

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON SEPTEMBER 3, 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, Spika and Terry.

APPROVAL OF MINUTES

Commissioner Terry stated that without objection and based on corrections the August 19, 2024 minutes are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Buehler reported that the Library Board met on Wednesday, August 28th. The main topic of discussion was the block grant the that Library was awarded. This grant is for an architectural view of the building, which will help determine the necessary care and maintenance of the building. The Library Board walked around and looked at the building. Commissioner Buehler stated that the Memorandum of Understanding (MOU) between the Library and City is coming up for review in 2025. The Library Board hopes to have the MOU in front of the Commission by the end of 2024 so that it can be in place prior to the start of fiscal year 2026. Commissioner Buehler relayed that the Library Board feels the MOU is very important and is very thankful for the MOU. The Library Board appreciates working with the Commission and having a very healthy and understanding of the budget. The next Library Board meeting will be September 19, 2024.

Commissioner Day reported that the Park and Recreation Board meets on September 4th. The Park and Recreation Board did have a special meeting recently to discuss the demolition of the snack shack. City Manager Phelps explained that it is not done yet, but will be done soon primarily by the Public Works Department.

Commissioner Hewitt reported that the Airport Board will meet on September 4, 2024.

Commissioner Terry reported that the last Central Montana Foundation Board met on August 27th and she was unable to attend. Commissioner Terry commented that the board approved two new funds for the

Winifred projects funded by Mr. Norm Asbjornson. One is the Winifred Airport Improvement and the other is the Winifred waterworks repair. The CMF board approved a \$2,500 grant for a simulation machine for an OB training at Wheatland Memorial Health Care, this is a matching grant. Commissioner Terry reported that Superintendent Brad Moore has been appointed to the board. The next meeting is scheduled for September 24th.

CITY MANAGER REPORT

City Manager Phelps reported on the following issues:

The City of Lewistown currently has a few positions open. These include the Public Works Director, a street worker, and a recreation specialist. Information on City's open jobs are available 24/7 on the City's website and you can also find the city's job application package there.

This upcoming weekend is Chokecherry. The Chokecherry Festival festivities start with; the Kiwanis pancake breakfast, then the Chokecherry Festival and Chokecherry Run. The day's events conclude with Trails and Ales. The event will be held at Creekside from 4 to 7 pm and will conclude with music from Haeli Allen.

The Fish Wildlife and Parks Trails Stewardship grant has been extended for the trails paving project in Lewistown. The City now has until December 2025 to get the work done and close out the grant.

The City has received an extension for the DNRC grant for the main street trees. This will allow time to get the rest of the tree guards fabricated and installed. We will also work to get a few more trees planted this fall as the weather cools off. The work must be complete by November 30th of this year.

The Montana League of Cities and towns conference will be held in West Yellowstone this year from October 2 -4. Once the agenda is released, we will share it with the Commission, and if anyone sees any sessions that interest them, let the City Manager or City Clerk know.

Each fall the Public Works Department conducts the annual dam inspections, for the four dams the city operates. As part of the inspections the department goes out and operates the gate structures, measures piezometers and walks the entire dam. They also do maintenance at the dams throughout the year.

Parks and Recreation will be working on the construction of the new year-round facility at the pool. This building will be home to concession, locker rooms and new restrooms at Frank Day Park. This project has been in the works for several years and is a partnership with the City of Lewistown, Fergus County Recreation District, Friends of the Pool, the Lewistown Ice Skating Association, and the Sea Lions swim team. They are looking for volunteers for the project.

The City Manager will be out of the office next week, but available by phone and email.

There will be a Sentinel meeting on September 4th at 6 pm at the Trade Center.

Commissioner Terry asked about the garbage cans that were done in conjunction with the benches. City Manager Phelps answered it was her understanding that the plan was to retro fit the garbage cans and make them more user friendly and larger. There has been no effort on securing funds.

City Manager Phelps provided the Public Works safety compliance report to the Commission. City Manager Phelps briefly reviewed the report.

PUBLIC COMMENT – non agenda items

There were none.

CONSENT AGENDA

There were none.

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

1. Discussion and action on awarding the water bid for Phase 2 Schedule 1 of the Lewistown water system improvements 2024

City Manager Phelps stated there are bid tabs in the packets. City Manager Phelps explained that Phase 2 Schedule 1 of the Lewistown water system improvements 2024 was rebid, however the Commission did approve a bid for the tank painting. The Lewistown water System improved Phase 2 Schedule 1 is mainly the replacement of water services and lines in roads, problematic in the winter time or prone to leaking. City Manager Phelps commented that we received several bids and the engineers estimate was around \$1.2 million and there were several bids under estimate. The recommendation from the engineers is to award the bid to Griffith Contracting and award the two alternatives and the base bid for a total of \$1,070,396. Commissioner Buehler asked why did the engineer say it was the best bid. City Manager Phelps answered the engineer had a process that in order to be considered for the project the contractor had to be low bidder on the base bid. Commissioner Hewitt made the motion to award the water bid for Phase 2 Schedule 1 of the Lewistown water system improvements 2024 to Griffith Contracting Inc, in the amount of \$1,070,396 and Commissioner Buehler seconded the motion. Commissioner Terry asked for any 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 being in favor of the motion.

2. Discussion and action on awarding the 2024 Lewistown trails paving project

City Manager Phelps stated that the City only received one bid from Century Construction for a total price of \$98,810. City Manager Phelps further stated that this is slightly more than anticipated, however, an additional \$10,000 in the trails fund has been budgeted. City Manager Phelps commented that she feels there will be adequate funding to move forward. City Manager Phelps reviewed the grant budget and \$7,000 will be from the Friends of the Trails. Commissioner Buehler stated it is important that we do this, but would add that it would be great if we could move a little faster next time. Commissioner Buehler further stated that next time if the project can't move speedily then the City should do a better job with communicating on how the project is progressing. Commissioner Hrubes made the motion to approve awarding the 2024 Lewistown trails paving project to Century Construction in the amount of \$98,810 and Commissioner Hewitt seconded the motion. Commissioner Terry asked for any 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 being in favor of the motion.

3. Discussion and action on approving Resolution No. 4163, a resolution redefining the boundaries of Street Maintenance District No. 1 in the City of Lewistown

City Manager Phelps explained that the only change to the Street Maintenance District was the cleanup annexation that was done below Valley Vista. Commissioner Buehler made the motion to approve Resolution No. 4163, a resolution redefining the boundaries of Street Maintenance District No. 1 in the City of Lewistown and Commissioner Day seconded the motion. Commissioner Terry stated that she

appreciated the larger map. Commissioner Terry asked for any 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 being in favor of the motion.

4. Public hearing on the cost of maintenance of Boulevard District No. 12, cost of maintenance reserve and administration for Lighting Districts and cost of maintenance in Street Maintenance District No. 1.

Chairman Terry opened the public hearing on the cost of maintenance of Boulevard District No. 12, cost of maintenance reserve and administration for Lighting Districts and cost of maintenance in Street Maintenance District No. 1. City Manager Phelps stated that at a previous meeting the boulevard district rates were discussed and it was determined that the rates should remain the same for another year. The Boulevard District is the center boulevards located on 7th Ave and Boulevard Street. Those property owners adjacent to the boulevards are assessed cost based on per lineal foot of frontage. The entire amount of the assessment is around \$3,700. City Manager Phelps explained that there are several lighting districts that have been established through out the town. Each lighting district have their own bill, agreement and corresponding rate. These properties are assessed on a square foot price. City Manager Phelps stated that these were looked at in detail and some corrections were made. City Manager Phelps explained that the Street Maintenance District is the entire City limits. All property owners are assessed a cost based on square footage. There is a cap for residential properties not to exceed 15,000 square feet. There are other provisions if you are not adjacent to a publicly owned or maintained right away. The street maintenance district assessment was discussed at a prior Commission meeting and the rate will remain the same. Commissioner Terry asked for comments from the audience and Commission. There being none, the public hearing was closed.

5. Discussion and action on approving Resolution No. 4164, a resolution of the City Commission of the City of Lewistown levying and assessing a special tax to cover the cost of maintenance of Boulevard District No. 12, in the City of Lewistown, Montana for the fiscal year beginning July 1, 2024 and ending June 30, 2025

City Manager Phelps stated that the rate was discussed at a previous meeting. The rate will remain the same at 75 cents per lineal foot and this resolution finalizes the calculation. Commissioner Day made the motion to approve Resolution No. 4164, a resolution of the City Commission of the City of Lewistown levying and assessing a special tax to cover the cost of maintenance of Boulevard District No. 12, in the City of Lewistown, Montana for the fiscal year beginning July 1, 2024 and ending June 30, 2025 and Commissioner Buehler seconded the motion. Commissioner Terry asked for any 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 being in favor of the motion.

6. Discussion and action on approving Resolution No. 4165, a resolution levying and assessing the cost of maintenance reserve and administration, and supplying of electrical current for the street lights within the City of Lewistown, to properties within particular lighting districts

City Manager Phelps stated that every property in the City limits is located in a lighting district. Each lighting district covers the bill and maintenance in that district. These are an assessment on the taxes and then used to pay the Northwestern Energy bills. Commissioner Buehler made the motion to approve Resolution No. 4165, a resolution levying and assessing the cost of maintenance reserve and administration, and supplying of electrical current for the street lights within the City of Lewistown, to properties within particular lighting districts and Commissioner Spika seconded the motion. Commissioner Terry asked for any 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 being in favor of the motion.

7. Discussion and action on approving Resolution No. 4166, a resolution estimating the cost of maintenance in Street Maintenance District No. 1, specifying the assessment option and levying an assessment on properties for Street Maintenance

Commissioner Terry stated that this rate was set at a previous Commission meeting and now a resolution is being passed to finalize the rate and area of the district. City Manager Phelps stated that the property owners are assessed on square footage with a residential property having a 15,000 square foot cap and commercial doesn't have a cap. There is a provision for those properties not adjacent to a publicly maintained road. City Manager Phelps stated that the rate will remain the same of 75 cents per square foot. Commissioner Hewitt made the motion to approve Resolution No. 4166, a resolution estimating the cost of maintenance in Street Maintenance District No. 1, specifying the assessment option and levying an assessment on properties for Street Maintenance and Commissioner Buehler seconded the motion. Commissioner Hrubes asked how the property owners located on Evelyn between 5th & 6th are assessed, because that is a dirt road that doesn't get graded. City Manager Phelps answered that all properties are assessed the same, because you are not just paying for the road in front of your house, but all roads within the district. Commissioner Robertson commented that it would be helpful to know what streets or sections are not paved. Is there any inventory of the streets. City Manager Phelps answered there is an inventory, just need to print certain reports. Commissioner Terry asked for any 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 being in favor of the motion.

8. Public hearing on the 2024-2025 budget for the City of Lewistown

Chairman Terry opened the public hearing to hear comments on the 2024-2025 budget for the City of Lewistown. City Manager Phelps explained that this is the final budget that will be approved tonight. There are no real drastic changes. The following departments have a vehicle budgeted Building, Police and Public Works. There are water and wastewater construction projects included in the budget. The main reason for the decrease in revenues and expenditures is the direct correlation to projects being completed in the previous year. Commissioner Buehler asked why the Library depreciation account final cash amount is in the negative. City Clerk Nikki Brummond explained that she confirmed today with the Library Director if the county was going to contribute to the depreciation account. The Library Director informed us that no they will not be contributing to the depreciation fund but will be giving a 4.1% increase over last year's contribution. City Clerk Brummond stated that she will fix that prior to submitting the final budget. Commissioner Terry asked for comments from the audience and Commission. There being none, the public hearing was closed.

9. Discussion and action on approving Resolution No. 4167, a resolution relating to final budgets, budget authorities and annual appropriations for the fiscal year beginning July 1, 2024 and ending June 30, 2025

City Manager Phelps explained that the City of Lewistown has self-governing powers that gives the Commission the authority to approve the 2024-2025 budget. Commissioner Day made the motion to approve Resolution No. 4167, a resolution relating to final budgets, budget authorities and annual appropriations for the fiscal year beginning July 1, 2024 and ending June 30, 2025 with the correction to the Library depreciation account and Commissioner Buehler seconded the motion. Commissioner Hrubes had questions regarding Fire and Police department personnel expense changes. It was discussed and determined that the reports were misleading. City Manager Phelps stated that there are two funding sources for the Fire Department which is the general fund and the rural fire district. Commissioner Day commented that each year she appreciates how all the reports are laid out and the budget is discussed. Commissioner Terry asked for any 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 being in favor of the motion.

10. Public hearing on Resolution No. 4168, a resolution authorizing an increase in the City of Lewistown's mill levy in order to fund increases in premium contributions for medical group benefits for City employees and exempting the same from the mill levy calculation limitation provided for by law

Chairman Terry opened the public hearing to hear comments on Resolution No. 4168, a resolution authorizing an increase in the City of Lewistown's mill levy in order to fund increases in premium contributions for medical group benefits for City employees and exempting the same from the mill levy calculation limitation provided for by law. City Manager Phelps explained that this is something the city can do and it is the difference in health premiums from the year 2000 to today. City Clerk Brummond explained that the Legislature put this law into effect in 2000 to help cities with the increase cost in premiums. The City of Lewistown has been milling the permissive mill since 2000. The legislature has made some changes over the years to the calculation. Now any employee the City pays insurance on that are not in the enterprise funds I am able to mill a percentage. This calculation is only based on the portion that the City pays for the employees. Commissioner Buehler asked about the last statement of the resolution title "exempting the same from the mill levy calculation limitation provided for by law" City Manager Phelps answered that the City is only able to mill a set number of mills and the permissive mill is excluded from the limit. The permissive mill was discussed and it was stated that the permissive mill is a separate mill on the taxes for the City of Lewistown. Commissioner Robertson asked if the City did not mill for the permissive mill levy, then where would that funding come from. City Clerk Brummond answered that the general fund budget would be short approximately \$192,000. Commissioner Terry asked for comments from the audience and Commission. There being none, the public hearing was closed.

11. Discussion and action on approving Resolution No. 4168, a resolution authorizing an increase in the City of Lewistown's mill levy in order to fund increases in premium contributions for medical group benefits for City employees and exempting the same from the mill levy calculation limitation provided for by law

Commissioner Spika made the motion to approve Resolution No. 4168, a resolution authorizing an increase in the City of Lewistown's mill levy in order to fund increases in premium contributions for medical group benefits for City employees and exempting the same from the mill levy calculation limitation provided for by law and Commissioner Buehler seconded the motion. Commissioner Hrubes stated that he feels health insurance is vital in keeping qualified employees. Commissioner Terry asked for any 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 being in favor of the motion.

12. Discussion and action on approving Resolution No. 4169, a resolution providing for the annual tax levy mills for fiscal year beginning July 1, 2024 and ending June 30, 2025

City Manager Phelps stated the mill levy for this fiscal year is \$9,162.10 which is a slight decrease from the previous year. The City Commission has determined that a \$1,666,404 tax revenue requiring a 183.15 mill levy and \$190,309.21 tax revenue requiring a 20.92 mill levy for the permissive levy. The total number of mills will be 204.07. The City Clerk reviewed the value of the mill listed on Resolution No. 4169 and it was determined that it was the same as the previous year. City Clerk Brummond stated that the correct mill value is \$9,098.57 and the certified taxable value is \$10,058,521. City Clerk Brummond stated that the mill calculations are correct and the only mistake were the numbers in F. Commissioner Hrubes made the motion to approve Resolution No. 4169, a resolution providing for the annual tax levy mills for fiscal year beginning July 1, 2024 and ending June 30, 2025 with the correction of item F that the taxable value for the City of Lewistown is \$10,058,521 and the value of the mill for fiscal year 2024-2025 is \$9,098.57 and Commissioner Hewitt seconded the motion. Commissioner Terry asked for any

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 being in favor of the motion.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Hrubes explained that his constituent Mr. Ed Durbin asked him to give each one of the Commissioners a copy of the ordinance addressing overhanging branches on sidewalks. Commissioner Hrubes stated he did not provide copies, but is asking it be noted in the minutes and make the City Manager aware of the issue.

Commissioner Buehler reported that she attended a meeting regarding the Eastern Heath Snail along with the City Manager and some other City staff. The Library does have brochures available for the public. These are invasive and are found on land and wreak havoc on crops and equipment. Commissioner Buehler reported that people are asked to look for snails. They have a unique behavior where they climb tall surfaces and group together and primarily in hot weather. If you find anything please reach out to the Fergus County Conservation District.

ADJOURNMENT

Chairman Terry adjourned the meeting.

Dated this 3rd day of September, 2024.

KellyAnne Terry, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk