A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON FEBRUARY 20, 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 to the Flag.

ROLL CALL

Present were Commissioners: Buehler, Hewitt, Hrubes, Scotten, and Terry. Commissioners Day and Spika participated virtually.

APPROVAL OF MINUTES

Chairman Terry stated that without objection and based on the corrections the January 16, 2024 and February 5, 2023 minutes are approved.

COURTESIES

There were none.

PROCLAMATIONS

Chairman Terry read the following proclamation:

Arbor Day Proclamation

WHEREAS, natural areas, trees, and landscapes provide not only community beautification but also economic and environmental benefits; and

WHEREAS, trees provide many benefits to the community, including air purification, windbreaks, noise reduction, shade and energy savings; and

WHEREAS, planting trees and maintaining older trees provides an opportunity for community interaction, volunteerism, economic development, and environmental conservation; and

WHEREAS, our efforts to improve the environmental benefit present and future generations; and

WHEREAS, Arbor Day in Montana is officially the last Friday in April;

BE IT THEREFORE RESOLVED, I, KellyAnne Terry, Commission Chairman of Lewistown, Montana, do hereby proclaim May 3, 2024, as Arbor Day in Lewistown, and encourage citizens to participate in appropriate activities and to take advantage of the benefits of the parks and other natural areas in our community.

BOARD AND COMMISSION REPORTS

Commissioner Buehler reported the Library Board met on February 15th. The following items were discussed: the possibility of modifying the author dinner, hiring of summer help, grants the Library Director is working on. City Manager Phelps stated that the Library is not moving forward with the Historic Preservation grant because they were not awarded the planning grant, however, they will continue to focus on the planning grant. Commissioner Buehler explained that there is a sequence of granting the Library Director is focusing on and it somewhat hinges on the community development block grant.

Commissioner Hrubes reported that the Fergus County Health Board will meet in April.

Commissioner Hewitt reported that the Airport Board met on February 7th. Commissioner Hewitt commented that there is cracking on the main ramp and the water meter in Rimby Hangar froze and has been replaced. The Airport was awarded a grant to do some paving at the airport. There is still discussion with the trap and skeet club and the possibility of it moving to a different location. There was discussion on replacing the large hangar door and some of the other changes that they would like to do. A development group has given a proposal to the Airport Board, the group states that over the next 9 to 12 months they will put together a plan and feasibility study for a commercial business development for the undeveloped land on the north side of the municipal airport and south side of highway 87 between the Kiwanis campground and the Celebration Church this would be phase 1 followed by phase 2 west of Kiwanis campground. At the completion of the planning period the development group will enter into a lease with the Airport to develop the property or vacate interest of developing the property if not feasible. The Airport did accept the proposal. Commissioner Hewitt reported that C & A Fitness would like to lease and develop the lot next to the Lewistown sign approximately 1.5 acres. The proposed use is a gym and retail, they are going to have their engineer and architect draw up the map and details, which will be brought back to the Airport Board in March.

Commissioner Scotten reported that Snowy Mountain Development Corporation (SMDC) met on February 15th. Commissioner Scotten explained that at the December board meeting Dan Clark with the Local Government Center was in attendance to start the process to develop a strategic plan for SMDC. Commissioner Scotten stated that now all the members have had time to digest all the information four strategic teams were appointed to concentrate on the development of a strategic plan. The teams are advocacy, intergovernmental collaboration, financial sustainability and organizational capacity building. The next meeting will be in April, the meetings will be held every other month.

Commissioner Scotten reported that Shelter Solutions is operating at the St. Episcopal Church, but may only be operating through the end of the month. There has not been more that two people at any one time. Commissioner Scotten reported that it is a communal space, because no partitions were purchased and will only be staffed by volunteers.

Commissioner Terry reported that the Central Montana Foundation will meet on February 27, 2024.

Commissioner Day reported that the Park and Recreation Board met on February 7, 2024. Commissioner Day explained that for old business there was discussion on fees for private lessons and parties. Currently, the pool is losing revenue on the current rates due to staffing and the department would like to raise the rates for private lessons and usage. The Recreation Director is working to have a job fair in March for the hiring of pool staff. There are two trees that need to be removed at the Pickleball Court and the estimated cost to remove is $5,200. The pickleball group has committed to purchasing two new trees for the park. The concrete pad at Frank Day Park for the new picnic shelter is done and the rest will be completed as the weather allows. The men's restroom at Creekside is repaired. Commissioner Day commented that there was discussion on the kiosks adoption opportunity and this could be done as an eagle or community scout project. Park board members Bill and Josh will come up with a set of standards for kiosks located along the trails. The trail board is looking to make a wayfinding map and Matt Donaldson is the contact for assistance with mapping to help involve the Lewistown Junior High GIS Club. Lewistown Ice Skating Association (LISA) has had a donation of a lot of funds and is looking to put a cover over the ring and is looking for approval from the Park Board to move forward with the design and cost factors to maintain the ice for the season. LISA is also interested in pursuing the Land and Water Conservation grant which is a 50/50 match and are in line to apply in 2025. The soccer club has expressed interest in applying for the same Land and Water Conservation grant in 2024. Commissioner Day reported on activities at the Civic Center, which the recreational specialist position has opened up and they are in need of recreation management software. The software would be for both the Civic Center and the Pool to help manage all programs and memberships. The new soccer park was discussed and a new MOU needs to be in place before the soccer club will turn over the park to the City.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following topics:

The Fire Department has begun the process to update the City's Fire Code ordinance. As a certified local government, we must adopt the same code that the State of Montana approves. The fire code is adopted by ordinance and therefore the Fire Marshall will work with the new City Attorney to bring this ordinance to the Commission.

Public Works remains busy removing ice and opening up drainages. The recent warm weather has allowed Public Works to begin thinking of summer. We are currently working on putting together the annual street improvement project that will go out to bid and scheduling other construction projects. The street department will sweep streets and patching potholes, as weather allows.

During the month of December 2023, the chlorine disinfectant residual dropped below the required minimum 0.20 milligrams per liter at the entry point to the distributions system. We had two chlorine fittings fail and we replaced them with higher grand fittings. We are sampling disinfectant levels, and we will adjust the amount of disinfectant to maintain adequate levels. The fittings were replaced to resolve the issue, but we do have to publish the public notice in the newspaper.
Civic Center activities are picking up. They are gearing up for the little eagle basketball program, spring soccer, and the first signups for baseball and softball are coming up. They are also gearing up for the pool season.

Olness and Associates will be here the week of February 26, 204 to conduct our annual audit.

Commissioner Scotten asked what the result is of the chlorination violations. City Manager Phelps answered that DEQ could fine us, but typically you are given one freebie. City Manager Phelps explained that the City pays an annual permit for DEQ and as long as you have no violations you get a discount on that permit. City Manager Phelps stated that typically the discount is taken first and then you are fined, however, we are in the middle of construction and if our system was fully operational there is a enough redundancy in the system that it most likely would not have occurred.

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 February 1, 2024 to February 15, 2024 for a total of $156,199.04

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

1. Discussion and action on approving Resolution No. 4149, a resolution approving an application from L-town Pizza for TIF funds made to the Lewistown Tax Increment Financing District Board

City Manager Phelps commented that the Tax Increment Financing District (TIF) Board received a grant application from L-town Pizza to do some work on the old China Garden Building. L-town Pizza is in the process of doing construction and turning it into a pizza place. The TIF board approved their grant application for up to $20,000 for signage and façade improvements. There was a brief discussion on the project. City Manager Phelps explained that this is a 50/50 grant match. Commissioner Buehler made the motion to approve Resolution No. 4149, a resolution approving an application from L-town Pizza for TIF funds made to the Lewistown Tax Increment Financing District Board and Commissioner Hrubes seconded the motion. Commissioner Terry asked for comments from the audience and Commission. There being none, the clerk took a roll call vote with all being in favor of the motion.

2. Discussion and action on approving the quote from Dana Safety in the amount of $20,159.00 for the upfit of a new patrol vehicle

City Manager Phelps explained that quite some time ago the City Commission approved the purchase of a new patrol vehicle and it is finally ready to be upfitted. City Manager Phelps reported that this upfit was included in the budget. Commissioner Buehler made the motion to approve the upfit from Dana Safety in the amount of $20,159.00 for the upfit of a new patrol vehicle and Commissioner Hewitt seconded the motion. Commissioner Terry asked for comments from the audience and Commission. There being none, the clerk took a roll call vote with all being in favor of the motion.

3. Discussion and action on approving Resolution No. 4150, a resolution adopting the Montana Land Use Planning Act of 2023 and creating an interim planning commission

City Manager Phelps stated that at the last Commission meeting it was briefly discussed what was being proposed and this is the resolution that creates the interim planning commission, which is a three-member board using members from existing boards. City Manager Phelps stated the members are Gayle Doney from the Board of Adjustment, Tim Robertson from the Airport Board and Jeff Whitcraft from the City County Planning Board/Zoning commission. City Manager Phelps further stated that they have all agreed to serve and it is a year long commitment. The interim planning commission is to assist the City with developing the following: draft, adopt and implement a public participation plan, draft and adopt a land use plan, map and implementation plan, draft and adopt updated zoning regulations and map, draft and adopt updated subdivision regulations making sure these items are compliant with the land use plan and map. Finally, to work with the City to create bylaws for the permanent planning commission. Commissioner Hrubes asked who will be in charge of this process. City Manager Phelps answered primarily the City Planner and the City staff will help to facilitate the process. Commissioner Hewitt made the motion to approve Resolution No. 4150, a resolution adopting the Montana Land Use Planning Act of 2023 and creating an interim planning commission and Commissioner Scotten seconded the motion. City Planner Doug Osterman talked briefly about all of the upcoming community events for more public input on the growth policy/land use map. Commissioner Terry asked for comments from the audience and Commission. There being none, the clerk took a roll call vote with all being in favor of the motion.

4. Discussion and action on approving Resolution No. 4151, a resolution of the City Commission of the City of Lewistown, Montana calling for an election on the question of conducting a local government review and establishing a study commission to do so

City Manager Phelps explained that this is something unique to the Montana Constitution that every ten years the electorate has the opportunity to review the local government at both the City and County levels. City Manager Phelps explained that question that will be to appoint a 5-member study commission and a total budget of $47,500. Included in the budget is the expense of 3 elections which is dependent on the decision to review the local government or not. No matter what there will be the expense of one election. Commissioner Buehler made the motion to approve with changes Resolution No. 4151, a resolution of the City Commission of the City of Lewistown, Montana calling for an election on the question of conducting a local government review and establishing a study commission to do so and Commissioner Hrubes seconded the motion. Ms. Jody Warren asked if the $47,500 budget is for one year or both years. City Manager Phelps answered it is the budget for two years. Commissioner Terry asked for comments from the audience and Commission. There being none, the clerk took a roll call vote with all being in favor of the motion.

5. Discussion and action on authorizing the City staff to submit an application to The State Local Infrastructure Partnership Act of 2023, with the understanding the City will provide a 25% cash match for the approved project and authorizing the City Manager to sign the agreement if awarded

City Manager Phelps explained this a new grant program with the department of commerce for local governments. The City of Lewistown has an allocation based on funding levels and size of the community and is a infrastructure grant, but not for new projects only for repairs or upgrades. City Manager Phelps commented that this grant has been discussed with the different departments and two projects are upgrades/replacement of the emergency back up generator at City hall and safety improvements to sidewalks and driveway in front of City hall. City Manager Phelps stated that this grant is a 25% cash match and we do have money set aside for this. Commissioner Terry asked that the City Manager keep the commission in the loop on how this goes and if we get awarded the funding. Commissioner Hewitt made the motion to approve authorizing the City staff to submit an application to The State Local Infrastructure Partnership Act of 2023, with the understanding the City will provide a 25% cash match for the approved project and authorizing the City Manager to sign the agreement if awarded and Commissioner Buehler seconded the motion. Commissioner Terry asked for comments from the audience and Commission. There being none, the clerk took a roll call vote with all being in favor of the motion.

CITIZENS' REQUESTS

Ms. Lisa Hahn asked some questions regarding the lead and galvanized pipes. Ms. Hahn was asking about the City's responsibility and the owners responsibility. City Manager Phelps explained this is from the EPA and any funding would be for outside the residents. The City must have the lead survey done by October. There was a brief discussion on some of the pipes in the City.

COMMISSIONER'S MINUTE

Commissioner Scotten asked if he was correct in thinking that Air BNBs in the City limits need to have a business license. City Manager Phelps answered they should and some of them do. Commissioner

Scotten commented that he has heard some complaints that some have a license and some done. City Clerk Brummond commented that, if necessary, the City can send a generic business license letter to those needing to get a license.

Commissioner Scotten reported that phase one of the Cancer Center has been funded and phase two is close to being funded.

Commissioner Terry congratulated Ms. Katie Spika on the birth of her twin baby girls and noted that Commissioner Spika is the first Commissioner to give birth while serving.

City Manager Phelps stated that Commissioner Terry requested copies of all the letters received regarding the warming shelter be copied and provided to the Commission.

Commissioner Terry stated that she would like to appoint a committee to discuss the pulse in the committee regarding the warming shelter. It will be a focus group with Commissioners Scotten, Day and herself. The first focus will be the discussion of panhandling.

ADJOURNMENT

Chairman Terry adjourned the meeting.

Dated this 20th day of February, 2024.

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KellyAnne Terry, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk