

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON APRIL 21, 2025 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Vice Chairman Day called the meeting to order.

PLEDGE OF ALLEGIANCE

Vice Chairman Day asked everyone to stand and say the Pledge to the Flag.

ROLL CALL

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

APPROVAL OF MINUTES

Commissioner Day stated the April 7, 2025 minutes will be reviewed again and brought before the next Commission meeting for approval.

COURTESIES

City Clerk Nikki Brummond recognized Librarian Nancy Sackett for her dedication, hard work and years of service to the patrons of the Lewistown Library and the citizens of the City of Lewistown. A plaque will be hung in the library in recognition.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Hewitt read the following Montana blessing: May your visions be as boundless as our skies. May your soul have the strength of our mountains. May your life be as peaceful as our gentle falling snow. May your day be as numbered as the trees in our forests.

Commissioner Hrubes reported that there will be a City County Health Board meeting on Monday, April 28th at 5:30 pm.

Commissioner Day reported that she was unable to attend the recent Park and Recreation Board meeting. City Manager Phelps stated that the Park and Recreation Board did meet and were able to get a sneak peek at the gym floor. The main focus of the meeting was capital improvements list.

Commissioner Robertson reported that the next snow removal committee meeting is May 22nd at 10:00 am at the City Office.

Commissioner Buehler reported that the Library Board met April 17th. It was a very good meeting and there was a lot of discussion regarding Nancy Sackett and her legacy at the Library. Commissioner Buehler reported that Nancy Sackett died on April 13th and started her career with the Library in 1985, which makes 40 years of dedication to the library. Commissioner Buehler further stated that's something we want to honor and make sure we notice. Nancy was a constant at the Library and offered that warm welcome to all of our many patrons throughout the years and we appreciate and acknowledge her service to the Central Montana community. Additionally, Commissioner Buehler commented that the library staff worked very hard the Tuesday, after Nancy passed. Nancy's passing was shocking to many members of our community, and the Library staff was there to offer their support and respect and were very kind and caring. Commissioner Buehler commented that the MOU should be done pretty soon. Commissioner Buehler explained there was discussion on how the Library will address the staff shortage coming this summer, with summertime being a very busy time. The May meeting will be May 20th at 1 pm.

Commissioner Spika reported that she attended the recent Snowy Mountain Development Board on April 17th. It was a regular board meeting with some discussion on the recent legislative changes to tax increment financing districts and targeted economic development districts. The board discussed asking for some money from the USEDPA. This money has been approved and they would like to use it to help with their Rural Business Development Center.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

The Central Post cleanup work has resumed. Due to scheduling and work load challenges, late last year the Department of Environmental Quality (DEQ) did change Environmental Consultants for the project. We are now working with Trihydro and they have been finalizing the Environmental Assessment (EA). The City currently has two grants for clean up of the property. Due to the review time and work that still needs to occur we have submitted a request to extend both grants. The first grant was to complete the EA and we have asked to have it extended until December 31, 2025. The second grant completes the clean up of the property and we have asked to extend this grant until September 30, 2027. Our consultants feel that should give us enough time to complete the work and prevent further amendment requests. You will see invoices for work done at the site included in this month's claims.

The buy sell for the Berg Lumber property was finalized earlier this year. City staff are now working with the developer on the development agreement. We are also looking at the feasibility of a Special Improvement District (SID) for the property.

Several of the seasonal park and rec positions have been filled but we are still accepting applications for lifeguards. Applications are available online or can be picked up at the City Office or Civic Center. The anticipated opening day for the pool is the first week in June.

Historic Resource Commission awards will be held May 8th at the MOB Gallery at 6 pm. This year there will be two awards handed out and entertainment will be provided by Philip Page, a Cowboy Singer and Story Teller. This is a free event sponsored by the Lewistown Historic Resources Commission.

The Lewistown Downtown Association is organizing the first downtown cleanup. They are working with the downtown property owners to sweep sidewalks ahead of the street sweepers. The City Manager has been working with them on finalizing MOUs for the Main Street banners, parklet and trees.

Recycle Montana will be holding an E-waste and paper collection event, on Earth Day April 22nd from 9 am to 1 pm at the Fergus County Fairgrounds. This is a great event that helps keep electronics out of our landfills. Visit Facebook for more information.

The City Manager has received the first draft of the Library MOU. She is in the process of reviewing this document with the City Attorney and will have it back to the board shortly.

PUBLIC COMMENT - non agenda items

Mr. Brandon Beriault explained that he was invited to visit the jail last summer and after he got out he decided to put some money on inmate's accounts. Mr. Beriault stated that he was notified by the inmate he did not receive the money. Mr. Beriault was wondering if he could have gotten a receipt and then make sure the inmate knows of the deposit. City Attorney Tyler West answered that the jail is a county ran facility. Mr. Beriault asked if a county commission meeting would be the better option to ask questions. City Attorney West answered yes.

CONSENT AGENDA

Commissioner Robertson 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 April 1, 2025 to April 17, 2025 for a total of \$297,091.14

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

1. Discussion and action on approving sharing the cost of the bridge located at 3rd Ave S and Bebb St

City Manager Phelps commented that included in the packet was a couple of items related to this item. The first is an email from Stahly Engineering, which is the engineer the County uses and this email shows the cost estimate of replacing the bridge at 3rd and Bebb Street. There are two different widths and cost estimates. City Manager Phelps explained that the 24 foot is the standard county bridge and the bridge currently there is 30 feet. City Manager Phelps stated the City has requested the County to replace the bridge with the same 30-foot width. The cost difference is \$27,610. The second item is a MOU that the City has been working with the County for many years. This MOU would more specifically address the sharing of costs and outlines some state statute with regards to which entity is responsible to maintain the bridges. City Manager Phelps recommended the Commission approve the cost share and making it contingent on getting a signed MOU in place. Commissioner Spika asked what is the total cost sharing amount. City Manager Phelps answered \$27,610. Commissioner Spika made the motion to approve the cost share of \$27,610 contingent on a signed MOU with the County and Commissioner Hrubes seconded the motion. Commissioner Hrubes asked where this cost share

will be paid from. City Manager Phelps answered street maintenance funds. Commissioner Day asked for comments from the audience and Commission. There being none, the question was called for and the City Clerk took a roll call vote with all voting in favor.

2. Discussion and action on approving the purchase of UV Rack for the Wastewater Treatment

City Manager Phelps explained that included in the Commissioner's packet is a purchase requisition for a UV rack for the wastewater treatment plant. This is a proprietary item for the City's UV system, which is why there is only one bid. City Manager Phelps reported that the cost is just under \$18,000 and there are funds for this item in the budget. Commissioner Hewitt made the motion to approve the purchase of UV Rack for the wastewater treatment plant from Trojan Technologies and Commissioner Buehler seconded the item. Commissioner Day asked for comments from the audience and Commission. There being none, the question was called for and the City Clerk took a roll call vote with all voting in favor.

3. Discussion and action on approving a business license for True North Electrical

Commissioner Day reminded the Commission that any HVAC, plumber or electrical business license must be approved by the City Commission. Commissioner Day commented that she did read in previous minutes that there is a possibility that these will not come before the Commission for approval in the future. City Manager Phelps answered that is a possibility but it will be an ordinance change. City Manager Phelps answered that this is a local electrician that lives just outside the City limits. Commissioner Buehler asked if all paperwork and insurance policies are in order. Commissioner Robertson made the motion to approve a business license for True North Electrical and Commissioner Hewitt seconded the motion. Commissioner Hrubes asked some basic questions. Commissioner Day asked for comments from the audience and Commission. There being none, the question was called for and the City Clerk took a roll call vote with all voting in favor.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Buehler stated that she would like to note that an email received by all Commissioners is what she will be addressing. Commissioner Buehler stated that she understands this is a sensitive topic and is something multiple people have contacted her about. Commissioner Buehler read the following prepared statement: I acknowledge that each person has the First Amendment right to free speech in our country. That is very important. I also acknowledge that the City of Lewistown does not have a policy addressing employees' decorum on social media. We should remedy that. City Manager Phelps stated the City does have a policy. Commissioner Buehler continued to read, lastly, I acknowledge the City Manager oversees personnel issues and not the City Commission. With all that said, I would like to take a moment to address the recent social media post by our police chief. As a public employee who is charged with protecting all Lewistown citizens and enacting unbiased enforcement of the law, I am dismayed by the violent threats he recently made toward the section of a population. It calls into question his ability to provide the unbiased law enforcement that his position of authority requires. Additionally, this social media post challenges what is acceptable as the professional decorum of our government and, by default, the leadership of this government.

Therefore, I ask these questions of our City Manager. What is your response to these publicly stated threats? And more importantly, as the leader of all City Department Heads, how are you going to work to regain the respect and the trust of all the citizens that you serve. City Manager Phelps answered that she did get the original email, but has now received a formal complaint which has been turned over to human resources. City Manager Phelps stated there is a process and Human Resources will work with the City Attorney through the investigation process. City Manager Phelps explained there is a process to investigate if there are any policy violations or violations of law. Once the investigation is complete the City Manager will move forward and there are certain levels of privacy that are expected. City Attorney West stated that he is aware of the issue and the issue will be addressed and addressed appropriately. Commissioner Buehler explained that outwardly communicating this to the public that you are addressing it in a way that is lawful and correct and prudent by our government is something that would be very beneficial and would help in general build trust in what we are doing here. City Manager Phelps stated that she has been in communication with the individual who made the complaint.

Commissioner Day asked when you state that the complaint was turned over to human resources does that include POST as well. City Manager Phelps answered we do not and POST would do their own investigation if they were to receive any complaints. Commissioner Day asked how the situation would be affected if a statement was made by the Commission. Commissioner Day explained that she is referring to the statement that was made regarding the situation at American Prairie. City Manager Phelps answered that it is up to the Commission.

Commissioner Robertson reported that he will be absent from the May 5th meeting.

Commissioner Hrubes commented that it is that time of year where we can see our sidewalks. There are many in the City that needs to be repaired. Commissioner Hrubes suggested the City repair the one at Kiwanis Park and in order to encourage citizens to repair their sidewalk we need to start with ours. Commissioner Hrubes would like to inform and remind citizens of the sidewalk ordinances and tree removal policy.

Commissioner Hewitt asked where the recreation department is with basketball hoops in the parks.

ADJOURNMENT

Vice Chairman Day adjourned the meeting.

Dated this 21st day of April, 2025.

Loraine Day, Commission Vice Chairman

ATTEST:

Nikki Brummond, City Clerk