

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON JANUARY 17, 2023 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Chairman Terry called the meeting to order.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present were Commissioners: Day, Doney, Hewitt, Hrubes, Scotten, and Terry. Commissioner Spika was absent.

APPROVAL OF MINUTES

Chairman Terry stated that without objection and based on the corrections the January 3, 2023 minutes are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Doney reported that the Library will be meeting on January 26th. The Chili Bowl is on Friday, January 20th and Commissioner Doney hopes everyone will attend.

Commissioner Day reported that the Park and Recreation board met on January 4, 2023. The board reviewed and discussed the proposed plans for the construction of the new facility. It is proposed the new facility would have restrooms, locker rooms, snack shack with a kitchen and a training room. The efforts for this project are being coordinated between the Friends of the Pool, Sea Lions, Ice Skating Association and the Park and Recreation Board. It is hoped that construction will begin this fall. The Lewistown Fergus County Recreation District board has committed \$100,000 to the project. In kind works is being organized as well as grant and fund-raising opportunities. Commissioner Day commented that the ice rink and Civic Center are busy and an update on the winter season was given. There is an increased number of ice skaters and several hockey tournaments are scheduled. The adult basketball and volleyball have started and archery signups are open. The board discussed the efforts being made by meaning to keep the outdoor trails clear through the winter.

Commissioner Scotten reported that Snowy Mountain Development Corporation (SMDC) will meet on Wednesday, January 18th.

Commissioner Hewitt reported that the Airport Board met on Wednesday, January 4th. Commissioner Hewitt stated that the property owed by Gordon Kaufman is now owned by JR Rutherford and the airport board will need to enter into a lease with Mr. Rutherford. The Lewistown airport was not at fault for the recent airplane accident. Commissioner Hewitt explained that the Airport Board is looking at a bylaw change and in the process of the making the change.

Commissioner Terry reported that Central Montana Foundation will meet on January 24, 2023.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

City staff have been working with the provider of our utility billing software to finalize the conversion to EDUs. The new sewer rate went into effect January 1st and the first bill with these rates will go out at the end of the month.

The City is in the process of doing some upgrade to the City's website. Frequent visitors to the website may notice the City's home pages look a little different, but you can still find all the same information and links.

There are currently several opportunities for employment with the City of Lewistown. The current openings are Planning Director, Police Officer, Building Inspector, and Public Works Director. More information is available on the City's website or at Job Service.

The Central Montana Perch Derby is being held at East Fork Dam on January 14th and 15th from 8 am to 2 pm. The annual event is put on by Walleys Unlimited. Then the group works closely with the Parks Department to complete projects at East Fork. In the past they have built an elevated fishing dock and a large picnic shelter.

In December the Public Works Director received the report from the Department of Labor regarding the inspection of the Public Works Shop. There were three serious hazards found they were: not having a beam and chain hoist rated, not performing annual safety self-inspection and not having specific ATV operation training complete. All of these items and several less serious hazards have been addressed and successfully abated. Commissioner Scotten asked what repercussions are there with the inspection. City Manager Phelps answered that there are none at this time, this was a compliance inspection, but if there were repeat findings it would be different.

The City has received notice that our water system failed to maintain the minimum disinfection level. During the month of October, and again in November, the pumping system failed and the chlorine residual temporarily dropped below the minimum level. The pump and line have been replaced to resolve the issue, but the City does have to publish the public notice in the newspaper.

As you know the legislature is now in session and there are several bills we are tracking. You can keep track of what is happening by either logging on to the state website (<https://leg.mt.gov>) or the League of Cities and Towns also has a site dedicated to the bills that may affect municipalities across the state (<https://engagifiweb.com/mlct/mlct-legislative-tracking-database/>)

PUBLIC COMMENT – non agenda items

There were none.

CONSENT AGENDA

Commissioner Hewitt made the motion to approve the consent agenda and Commissioner Hrubes seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgment of the claims that have been paid from January 1, 2023 to January 12, 2023 for a total of \$76,802.63

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

1. Discussion and action on approving a business license for NXT LVL Electrical Solutions

Commissioner Terry explained that business licenses for electrical, plumbing and HVAC are to be approved by the Commission. City Manager Phelps explained that the NXT LVL Electrical Solutions were here to do one project and provided the necessary documentation which include the surety bond and insurance. Commissioner Doney made the motion to approve the business license for NXT LVL Electrical Solutions and Commissioner Day seconded the motion. Commissioner Terry asked for comments from the audience and Commission. There being none, the question was called for and a roll call vote was taken with all being in favor of the motion.

2. Discussion and action on approving Resolution No. 4109, a resolution adopting fees and charges for the Lewistown City Cemetery

City Manager Phelps explained that included in the Commissioners packet is the resolution that evaluates the cemetery fees. When the Commission reviewed and changed the Cemetery ordinance it was determined that fees would be set by resolution and reviewed on an annual basis. City Manager Phelps stated that the rate change proposed is half of CPI, CPI last year was 4.7%, and felt it wasn't necessary to increase the fees by the full CPI amount. The fees are rounded to the nearest \$5 and the highest increase was \$15 and some fees did not change. Commissioner Doney made the motion to approve Resolution No. 4109, a resolution adopting fees and charges for the Lewistown City Cemetery and Commissioner Hewitt seconded the motion. Commissioner Terry asked for comments from the audience and Commission. There being none, the question was called for and a roll call vote was taken with all being in favor of the motion.

3. Discussion and action on Resolution No. 4111, a resolution appointing successor trustees to Lewistown Tourism Business Improvement District No. 1

City Manager Phelps explained that there are two trustee positions being reviewed. The reason for this is listed in the final Whereas in the resolution. City Manager Phelps read the following: the Trustee Lonnie Mannin sold his business and has now vacated the position as Trustee and the new owners would like to have KellyAnne Terry serve as their representative. KellyAnne Terry has been nominated by the Board to serve the remainder of his appointment. KellyAnne Terry has been moved to fill Lonnie Mannin's term, thus vacating her position, the owner of the Calvert has asked

that Kate Cooler fill the remainder of her existing term. Commissioner Doney asked if the reason the terms were listed on the resolution is because these trustees are finishing the remainder of the term. City Manager Phelps answered yes. Commissioner Doney made the motion to approve Resolution No. 4111, a resolution appointing successor trustees to Lewistown Tourism Business Improvement District No. 1 and Commissioner Scotten seconded the motion. Commissioner Terry asked for comments from the audience and Commission. There being none, the question was called for and a roll call vote was taken with Commissioners: Day, Doney, Hewitt Scotten and Terry being in favor of the motion. Commissioner Hrubes stated that because there may be an accusation of a conflict of interest, he must vote nay. Commissioner Spika was absent.

4. Discussion and action on entering into the Motorola contract for the 800 MHz system

City Manager Phelps explained that before the Commission is the 800 MHz proposal that has been discussed many times. This system is a sole source item and has the sole source contract with the State of Montana. The proposed proposal includes five years of maintenance. Commissioner Doney asked if this was part of the radio project. Commissioner Hewitt asked about the back up batteries. City Manager Phelps answered that it was determined that the City will take care of the battery back on their own and that statement will be removed from the contract. There was some discussion on the sole source contract and the details. Commissioner Doney made the motion to approve entering into the Motorola contract for the 800 MHz system and Commissioner Hewitt seconded the motion. Commissioner Terry asked for comments from the audience and Commission. There being none, the question was called for and a roll call vote was taken with all being in favor of the motion.

CITIZENS' REQUESTS

Mr. Brandon Beriault asked how much money the City has received through the CARES act. City Manager Phelps asked if he wanted the City or the community. City Manager Phelps stated that she will work to get him that information.

COMMISSIONER'S MINUTE

Commissioner Scotten asked if anyone had gotten any feedback on the proposed four-day school week. Commissioner Terry said it will be interesting to see how it will work out.

Commissioner Terry reminded the Commission that there is a City Manager evaluation on January 30th at 6 pm. It is a closed hearing. Commissioner Doney commented that she will not be there but will get her comments to the Chairman.

ADJOURNMENT

Chairman Terry adjourned the meeting.

Dated this 17th day of January 2023.

KellyAnne Terry, Commission Chairman

Nikki Brummond, City Clerk