A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON NOVEMBER 18, 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, Hewitt, Hrubes, Robertson, and Terry. Commissioner Spika participated virtually.

APPROVAL OF MINUTES

Commissioner Terry expressed concern with the transcription of the minutes and suggest a more concise approach. The Commission agreed to review and approve the November 4th minutes at the next meeting.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Robertson reported that the Tax Increment Finance Board would like to come to a future commission meeting and do a short question and answer regarding any questions the Commission may have and also discuss some big issues that are on the table for the future. Commissioner Robertson stated that the City Commission approved a revolving loan fund grant to the Broadway apartments and that grant was not used. There was other funding that was used and it was due to a timing issue and the closing of the loans.

Commissioner Hewitt reported that the Airport Board met on November 6th. The Nexus contract will be up for renewal in two years and the contract will be increased to coincide with the new fees that were put into effect. The terminal parking lot is finished and looks very nice. Jeremy Johnson was hired to replace Curt Erlandson. There was a brief review of the big hangar regarding improvements and use of the hangar.

Commissioner Day reported that the Park and Recreation Board met on November 6th. The Recreation Department is seeing a lot of vandalism down at Frank Day Park, however have a pretty good idea of who it is. It is hoped that the family rec room at the Civic Center will help so youth have a place to go. The department is looking into a camera system and auto clocks for the Creekside and Frank Day Park bathrooms. Commissioner Day commented that Bill Berg gave the board an update on the multi-purpose building. Commissioner Day reported that the Friends of the Trails helped to purchase a new mower, the fitness equipment on the trail is installed and receiving lots of compliments on the story walk. The Trails Manager was present and gave an update on the trails.

Commissioner Spika reported that Snowy Mountain Development Corporation will meet on Thursday, November 21st.

Commissioner Buehler reported the Library board will meet on Thursday, November 21st.

Commissioner Terry reported the Central Montana Foundation will meeting on November 26th.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues;

The City offices will be closed November 28th in observance of Thanksgiving.

This year the Lewistown Downtown Association (LDA) has organized a Hometown Holiday Weekend November 29th and 30th. Check out their website or Facebook page for more information.

Christmas stroll this year will be December 6th from 4 to 8 pm. There will be a parade at 5:30, as well as, Bright Country Nights for the weekend and the North Pole Adventure train.

The Ice-Skating Association is working to get the rink ready for this year's season. They are planning to start making ice very soon. This group continues to grow their program and make some additional improvements to the facility.

The Civic Center is getting ready to begin renting snow shoes, cross country skis and ice skates. For more details on equipment rental call the Civic Center.

The City currently has the emergency generator and centralized battery backup project out to bid. This is one of our State Local Infrastructure Partnership projects.

Recently, the sidewalk at Veteran's Park was replaced. Volunteers from the American Legion did the project with the help of concrete finishers from a local construction company. The City did dispose of the old concrete.

The Board of Adjustment recently met and approved four variances. Three of the variances were for six-foot fences. The board also approved a shipping container in a residential area. Later this week the Planning Board will meet and discuss a conditional use application for a daycare to be located on the 400 block of Watson Street. Please talk with the Planning Director if you have any questions. Commissioner Terry asked about the shipping container. City Manager Phelps answered it is a Connex for storage. Commissioner Robertson asked if this is permanent fixture. City Manager Phelps answered it is as permanent shed, but part of the conditional use permit is that it is only for the individual. It is a new shipping container and the other condition was landscaping because it is adjacent to the trail.

PUBLIC COMMENT – non agenda items

Mr. Dave Heller, 112 Mount Pleasant, addressed the Commission stating that there is a motorhome parked in front of his neighbor's house and when backing out of his drive way he loses about eight feet of visibility. Mr. Heller stated that this is a safety concern and a preventable accident. City Manager Phelps commented that the ordinance committee has met and have some thoughts regarding the five days and moving the vehicles. Commissioner Terry stated that currently the campers and trailers are allowed on the streets from April 1 to November 1st and only required to move every 5 days. Commissioner Terry further commented that the Commission will be looking at some changes to the ordinance to address this issue.

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 acknowledgement of the claims that have been paid from November 1, 2024 to November 14, 2024 for a total of $108,676.46

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

1. Discussion on angled parking on 3rd Ave N City Manager Holly Phelps

Commissioner Terry explained the Commission is going to discuss the angle parking on 3rd Ave N, there will not be a decision made tonight. City Manager Phelps reported that change to the parking was done in 2017. The proposal was brought to the Commission when the Power Mercantile building was being remodeled. City Manager Phelps commented that in 2017 First Bank expressed no concern with changing the parking. City Manager Phelps explained that Planning Director Doug Osterman expressed his concern with changing the parking because of the 2024 Land Use plan where there were a lot of comments regarding parking, and lack of parking in the downtown area. Planning Director Osterman would have a difficult time with a change when it is inconsistent with what he heard from the public during the land use plan process. City Manager Phelps stated that if the parking is changed from angle parking to parallel parking it will decrease the number of available parking spots in the downtown area. The Fire department's concern that it is very difficult to use their truck on that block. Mr. David Cunningham, Director of the American Prairie National Discovery Center, provided a letter stating angled parking should be eliminated with the following exceptions: one parallel disabled parking spot, with a one-hour time limit and be enforced and one parallel parking spot designated for loading and unloading only. Commissioner Hrubes stated that his first priority would be the fire department's access and would a center line or a one way street would be possibly alleviate a lot of problems. Commissioner Robertson stated he feels the Commission should make a quick decision on this issue and find some other solutions for parking downtown. Mr. Doug Day commented that this topic has been discussed many times by the Commission and he has not heard anyone in favor of angle parking. Mr. Day further commented that one concern of his is the deterioration of the sidewalk. Commissioner Robertson asked what is the process to make the change. City Attorney Tyler West suggested that it should be done by resolution, have the decision laid out in writing and give the public more opportunity to comment.

2. Public hearing to hear comments on Resolution No. 4180, a resolution authorizing the closure of the City Clerk's office, including Public Works on December 24 for 2024, 2025 and 2026

Chairman Terry opened the public hearing to hear comments on Resolution No. 4180, a resolution authorizing the closure of the City Clerk's office, including Public Works on December 24 for 2024, 2025 and 2026. Commissioner Robertson asked what would happen if an employee chooses not to take vacation. City Manager Phelps answered that the office would remain open and they would be able to keep the office open. Commissioner Terry asked for comments from the audience and Commission. There being none, the public hearing was closed.

3. Discussion and action on Resolution No. 4180, a resolution authorizing the closure of the City Clerk's office, including Public Works on December 24 for 2024, 2025 and 2026

Commissioner Terry asked how this works. City Manager Phelps answered that there are still employees on call. Commissioner Day made the motion to approve Resolution No. 4180, a resolution authorizing the closure of the City Clerk's office, including Public Works on December 24 for 2024, 2025 and 2026 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 being in favor of the motion.

4. Discussion and action on approving 2025 gravel bids

City Manager Phelps reported that the request was advertised and no bids were received. Commissioner Terry asked what will we do? City Manager Phelps answered that in the past few years we have not gotten gravel bids and as a result we pay market cost when gravel is needed. City Manager Phelps further explained that this is a requirement of the City's purchasing policy.

5. Discussion and action on approving the 2025 snow hauling bids

City Manager Phelps reported that the request was advertised and no bids were received. City Manager Phelps stated that we will continue to advertise for snow hauling bids.

6. Discussion and action on reappointing mutually agreed upon members Lisa Robinson, Donna VanTassel and Whitney Potts for an additional three-year term to the Board of Health

City Manager Phelps explained that the City has an agreement with Fergus County to have a City County health board. It is a five-member board and there are three members that are mutually agreed upon. There is a member that the county appoints and there is a member the City appoints. The three members that are up for reappointment are very qualified and knowledgeable individuals. The county will also be reappointment these members. Commissioner Buehler made the motion to approve reappointing mutually agreed upon members Lisa Robinson, Donna VanTassel and Whitney Potts for an additional three-year term to the Board of Health 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 the Clerk took a roll call vote with all being in favor of the motion.

7. Discussion and action on approving a codification agreement from American Legal Publishing and authorizing the City Manager to sign the agreement

City Manager Phelps explained that American Legal Publishing is currently the firm the City has been using. The City codes are hosted on line and all departments have a physical copy of the codes. City Manager Phelps stated that this agreement is for all the codes to be reviewed, updated and new books are part of this price. Commissioner Terry asked if this was budgeted. City Manager Phelps answered that half of it was budgeted because this will be about an 18-month process. Commissioner Buehler made the motion to approve a codification agreement from American Legal Publishing and authorizing the City Manager to sign the 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 being in favor of the motion.

8. Discussion and action on authorizing the repair of the step screen at the wastewater plant by Huber Technologies

City Manager Phelps explained that this is one of the pieces of critical equipment for the wastewater plant and we have all the parts, but a very technical piece of equipment. City Manager Phelps stated that in the past we have had a technician from Huber Technologies to do the maintenance. City Manager Phelps commented that currently this is just an estimate of the cost and would ask the Commission authorize Huber Technologies to do what is necessary to get the equipment functional. The company will only bill for what is utilized. Commissioner Terry asked if this is one of the critical pieces that the DEQ is concerned about. City Manager Phelps answered yes, and DEQ is aware of where we are at in the process and that the parts have been on order for some time. Commissioner Buehler asked if this is budgeted. City Manager Phelps answered that this is budgeted as part of the regular maintenance of the plant. Commissioner Day made the motion to approve authorizing the repair of the step screen at the wastewater plant by Huber Technologies 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 being in favor of the motion.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Terry stated that she would like to review the presentation by DEQ that was presented during the Committee of the Whole. Commissioner Terry commented that the discussion was on two different permits. One permit is called the individual permits and that is the industrial side which is the wastewater discharge or treated wastewater. The other permit is the stormwater permits. Commissioner Terry explained that with the letter and other information provided by the City Manager DEQ is looking at no further action on that permit. The individual permit is the one that has been escalated to enforcement because there is actual failed equipment. Commissioner Buehler stated that the biosolid composting the City does is that something the City would like to continue to do or review and see if that is something we like to do differently. City Manager Phelps answered that is a service the City provides to the citizens. The decision would be totally up to the Commission on what to do.

Commissioner Terry asked how the meeting with representatives from the school district went with regards to the traffic at Lewis and Clark school. City Manager Phelps answered that they met and had a good conversation. There was more discussion regarding the traffic in the area.

ADJOURNMENT

Chairman Terry adjourned the meeting.

Dated this 18th day of November, 2024.

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KellyAnne Terry, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk