

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON SEPTEMBER 20, 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: Day, Doney, Hewitt, Loomis, Oldenburg and Turk. Commissioner Dunnington participated via zoom.

APPROVAL OF MINUTES

Chairman Turk stated that without objection and based on the corrections the August 23, 2021 special meeting and September 7, 2021 minutes are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Day reported that the Central Montana Health District (CMHD) met on Thursday, September 9th. Some items of discussion were: The CMHD board feels that amending the current bylaws at this time would be premature, as none of the counties know what their status with CMHD will be in the upcoming future. Wheatland County Attorney, Lynn Peterson was the only attorney present and he expressed his legal opinions regarding Wheatland County. Fergus County recently announced two resolutions and will be forming their own health board for Fergus County and will formally be withdrawing at the first of the year. Judith Basin County communicated that they too will be addressing their Commissioners with a plan to form their own County health board. Counties are still unsure of what funding can be received from the Department of Public Health and Human Services (DPHHS) individually and have not been able to gather this information which is a key factor for the Counties to determine how they will proceed. The audit requested by CMHD should be completed by the end of September, which will give Counties more information to help with the decision making. Fergus County Commission requested information from the CMHD board as to how each County will handle the junk vehicle program. Fergus County would like the junk vehicle program to remain intact from any asset split. The property of the utilized by the junk vehicle program is located in Fergus County. There was discussion regarding the splitting of assets, which will be determined once the audit is finalized. Also, there was discussion of how grants will be handled if CMHD dissolves. One Health representative, Kent Doughty, attended and spoke in favor of hosting the district as a whole. This may not be possible now as one county has withdrawn; one is near withdrawal and one has expressed interest in withdrawing. This

leaves the City of Lewistown with new decisions to make. One Health has recently expressed their stand about not being able to represent each county individually with their own health boards and employees. One Health is interested in the district as a whole and are not able to form a formal proposal until the intentions of each county are made clear and DPHHS funding is known. A timeline was set that by the October meeting, each county will need to announce their position as proper notices must be given to department employees and more. There was a lot of discussion from department employees regarding their passion for serving the counties and their communities and how much they value their jobs. Commissioner Day stated that One Health is not able to form any type of proposal until they know the desire of each entity and or plan for the district. The next CMHD meeting will be held, Thursday, October 14th at the Lincoln building at 1 pm.

Commissioner Oldenburg reported that the Central Montana Foundation will meet next week.

Commissioner Doney reported that the Library Board met on September 16, 2021. The new Library Director is going to put together an inventory because the Library has done several purchases over the last year. The purchases included new laptops for the staff and laptops for the public to check out, along with hotspots that were purchased as part of a grant program through the state. Once the inventory is complete the property insurance will be updated. There was discussion regarding the step on the front of the Library going to the upstairs of the old part of the building. There are some water drainage issues. The Library Director is going to talk with Council on Aging to see if the bus could stop at the Library. There was discussion on outreach options for the community. There was some discussion on trustee training.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

The draft agenda was included in the Commissioner's packet for the League of Cities and Towns annual conference. If you see something that looks interesting and would like to participate let the Finance Officer or City Manager know.

Friends of the Trails had a great Trails and Ales this year. There was a record number of brewers and a records number of people at the event. There are more events scheduled for Creekside this fall. The City will begin charging a \$25 non-refundable application fee for any event held on City property starting October 1st. Event fees will be discussed again this fall.

While paving the alley behind the Art Center an old heating oil tank was located. This tank was installed in the alley in the 1950's and at some point, it was abandoned in place. The tank was located on public right of way and the City had to take ownership. The City worked with a certified environment professional to have it removed and the soil tested. The City was notified last week that the soil tests did not indicate any heating oil leaked. The City will proceed with closing out the project.

The Public Works department recently completed the access to the parking area at the Frog Ponds. Drivers will now enter the parking lot using a one-way loop. Public Works still had signage to install in the area.

The Public Works and Police Department have been working together to improve vehicular safety and several intersections. You may have notice new stop signs being installed around town. One of the most visible intersections is Entrance Avenue next to the water tank. There have been two stop signs installed and are working traffic engineers to permanently address the intersection.

City Manager Phelps reminded the Commission there is a Commissioner candidate forum on September 30th and there is a School Board bond proposal on September 28th.

PUBLIC COMMENT – non agenda items

Mr. Robert Snyder asked if there was a threshold for the \$25 fee to be able to use the park. City Manager Phelps answered that if you expect exclusive use then you must fill out an application and pay the fee. Otherwise, the picnic tables and areas in the park are on a first come first serve basis.

Ms. Barbara Lodman addressed the Commission stating that she lives in Ward I. Ms. Lodman read the following letter from Doctors Cathy and William Holmes. As a past medical advisor to the Central Montana Health District, I (Cathy) has had the opportunity to watch this organization in action over several years, most closely during this relentless pandemic. It has taken the six county health district 15 years to become the well-oiled machine it is today. Services include: dealing with communicable disease and surveillance (all diseases, not just COVID), animal bite investigations, immunizations and maternal/child health (the latter for counties other than Fergus), cancer prevention and wellness, tobacco prevention, public health emergency preparedness, and environmental health services which include septic, public establishment and food inspections. It will take years for Fergus County on its own to recreate the infrastructure needed to provide these services in the current comprehensive and timely fashion. In the meantime, with or without the City of Lewistown, the present health district may lack the necessary funding to continue their work in surrounding areas, jeopardizing the healthcare needs of Central Montana residents, particularly those with impaired mobility from age or illness. We understand that One Health has offered to be responsible for the current health district, employing staff, etc. This seems to be a very practical fix for the situations; ideally Fergus County would contract with them. If Fergus County Commissioners continue to opt for a separate health board, we agree with Clint Loomis proposal that the board be made up of two Commissioners (who can rotate in and out with the third), a certified medical professional (such as a nurse or doctor), and a member at large from the community. May we continue to work together to keep the health of our community the best it can be. Ms. Lodman commented that it appears that the City Commission are discussing the health district situation, but would like to know what the interface would look like between the City and the County. Ms. Mary Frieze commented that it is too bad to take a well-functioning organization and really tear it apart. Ms. Mary Hamling addressed the Commission stating one of the comments she has heard a lot is how the district worked during the COVID situation. There was a lot of coordination and has heard a lot of good comments of how well it worked. Ms. Hamling commented that she looked up other health boards in the state and they have a medical person from the hospital, a veterinarian, a disaster emergency person and the mayor and a commissioner made up the health board. Mr. Robert Snyder stated that most everyone would agree that the City and health district have a responsibility for public health measures and to protect us to some degree. Mr. Snyder commented that he would be open to different people on the board if they favored the way he chose and thinks that might be all of us.

CONSENT AGENDA

Commissioner Doney made the motion to approve the consent agenda and Commissioner Oldenburg seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgment of the claims that have been paid from September 1, 2021 to September 15, 2021 for a total of \$361,950.31

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

1. Discussion and action on approving Resolution No. 4072, a resolution approving an application from Deena Birdwell for TIF funds made to the Lewistown Tax Increment Financing District Board

City Manager Phelps explained that at a special meeting at the end August the TIF board reviewed an application from Ms. Deena Birdwell for some façade improvements which included a new sign for her business located at 318 W Main St. City Manager Phelps further explained that TIF grants are a 50% match and that the TIF Board approved a grant in the amount of \$4,497.50. Commissioner Loomis made the motion to approve Resolution No. 4072, a resolution approving an application from Deena Birdwell for TIF funds made to the Lewistown Tax Increment Financing District Board and Commissioner Oldenburg seconded the motion. Mr. Robert Snyder asked if the TIF items had to be on two agendas and what about the fire and police vehicles. City Manager Phelps answered the items only need to be presented on one agenda and that the TIF items are approved by the TIF board and recommended to the Commission for final approval. Commissioner Turk asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

2. Discussion and action on approving Resolution No. 4073, a resolution approving an amendment to a TIF grant for B & B Enterprises, DBA Bob's Auto Mart

City Manager Phelps explained that about a year ago the Goodan's submitted an application to the TIF board for façade and improvement to the front roof at their location 104 E Main Street. City Manager Phelps stated that the TIF grant was approved at that time, but due to the volatile market there was a material increase of about \$900 and grant would cover 50%. At the September TIF Board the Board approved an increase to the grant in the amount of \$343.74 due to the increase in cost of materials. Commissioner Hewitt made the motion to approve Resolution No. 4073, a resolution approving an amendment to a TIF grant for B & B Enterprises, DBA Bob's Auto Mart and Commissioner Doney 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.

3. Discussion and action on approving Resolution No. 4074, a resolution approving an application from Rayce Townsend for TIF Funds made to the Lewistown Tax Increment Financing District Board

City Manager Phelps explained that Mr. Rayce Townsend submitted an application to the TIF board to help partially fund a project he is working on. Mr. Townsend is the owner of the property located at 420 1st Ave S. City Manager Phelps explained that Mr. Townsend is working on demolishing the building and plans on constructing a new building. City Manager Phelps stated that the TIF Board did approve the application for up to \$10,000 and is asking approval from the Commissioner. Commissioner Doney made the motion to approve Resolution No. 4074, a resolution approving an application from Rayce Townsend for TIF Funds made to the Lewistown Tax Increment Financing District Board and Commissioner Hewitt seconded the motion. Mr. Townsend asked when he can start the project. Commissioner Loomis asked what the area is zoned. City Manager Phelps answered that it is zoned highway commercial residential. Mr. Townsend stated he is working very closely with the building inspector. City Manager Phelps stated that the improvements will be more compliant with the zoning. 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 4075, a resolution lifting Stage II fire restrictions within the City of Lewistown

City Manager Phelps explained that on August 16th the City Commission went to Stage II fire restrictions in conjunction and aligning with what Fergus County did. City Manager Phelps stated that she is recommending the Commission reduce restrictions and go to Stage I fire restrictions and again this is consistent with Fergus County. Fires will still not be allowed at East Fore recreation area. Commissioner Oldenburg made the motion to approve Resolution No 4075, a resolution lifting Stage II fire restrictions within the City of Lewistown and Commissioner Loomis seconded the motion. Mr. Dean Allen stated

that he would like the Commission to reconsider that action, because if you look at the long-term forecast, we are still going to have hot dry days. City Manager Phelps stated that only approved fire pits and outdoor smoking is still allowed. Commissioner Turk asked if this decision is in line with the County. City Manager Phelps stated that Fergus County has already gone back to Stage I fire restrictions. 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 the purchase of a patrol vehicle for the Lewistown Police Department and authorizing the City Manager to sign a contract to purchase the vehicle

City Manager Phelps explained that as part of the budget process she worked with the Police and Fire Department to look at purchasing vehicles. City Manager Phelps stated that Police Chief Jenness did put gather bids. City Manager Phelps further stated that they are looking for a police truck and like the option of an extended warranty. City Manager Phelps explained that they received three bids for a Ford F150 police truck with the police package. The bids were received from Snowy Mountain Motors, Dana Safety out of Livingston and Bison Ford out of Great Falls. The bid range is \$36,000 to \$40,00 and the extended warranty was only offered by Snowy Mountain Motors in the amount of \$2,799. City Manager Phelps commented that the supply chain issue is real and there is a struggle to get vehicles timely. City Manager Phelps further commented that the Police Department has a truck that is about blown up and is now down that vehicle in the department. City Manager Phelps stated she would like to recommend approval of two vehicles and lock in the prices of both vehicles. Commissioner Oldenburg made the motion to approve the purchase of two vehicles from Snowy Mountain Motors at the \$39,692 price and Commissioner Doney seconded the motion. Commissioner Doney made the comment that two vehicles were budgeted for and that the extended warranty is a good idea because of the wear and tear on the vehicle. Further discussion followed. Commissioner Oldenburg stated that she supports the local bid. Commissioner Turk asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

6. Discussion and action on approving the purchase of a command vehicle for the Lewistown Fire Department

City Manager Phelps explained that as part of the budget process the Fire Department is looking for a command vehicle. The vehicle is a 1 ton pick up truck, to haul hose, and people. The bid package includes a topper with slide outs and tool boxes and then upfitting with lights, sirens, antenna and decals. The two bids are Snowy Mountain Motors with a bid of \$58,048.64 and the second bid is from Dana Safety Supply with a bid of \$58,930.68. Commissioner Doney made the motion to approve the bid from Snowy Mountain Motors and Commission 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

There were none.

COMMISSIONER'S MINUTE

Commissioner Doney stated that the Chokecherry was great and very busy. Commissioner Doney stated that she saw a lot of dogs and there were a couple of dog fights. Commissioner Doney hopes to be able to educate the Chamber and hope it works better with the new director. Commissioner Oldenburg commented that maybe more notification is necessary with the vendors.

Commissioner Loomis stated that he had someone call regarding a daycare moving into 518 E Montana, Fox Den Daycare. Commissioner Loomis stated several of the complaints were that the neighbors were not contacted. City Manager Phelps stated that she is not aware that the State has approved the location. City Manager Phelps explained that typically Fox Den only has 12 or less children. City Manager Phelps stated she will look into the issue and is not aware that a business license has been obtained.

Commissioner Day thanked everyone for the positive comments regarding the Central Montana Health District.

ADJOURNMENT

Chairman Turk adjourned the meeting.

Dated this 20th day of September, 2021.

Patty Turk, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk