A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON OCTOBER 21, 2024 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 of Allegiance.

ROLL CALL

Present were Commissioners: Buehler, Day, Hrubes, Robertson, Spika and Terry. Commissioner Hewitt was absent.

APPROVAL OF MINUTES

Commissioner Terry stated that without objection and based on the corrections the minutes for October 7, 2024 are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Day reported that the Park and Recreation Board will meet the first Wednesday in November.

Commissioner Hrubes commented that the Library open house was very cool. Commissioner Terry agreed that the Library open house was very well attended. Commissioner Terry commented that there were several members of the Friends of the Library were recognized for their many years of services.

Commissioner Buehler reported that the Library Board met on October 17th. There was discussion regarding the Friends of the Library and Library social. Commissioner Buehler commented that the Library received a donation for some non fiction youth materials and may need some help with a budget amendment. Commissioner Buehler stated that the Library Director is working very hard on the Library statistics for both the City and the state and putting the statistics into a more user friendly format. At the most recent meeting Carrie Mantooth, Director of Central Montana Foundation (CMF), was in attendance and discussed the multiple library funds held at CMF. Commissioner Buehler reported that the Library does have a building committee that meet on a regular basis and would like the City Manager to sit on the building committee. Commissioner Buehler explained that the library board feels it would be very important to have input from the City since it is a City owned building. The MOU was discussed also.

Commissioner Terry reported that there will be a Central Montana Foundation meeting on October 22nd at 2 pm.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

Recently City representatives met with VACOM, Joel Almeda, the Berg Lumber developer and several others looking at residential developments. These projects are in the planning phase and are moving forward. We anticipate receiving plans for these in 2025.

The City has started transitioning to electronic time cards. Right now, we are just working on clocking and clocking out. Staff are working on getting the system integrated with our payroll system and plant to be on the new system by the new year.

The Lewistown Historic Resources Commission still have Lewistown books available. The books are $25.00 each and can be purchased at the City Office or several other retail locations. The Historic Resources Commission also has another project in the works, it is called the Living History Project. This will allow people to access the history of a few downtown business in person or online, buy using a QR code that link users to the City's website.

As election season approaches, the City Manager reminded everyone what the City code is on temporary signs. While temporary signs are exempt from the standard permit requirements. They cannot be placed on public right of way (City or State) and must be removed within 60 days prior to the event and removed upon completion of the activity. These signs must be placed on private property.

The Public Works Department will start the leaf cleanup schedule on November 4, 2024. This information will be shared with the newspaper and radio but the schedule is also available on the City's website. AS a reminder, leaves can also be brought to the compost bin located next to the Wastewater Treatment Plan at the end of Crowley Avenue. We as people to not pile leaves in the street too early.

Just a reminder that RV's board trailers and campers may not be parked on City streets after November 1st the Police Department continues to address parking complaints and it is a great time to address these issues prior to the winter season.

PUBLIC COMMENT – non agenda items

Mr. Bill Baldus, vice president of the Big Spring Creek Watershed, addressed the Commission stating that the group voted last week unanimously to attend this meeting. Mr. Baldus stated the group has written two letters to the City regarding the wastewater treatment plant and the issues there. Mr. Baldus commented that the group would like to engage with the Commission and get some of the issues resolved. Mr. Baldus explained that everyone is aware that there were two issues during high water that sewage has gone into Big Spring Creek. Mr. Baldus stated that they are here to work with the City to remedy that situation. Mr. Baldus stated that the group would like to know what the plan is going forward because currently the DEQ has identified issues and violations that would incur fines. Mr. Baldus commented that the group would like to request a copy of the City's response to the March 22nd DEQ violation letter. Mr. Baldus stated that the group appreciates the effort of the City to get the 3 million ARPA grant but are concerned that the grant will only address 30% of the issues and violations. The group would like to request a water plant tour with the City Commission and the watershed council to better understand more of what is going on down there. City Manager Phelps stated that the Commission has been working to create a couple of small working groups, one for the concerns at the wastewater treatment plant and one for the concerns at Berg Lumber. City Manager Phelps asked Mr. Baldus to stop in the City Office to request the documents. Commissioner Buehler stated that she did request a few months ago to invite the watershed council to maybe use a committee of the whole to present and open that dialogue. Then maybe from that committee of the whole committee members can be identified. City Manager Phelps reported that she has had multiple conversations with DEQ and have they offered to attend a meeting also. Commissioner Buehler commented that could be a very good use of a committee of the whole to spend some time to discuss. Commissioner Terry stated that would probably be good, but not sure when.

CONSENT AGENDA

Commissioner Day made the motion to approve the consent agenda and Commissioner Buehler seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from October 1, 2024 to October 17, 2024 for a total of $897,428.02

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

1. Discussion and action on approving the 2024-2025 School District No. 1 recreation agreement

City Manager Phelps explained that recreation agreement with the School District is before the Commission for approval. City Manager Phelps reported that last year herself, the Recreation Director and the school reviewed this agreement and it is now more a recreational facilities agreement than a civic center agreement. The agreement covers a lot of other programs, the school district pays a nominal annual fee that does go up by CPI each year. City Manager Phelps further explained that the usage of the Civic Center has changed a bit with the addition of the Lewis and Clark gym but they are still utilizing the Civic Center for practices, and other recreational facilities. The amount of the agreement went up $264 Commissioner Buehler made the motion to approve the 2024-2024 School District No. 1 recreation agreement 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 the clerk took a roll call vote with all voting in favor.

2. Discussion on the possible changes at the Civic Center. City Manager Holly Phelps

City Manager Phelps stated that when the Commission toured the Civic center at a previous committee of the whole a lot of different projects were discussed. Recreation Director Kelly Henderson reported that Creekside, Civic Center and the shelter at Frank Day Park have been vandalized. Recreation Director Henderson explained the people that have vandalized are young children and as a result she feels it is very important to create a safe place for kids to be productive. Recreation Director Henderson explained that the City needs to be proactive and request restitution because the kids do need to be held accountable. Recreation Director Henderson reported that at the last Park board meeting it was voted to remove the claw machine and get a vending machine with healthy snacks and drinks other than pop. Recreation Director Henderson explained that she has presented Jaycees with a proposal asking for help with funding some of the youth programs and rec room. Recreation Director Henderson reported that she has been asking for donations for the rec room and a nice couch was delivered today for the rec room. Recreation Director Henderson reported that we longer have roller skating at the Civic Center, which is a huge disappointment to some citizens. Recreation Director Henderson commented that she has been trying to come up with some new programs or activities and one of them is glow in the dark dodge ball. There was a brief discussion on hosting a fun run. Commissioner Robertson asked why there is no more roller skating. Recreation Director Henderson answered that one is the gym floor had gotten pretty think over the years and they are now refinished. It is cost prohibitive to due to the wear and tear on the gym floor and the difficulty is staffing. Commissioner Robertson asked about a budget for the youth rec room.

Recreation Director Henderson answered that she has put a rough budget estimate and submitted it to both the City Manager and Jaycees. Recreation Director Henderson explained that some of the items on the budget have been donated and she is working with the Library Director.

3. Discussion and action on approving Resolution No. 4175, a resolution stating the intention of the City Commission to amend the 2024-2025 budget of the City of Lewistown

City Manager Phelps explained that this is a repeat of the previous resolution on the last Commission meeting due to the fact we were not able to meet the public hearing requirements. This is the intent to set a budget amendment hearing for the first meeting in November and is being advertised. Commissioner Spika made the motion to approve Resolution No. 4175, a resolution stating the intention of the City Commission to amend the 2024-2025 budget of the City of Lewistown and Commissioner Buehler seconded the motion. Commissioner Terry asked for comments from the audience and Commission. There being none, the question was called for and the clerk took a roll call vote with all voting in favor.

4. Discussion on the 2023 Audit. City Manager Holly Phelps

City Manager Phelps explained that the audit findings were handed out at the last Commission meeting and tonight you received the corrective action plan and the acceptance of the corrective action plan. City Manager Phelps reviewed the audit with the Commission. The first item is separation of duties. City Manager Phelps explained the City office is small and work to separate the duties. For example, those that receipt money on a daily basis does not balance the drawer and someone else does the deposits. This is an item that most likely it will always be there and is not a material finding but limiting factor of our size. The second item refers to the auditors preparing our financial statements. City Manager Phelps explained that we do not have a CPA on staff and it doesn't make sense that we would use anyone else than the auditors to close the books. City Manager Phelps stated again this is not a material finding the issue is the limited qualification of our staff and the size of our office. Commissioner Spika asked for clarification on this item and stated that she is guessing governmental accounting is complex. City Manager Phelps answered yes as it is completely backward of regular accounting. There are very few firms and the local CPA firms don't do governmental accounting. Commissioner Buehler asked if there are there is a company we could contract with to complete this task. City Manager Phelps answered yes, that is possible and can look into it, however, getting auditor proposals is difficult due to retirements and consolidation of firms. There are a lot of people that needs these services and struggling to find auditors. The third item is Other Post-Employment Benefit (OPEB). City Manager Phelps explained that the auditors would love the City to engage a firm to determine the total OPEB liability and related expense. City Manager Phelps commented that again due to the size of the City we have not moved forward with this item due to the associated cost. City Manager Phelps stated that we can move forward with getting a proposal to determine a cost and there are a few actuaries in the State of Montana. Commissioner Spika asked if this could be done every other year or every three years to get the liability in line. Commissioner Day commented that the Commission is listed as the contact person, so is that the Commission responsibility. City Manager Phelps answered yes if the Commission would like her to move forward and determine how to fund it yes, she would need direction from the Commission. Commissioner Robertson asked if there was capacity it the budget to fund it this year. Commissioner Buehler asked if the City Manager knew the cost. City Manager Phelps answered maybe around $20,000. Brief discuss was held on the possibility of getting a proposal. Item four is the timeliness of cash reconciliation. City Manager Phelps explained that the finance officer balances a handful of accounts and reports are given to the City Manager. The auditors do want it done more timelier and there has been some turnover in payment processing and have caused some issues. The finance officer does understand that this is a priority and is working on it. There was a brief discussion on reconciling items when balancing. Item five is the payroll clearing fund not reconciled. City Manager Phelps explained that the bookkeeper is currently doing this on a monthly basis. There are still a couple of accounts that the finance officer is still working on. Items six and nine issues related to the water project. City Manager Phelps explained that engineers do all of the contracting, however, they did not get debarment certificates from all contractors. The auditors reviewed this and determined that only the prime contractors provided debarment certificates and asked the we request debarment certificates from all contractors including sub-contractors. City Manager further explained that actually the prime contractors should be getting the debarment certificates from the subcontractors. There was one debarment certificate was unable to be provided. There was a brief discussion on debarment certificates. Item seven refers to bond covenants. City Manager Phelps explained the bond covenants are for the sewer loans and the sewer rates have since been increased. Commissioner Buehler asked for an explanation of bond covenants. City Manager Phelps explained that as part of the City's project funding loans require the City to have 125% of the annual payment held in reserve. This is an assurance that the payments will be made. The incremental sewer rate increases have addressed this issue. There was discussion regarding the increase in sewer rates and where the sewer revenues are at currently. Item eight refers to budgets. City Manager Phelps explained the budget was submitted but some of the information was not submitted in the proper form, which was addressed this year. Commissioner Terry asked if the auditors accepted the corrective action. City Manager Phelps answered yes and explained that all of the City's audits are available online. There was discussion on the audit process.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTES

Commissioner Buehler reported that she had a citizen in her ward express her concern with the increased traffic in Bonanza Hills during the week. Commissioner Buehler stated the citizen is wondering if the City can do anything to help manage the inflow of traffic in that area, now that Lewis and Clark school is three grades now. City Manager Phelps stated that she has asked the State to weigh in on the situation and has some interesting suggestions. City Manager Phelps further stated that through the traffic planning and study this would be a great time to partner with the school and has offered to meet with the school administration. The drop off and pick up of kids is all happening on Fluorite. Commissioner Buehler commented that she is wondering if traffic flow can be encouraged a different route and seems to be busier in the morning compared to the afternoon.

Commissioner Day commented that she appreciated the presentation and update on the Civic Center. Commissioner Day also commented that she appreciates when department heads are at the meetings.

Commissioner Robertson brought up the traffic concerns around Lewis and Clark. Commissioner Robertson expressed his concern that this is a extremely dangerous situation. Commissioner Robertson stated that this needs to be a top priority and poll the state and see what can be done. Commissioner Robertson stated there are some spots in the area where parking and pick up lanes could be added. City Manager Phelps reported that she has reached out to both the school superintendent and the school principal. There was discussion on what possibilities could be done. City Manager Phelps explained that these concerns have only be brought to her attention in the last week. City Manager Phelps asked the Commission for direction on how they would like to proceed with the issue. The Commission wants to make sure something is done.

Commissioner Terry reported that she has been approached by citizens in the area of G Street regarding the traffic on the street. It was reported that the signage needs to be improved. City Manager Phelps explained that part of that area is in the county and there would be some jurisdictional concerns and the roads closest to the truck bypass are in the county. City Manager Phelps stated that she can reach out to the county and see what can be done. Commissioner Spika asked about a speed trailer. City Manager Phelps answered that we currently have on and will look at where it could be located.

Commissioner Terry stated that we were unable to finish the City Manager review and wonder if we could meet again on November 4th at the Committee of the Whole and could it begin at 5 p.m. Commissioner Terry commented that she would like to make sure there is enough time to complete the review.

Commissioner Day asked if a subcommittee for the traffic issue. City Manager Phelps answered that maybe the two Commissioners who received the complaints and herself can meet with those concerned.

ADJOURNMENT

Chairman Terry adjourned the meeting.

Dated this 21st day of October, 2024.

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KellyAnne Terry, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk