

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON MARCH 3, 2025 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, Day, Hewitt, Hrubes, Robertson, Spika and Terry.

APPROVAL OF MINUTES

Commissioner Terry stated that without objection and based on the corrections the minutes for February 18, 2025 are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Hewitt reported that the Airport Board meets on Wednesday, March 5th.

Commissioner Day reported that the Park and Recreation board meets on Wednesday, March 5th.

Commissioner Spika reported that the Snowy Mountain Development met recently and will report at the next meeting.

Commissioner Buehler reported that the Library Board will meet Thursday, March 6th.

Commissioner Terry reported that the Central Montana Foundation board met on February 25th and she was not in attendance. Commissioner Terry reported that \$757 was awarded to Cub Scout Pack # 4325 for their annual pine wood derby and \$4,045.66 was awarded to Small Wonder for their new sleep and play project. This project is to replace the playpens with safer more durable modular cribs. Commissioner Terry reported that the overall assets have increased and April 1st is the deadline for the major grant application. The next meeting will be March 25th.

CITY MANAGER REPROT

City Manager Holly Phelps reported on the following issues:

The Civic Center is already receiving requests to hold events in the City Parks and at Creekside. Creekside events are now being scheduled by the Park and Recreation Department. People interested in renting Creekside or any of the other Park and Recreation facilities can call, email or stop by the Civic Center for more information.

The Ice-Skating Rink at Frank Day is closed for the season.

The City is starting to advertise for seasonal positions. Later this month we will host a job fair at the Civic Center, where interested individuals can look over the job descriptions and pick up applications. More information on the event will be available on the Park and Recreation Facebook page.

The City Manager has received some comments from Commissioners reporting that they are having issues with their City email. The City Manager asked the Commissioners to please verify that they can access their email and if not to please let her know.

The City of Lewistown has several new job openings which include a police officer, firefighter and water worker. The City recently hired a couple of new dispatchers and will be interviewing a couple of others.

PUBLIC COMMENT – non agenda items

Mr. Mark Eastman, resident at 1004 W Boulevard St, addressed the Commission expressing his concern about the seven dumpsters placed in the City. Mr. Mark Eastman commented that his personal concern is that a dumpster has been placed directly across from his residence. Mr. Mark Eastman stated that he has heard several stories of why garbage is not being picked up. The other concern is that anything and everything is being dumped in the dumpster. Mr. Mark Eastman asked how long the Commission is planning to leave the dumpsters in the locations. Commissioner Hrubes stated that the dumpsters at Hawthorne and Kiwanis Park are overflowing and doesn't understand why they are not being dumped regularly. City Manager Phelps explained that she reached out to Republic Services because of the customer complaints the city was receiving regarding garbage pick up in alleys. City Manager Phelps further explained she was informed by Republic Services that they were not able to access alleys. City Manager Phelps stated the City is responsible for maintaining alleys in general but does not mean that snow removal in alleys is a top priority. The Public Works department agreed to work with Republic Services on specific alleys that were problematic, however, to this date she doesn't think that has occurred. The placement of dumpsters was the solution provided by Republic Services and the City did authorize where they were placed. City Manager Phelps stated that she has requested more frequent collections and continues to work on this issue. Commissioner Robertson asked the City Manager if the City has any legal control over Republic Services or are they a private provider of services. City Manager Phelps answered Republic Services is a private business. There was some discussion regarding the length of time the dumpsters will remain in

the parks. Commissioner Terry confirmed the City Manager will continue to work on this issue and require more frequent pickups. Commissioner Terry thanked Mr. Mark Eastman for coming to the Commission and expressing his concerns.

CONSENT AGENDA

Commissioner Spika made the motion to approve the consent agenda and Commissioner Buehler seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgment of the claims that have been paid from February 14, 2025 to February 28, 2025 for a total of \$332,149.13

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

1. Public hearing to hear comments on a request from Logan and Whitney Potts for a conditional use permit to locate and operate a small animal veterinary clinic in M-1 zone

Chairman Terry opened the public hearing to hear comments on a request from Logan and Whitney Potts for a conditional use permit to locate and operate a small animal veterinary clinic in M-1 zone. City Manager Phelps reported that the Zoning Commission held a public hearing on the conditional use permit on Thursday, February 20th. City Planner Doug Osterman reported that the Lewistown Zoning Commission determined there will not be any adverse effect to public health, safety or general welfare and approved the conditional use permit unanimously. City Planner Osterman stated that there are three conditions that will go with the property. The conditions are as follows: except for temporary outdoor walking of small animals, the care and keeping of any animals must be within the building; animals may not be cared for or kept outdoors, off-street parking is required on site and the permit is permanent and may be transferred to new owners of the business and property. City Planner Osterman commented that the zoning commission recommends the City Commission approve the conditional use permit with the conditions set by the zoning commission. *Commissioner Buehler clarified that this conditional use permit will stay with the property, unlike other conditional use permits that follow the owner. City Planner Osterman answered that is correct.* Commissioner Terry asked for comments from the audience and Commission. There being none, the public hearing was closed.

2. Discussion and action on approving the conditional use permit application request from Logan and Whitney Potts to locate and operate a small animal veterinary clinic in M-1 zone

City Manager Phelps stated that the zoning commission held a public hearing on the conditional use permit application request from Logan and Whitney Potts and determined there was no adverse effects to public health, safety or general welfare on allowing a small animal veterinary clinic on this site. City Planner Osterman reviewed the conditions set by the zoning commission. Commissioner Spika made the motion to approve the conditional use permit application request from Logan and Whitney Potts to locate and operate a small animal veterinary clinic in M-1 zone including the condition set by the zoning commission and Commissioner Day seconded the motion. Commissioner Buehler asked that as part of the process for a conditional use permit the adjacent property owners are notified and was this done. City Planner Osterman answered yes,

there were 47 notices sent out to adjacent property owners and no comments were received. Commissioner Terry asked for comments from the audience and Commission. There being none, the question was called for and Clerk took a roll call vote with all voting in favor of the motion.

3. Discussion and action on reappointing Mary Messina to the City County Planning Board/Zoning Commission for an additional two-year term

City Manager Phelps stated that Mary Messina is the newest City appointee to the City County Planning Board/Zoning Commission. City Manager Phelps commented that she just completed her first two-year term and recently moved to the City but has a lot of experience with other boards. Ms. Messina has agreed to serve an additional two-year term. City Manager Phelps commented that she would recommend the Commission reappoint Ms. Messina for another two-year term. Commissioner Buehler asked if Mary was excited to continue serving on the board. City Planner Osterman answered yes, and she is very active. Commissioner Spika made the motion to approve reappointing Mary Messina to the City County Planning Board/Zoning Commission for an additional two-year term 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 Clerk took a roll call vote with all voting in favor of the motion.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Buehler reported that she has received a lot of phone calls regarding snow removal and snow removal in the alleys. Commissioner Buehler commented that as soon as the snow committee meets, she has some information for the committee.

Commissioner Day reported that effective April 1st the dumping fees for Republic Services will increase and a lot of senior citizens have been contacting her. Some of the questions are if there will still be a dumpster in town. Commissioner Day further reported that she has received calls asking when the City will have the dumpsters removed. City Manager Phelps answered that she feels the City needs to make sure the citizens have access to trash service. City Manager Phelps stated that if citizens have concerns regarding rates, service they are or are not getting, direct them to contact the Public Service Commission. The Public Service Commission is who Republic Services are regulated by.

Commissioner Hrubes commented that something needs to be done with regards to Republic Services. Commissioner Hrubes asked if anyone read the letter to editor from Mary Curnyn regarding all the ordinances the City does not enforce, specifically parking.

Commissioner Hewitt commented the City did come and plow her street. Commissioner Hewitt stated she does understand some of the issues with regards to Republic Services because her neighbor plowed her alley closed.

Commissioner Robertson asked if the ordinance committee comes before the commission for review and input. There was a brief discussion regarding ordinance changes. Commissioner Robertson will work with the City Manager to schedule a snow policy meeting.

Commissioner Terry reported that as of this set of claims the City has spent \$411,700 on snow removal. Commissioner Terry asked the City Manager to explain the gas tax funding and how we got to a balance of approximately \$800,000. *City Manager Phelps answered that the gas tax fund is not a savings plan, the funding was being used on a regular basis, however, not using 100% of the amount received every year. The majority of gas tax funds was used for snow removal.* City Manager Phelps explained that the City has received one-time funding from the State through the bridges and roads safety and accountability act. City Manager Phelps stated typically the gas tax funds are used for snow removal and street improvements, which is all the gas tax can be used for. Commissioner Terry explained that the County is going to move forward with an emergency declaration so they can get some funding. Commissioner Terry asked the Commission if they want to move forward with an emergency declaration to try and recoup some of the funds. Commissioner Terry explained that the City would have to mill two mills, which would be an additional tax. Commissioner Robertson stated he wanted to clarify what Commissioner Terry is saying that the City could declare an emergency and the implication to the taxpayers is a couple of mills. However, by moving forward the City could get significant reimbursement from the state in order to restore the funding that was available for street improvements. Commissioner Terry asked how much the City received in gas tax. City Manager Phelps stated that the City received approximately \$311,239.00 in gas tax last fiscal year. Commissioner Terry stated that the City can cover it or the City can seek money from the state, even though an additional tax would be assessed on the public. Commissioner Terry asked this be put on the agenda for the next meeting.

ADJOURNMENT

Chairman Terry adjourned the meeting.

Dated this 3rd day of March, 2025.

KellyAnne Terry, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk