Manager Phelps explained that the City of Lewistown has one Street Maintenance District and it is the entire City limits. Commissioner Doney made the motion to approve Resolution No. 4064, a resolution redefining the boundaries of Street Maintenance District No. 1 in the City of Lewistown and Commissioner Hewitt seconded the motion. Mr. Robert Snyder asked if prior to this resolution the entire City limits were not under a street maintenance district. City Manager Phelps answered no the City has one Street Maintenance District and every year a resolution must be approved to redefine the boundaries and it has always been the City limits. Commissioner Turk asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

2. Public hearing on the cost of maintenance of Boulevard District No. 12, cost of maintenance reserve and administration for Lighting Districts and cost of maintenance in Street Maintenance District No. 1

Chairman Turk opened the public hearing to hear comments on the cost of maintenance of Boulevard District No. 12, cost of maintenance reserve and administration for Lighting Districts and cost of maintenance in Street Maintenance District No. 1. Ms. Suzanne Westhoff asked who is responsible for the light maintenance if they have a light in front of their property. City Manager Phelps answered that all the properties located within the lighting district pay equal portions. The repairs, maintenance and replacement of burnt-out light bulbs are done by Northwestern Energy as part of the maintenance agreement. Chairman Turk asked for any more questions from the audience and Commission. There being none, the public hearing was closed.

3. Discussion and action on approving Resolution No. 4065, a resolution of the City Commission of the City of Lewistown levying and assessing a special tax to cover the cost of maintenance of Boulevard District No. 12, in the City of Lewistown, Montana for the fiscal year beginning July 1, 2021 and ending June 30, 2022

City Manager Phelps explained that this is an assessment to offset the maintenance of the boulevards. City Manager Phelps stated the boulevards are located on east and west boulevard and 7th Ave N. The property owners adjacent to those boulevards pay a boulevard assessment based on property frontage. City Manager Phelps explained that in prior Commission meetings it was recommended to do a 25% increase over last years assessment. Commissioner Doney made the motion to approve Resolution No. 4065, a resolution of the City Commission of the City of Lewistown levying and assessing a special tax to cover the cost of maintenance of Boulevard District No. 12, in the City of Lewistown, Montana for the fiscal year beginning July 1, 2021 and ending June 30, 2022 and Commissioner Loomis seconded the motion. Mr. John Carson asked how many years have there been a boulevard district levy. Finance Officer Nikki Brummond answered that she has been here 21 years and it has been here that whole time, but could find out the exact date it was created. Mr. Carlson asked if there are any plans for the improving the boulevards. City Manager Phelps stated that currently the City is going to be undertaking a process that will include a lot of public participation to evaluate the boulevards and determine some improvements and possible changes. It is hoped that design work will be completed this winter. Mr. Carlson asked fi there would be public meetings and City Manager Phelps answered yes, as part of the design work. There was further discussion. Mr. Dean Allen addressed the

Commissioner stating he lives on 5th Ave N stating that water from the top of boulevard all the way down is horrible. Mr. Allen stated there needs to be a little more consideration on those ditches in the winter time. Commissioner Turk 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 approving Resolution No. 4066, a resolution levying and assessing the cost of maintenance reserve and administration, and supplying of electrical current for the street lights within the City of Lewistown, to properties within particular lighting districts

City Manager Phelps explained that the City of Lewistown has sixteen lighting districts spread out throughout the community. City Manager Phelps stated that each district has a specific bill from Northwestern Energy which is the supply and maintenance of those lights. Therefore, each district has different costs associated with them and all the properties located in the district pay a portion of the cost to offset the expense. This is a separate line item on the tax statement. City Manager Phelps stated this is the same budget that was presented in previous years we are not proposing any increases. Commissioner Hewitt made the motion to approve Resolution No. 4066, a resolution levying and assessing the cost of maintenance reserve and administration, and supplying of electrical current for the street lights within the City of Lewistown, to properties within particular lighting districts and Commissioner Oldenburg seconded the motion. Commissioner Turk 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 approving Resolution No. 4067, a resolution estimating the cost of maintenance in Street Maintenance District No. 1, specifying the assessment option and levying an assessment on properties for Street Maintenance

City Manager Phelps explained that this Resolution is setting the street maintenance assessment for the year. City Manager Phelps further explained that the assessment amount is the same as last year and those assessments are based on the square footage of the property. Commissioner Oldenburg made the motion to approve Resolution No. 4067, a resolution estimating the cost of maintenance in Street Maintenance District No. 1, specifying the assessment option and levying an assessment on properties for Street Maintenance and Commissioner Hewitt seconded the motion. Commissioner Loomis asked that the City Manager to explain the street maintenance assessment. City Manager Phelps explained that City Commission sets a rate per square foot and the rate this year is 3.3 cents per square foot. A residential household is capped at 15,000 square feet, otherwise the property owners pay the actual. There is no cap for commercial properties and there are exceptions if you are not close to a public right of way or on a private drive. Further discussion followed. Ms. Westhoff asked that regardless if you have a paved street or gravel street you pay a maximum of \$435. City Manager Phelps answered there is a cap on residential property of 15,000 square feet and the maximum assessment amount is \$495. Commissioner Turk asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

6. Public hearing on the 2021-2022 budget for the City of Lewistown

Chairman Turk opened the public hearing to hear comments on the 2021-2022 budget for the City of Lewistown. City Manager Phelps explained that over the past several months the City Commission has reviewed the budget, had discussions with the different departments, future capital needs and the preliminary budget was approved two weeks ago. Chairman Turk asked for any more questions from the audience and Commission. There being none, the public hearing was closed.

7. Discussion and action on approving Resolution No. 4068, a resolution relating to final budgets, budget authorities and annual appropriations for the fiscal year beginning July 1, 2021 and ending June 30, 2022

City Manager Phelps explained the final budget numbers for the fiscal year 2022 budget. City Manager Phelps explained that budget that is being presented meets the needs of the City. City Manager Phelps stated that the

total expenditure budget is approximately \$15,600,000 with cash reserves of around \$4,400,000 and just over \$11,302,000 in revenue to offset those expenditures. Commissioner Oldenburg made the motion to approve Resolution No. 4068, a resolution relating to final budgets, budget authorities and annual appropriations for the fiscal year beginning July 1, 2021 and ending June 30, 2022 and Commissioner Doney seconded the motion. There was a brief discuss of the wording of section 2 of the resolution. Mr. John Carlson commented that he has reviewed the budget and when he compares the total revenues to the total expenditures there is a deficit. Finance Officer Brummond explained that she understands his question, and this is the actual budget document that does not show any of the cash remaining. Mr. Robert Snyder stated he would urge a fiscal diet and would like to see the City continue to grow. Commissioner Turk asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

8. Public hearing on Resolution No. 4069, a resolution authorizing an increase in the City of Lewistown's mill levy in order to fund increases in premium contributions for medical group benefits for City employees and exempting the same from the mill levy calculation limitation provided for by law

Chairman Turk opened the public hearing to hear comments on Resolution No. 4069, a resolution authorizing an increase in the City of Lewistown's mill levy in order to fund increases in premium contributions for medical group benefits for City employees and exempting the same from the mill levy calculation limitation provided for by law. City Manager Phelps explained that in 2000 the State legislature capped the amount an entity can levy. The tax levies increase one half the rate of inflation over the last three years. City Manager Phelps further explained that the City receives our certified taxable values the first of August each year from the Department of Revenue. Once the City receives the certified taxable values then the information is input into a Mill Levy determination sheet that is provided by the State Local Government Services Bureau. City Manager Phelps stated that the City does have different mills that are levied each year, the first is the permissive mill levy and then the general fund mill levy. Mr. Dean Allen commented that in everyone's job they have to chip in and help pay for health insurance. Mr. Allen stated that he knows City jobs and the benefits are good and thinks with the rise of taxes, the City employees should have to pay a small portion of the health insurance. City Manager Phelps answered that the employees do pay a portion of the health insurance premiums. Finance Officer Brummond explained that this is a mill that is based on the health insurance increase over the years. The increase this year was a decrease of two mills, bringing in a total amount of \$170,251. Chairman Turk asked for any more questions from the audience and Commission. There being none, the public hearing was closed.

9. Discussion and action on approving Resolution No. 4069, a resolution authorizing an increase in the City of Lewistown's mill levy in order to fund increases in premium contributions for medical group benefits for City employees and exempting the same from the mill levy calculation limitation provided for by law

City Manager Phelps explained that the increase is based on health insurance premiums since the year 2000. The total amount we are levying this year is \$170,251 which is 24.41 mills.

Commissioner Doney made the motion to approve Resolution No. 4069, a resolution authorizing an increase in the City of Lewistown's mill levy in order to fund increases in premium contributions for medical group benefits for City employees and exempting the same from the mill levy calculation limitation provided for by law and Commissioner Hewitt seconded the motion. Commissioner Turk asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

10. Discussion and action on approving Resolution No. 4070, a resolution providing for the annual tax levy mills for fiscal year beginning July 1, 2021 and ending June 30, 2022

City Manager Phelps explained that included in this resolution is the permissive mills that were just discussed as well as the general fund mills. City Manager Phelps further explained that by utilizing the informiaotn provided by the Department of Revenue and the formula from the State this year the City is proposing a decrease in mills for a total of 216.13 which generates \$1,524,085. Commissioner Hewitt made the motion to

approve Resolution No. 4070, a resolution providing for the annual tax levy mills for fiscal year beginning July 1, 2021 and ending June 30, 2022 and Commissioner Dunnington seconded the motion. Commissioner Turk asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

11. Public hearing on Resolution No. 4071, a resolution amending the 2020-2021 budget of the City of Lewistown

City Manager Phelps explained that the City can amend the budget in accordance with law. City Manager Phelps further explained that in order to amend the budget a public hearing must be advertised and held. There are some corrections and grant funds received that were not expected. Chairman Turk asked for any more questions from the audience and Commission. There being none, the public hearing was closed.

12. Discussion and action on approving Resolution No. 4071, a resolution amending the 2020-2021 budget of the City of Lewistown

City Manager Phelps explained that this is the budget amendment for the previous fiscal year. There were some incorrect amounts that need to be fixed. At the last budget amendment, the other half of the fund transfer was missed. There was a long-term employee that retired from the Library and it was not budgeted for. There were grants received after the budget was approved. Commissioner Oldenburg made the motion to approve Resolution No. 4071, a resolution amending the 2020-2021 budget of the City of Lewistown and Commissioner Hewitt seconded the motion. Commissioner Turk asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

CITIZENS' REQUESTS

Mr. John Carlson asked if the City can go back and balance the budget after the fiscal year end. City Manager Phelps answered yes, the year is done, but will need to be closed.

Mr. Tom Petranek stated he is still fact finding on the water system. Mr. Petranek asked if there have been any studies at fixing the problem. City Manager Phelps answered there has been a review of the samples and where the coliform was found. The Commission has looked at potential options to fix the issue.

Mr. Dean Allen stated he thinks we are missing the boat on the water issue. There are a lot of citizens that are really upset about this. Mr. Allen proposed looking into doing something about the issue and understands that only so much can be done each year, but there are a lot of issues with piping in this town. City Manager Phelps stated that Commissioner Loomis attended a meeting with DEQ where the options were explored and the City continues to look at the issue. Commissioner Loomis stated that the fine is huge. Commissioner Oldenburg explained that some of the research is the system that is in place now and the possible upgrades. City Manager Phelps explained that the chlorination system that is in place now was for a one-month trial and that was three years ago. Commissioner Oldenburg comment that if it was a normal chlorination station and it would be the same as it is now. The flats of town are really what get hit with the chlorine.

Mr. Petranek stated that there should be a perpetual fund for fixing the water system. There should be a preventive plan. Mr. Petranek said just to clarify himself that with the fines and everything the City is not looking at fixing the problem of contamination, we're just looking at fixing the immediate problem. City Manager Phelps stated that no matter what the City will have to disinfect the water. City Manager Phelps further stated that there is not an option to not disinfect and the City has an order from DEQ that we will disinfect.

COMMISSIONER'S MINUTE

There were none.

ADJOURNMENT

Chairman Turk adjourned the meeting.

Dated this 7th day of September, 2021.

Patty Turk, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk