

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON SEPTEMBER 18, 2023 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: Day, Hewitt, Hrubes, Scotten, Spika and Terry. Commissioner Doney participated virtually.

APPROVAL OF MINUTES

Chairman Terry stated that without objection and based on the corrections the September 5, 2023 minutes are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Day reported that she attended the Park and Recreation Board meeting on September 6th. There were three presentations the first one was made by Brett Thackery talking about a sidewalk being put in from the elementary school and high school four way stop sign up Casino Creek to the soccer park. It was stated it is a state route and there may be a possibility of doing an alternative route using the neighborhood alleys within the Bonanza Hills area. The second presentation was from Ava Dengel, who is wanting to do an Eagle Scout project, which would be posting signage in the East Fork Parking area to educate the public about the existing bike trail. The idea presented was to have a map of the bike trails and highlight some of the walking areas. Commissioner Day finished by saying that Ava is working with Mr. Netburn on a weatherproof design and the project was approved by the board. Commissioner Terry pointed out that Eagle Scout projects were done primarily by boys and it has been in the last two years the girls have been allowed to complete Eagle Scout projects. Commissioner Day commented that the last presentation was by Mr. Jacques Rutten, with the Rotary Club, he presented the specific project for the covered shelter area at Frank Day Park. It will be a portable shelter and ADA compliant. This project was approved and the group will work with Park and Recreation Director Lisa Langbehn for an exact location. Commissioner Day reported on new business. The new business included winterizing the pool with the assistance of the engineers, Frank Day Park bathrooms have been winterized, there has been vandalism at the pool and staff will look at putting in some cameras. There are over 170 kids registered in fall soccer, the program is working to have smaller teams for more playing time, the hours at the Civic Center cannot be extended until the staffing positions have been filled. The Trails Supervisor has been working to get the trails ready for Chokecherry and the trail at Brewery Flats is in need of gravel. The staff are working to move equipment up to the Beck building and do some improvements on the building. The fence will be put up once the Pickleball courts are finished. The

Lewistown Ice Skating Association is working to insulate sheds and would like to replace lights with LED lights and place on the City meter.

Commissioner Hewitt reported that she attended the Airport Board meeting. The airport staff are working on ordering parts to complete vehicle maintenance for the year. The Porsche and Drifter club used OPI and it was discussed that OPI should do some upkeep and it shouldn't be the responsibility of the Airport. The taxiway project is almost complete except shoulder work, grass seed and paint. The farming is done for the year.

Commissioner Scotten reported that Snowy Mountain Development Corporation partnered with MSU Local Government Center and had the director Dan Clark come in and do two seminars on government public boards and non-profits boards and committees. The next meeting is October 19, 2023. Commissioner Terry asked how many were in attendance at the seminars. The answer was that it was very well attended.

Commissioner Scotten reported that Shelter Solutions had a booth at the Chokecherry Festival and it was well attended. There were a lot of very good comments. Commissioner Scotten reported that Danielle Barth is the current secretary on the board of Shelter Solutions and she will be leaving that position due to her involvement in Katie's House.

Commissioner Terry reported that the Central Montana Foundation will meet on September 26, 2023.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

The Public Works Department has been busy wrapping up several construction project. The replacement of the sidewalk in front of their building has been five years in the making. The 6th Avenue water project will be coming to an end and they are also sweeping and preparing for leaf clean up and snow plowing season.

Just a reminder that RV's boat trailers and campers may not be parked on City streets after November 1st. The Police Department continues to address parking complaints and it is a great time to address these issues prior to the winter season.

The Police Department recently received a follow up call regarding their new patrol SUV. This vehicle was originally order in March of 2022 and is supposed to be produced in October. As a reminder this vehicle will need to be upfitted before it goes into serve. Regardless of when the car is received, we will receive a current model SUV.

The City has received a lot of recent inquires on water bills. The recent warm temperatures have resulted more irrigation of commercial and institutional properties. The new sewer ordinance treats institutions (churches, government and non-profit businesses) like commercial properties. This means that unless they meter irrigation separately, they are charged sewer on all the water used each month. For properties that have a large amount of grass we are encouraging them to work with a plumber to install an irrigation meter so that the water used for irrigation can be identified and not charged as sewer.

The Police Department will soon be addressing the urban deer issue. The City was issued 25 permits and will work with local game processors to have these animals processed and donated to the local food bank.

City Manager Phelps reported that the members of the Department of Commerce and two of the consultants from the Cushing Terrell were here the day before the Chokecherry Festival to tour the community. The consultants had a booth on Main Street and were able to talk with a lot of people, and to hand out cards to encourage people to participate in the growth policy survey. The consultants were able to drum up comments and look at different areas for new or possible development.

PUBLIC COMMENT – non agenda items

There were none.

CONSENT AGENDA

Commissioner Hewitt made the motion to approve the consent agenda and Commissioner Scotten seconded the motion. All voted in favor with Commissioner Hrubes voting no. The consent agenda was the acknowledgment of the claims that have been paid from September 1, 2023 to September 14, 2023 for a total of \$1,526,73.68.

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

1. Discussion and action on approving the administrative agreement with Snowy Mountain Development Corporation for the management of the Tax Increment Financing and Targeted Economic Development Districts

City Manager Phelps explained that before the Commission is the administrative agreement for the management of the Tax Increment Financing (TIF) and Targeted Economic Development Districts (TEDD). This is an annual allocation beginning January 1, 2024, it is the day-to-day administration, support, advocacy, and outreach. City Manager Phelps pointed out that any additional time utilized for the revolving loan will be billed out at \$55 per hour. This is mainly for the review of the applications submitted. City Manager further stated that currently the monthly fee has been \$250 and it will now be an annual fee based on a calendar year. Commission Spika made the motion to approve the administrative agreement with Snowy Mountain Development Corporation for the management of the Tax Increment Financing and Targeted Economic Development Districts 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.

2. Discussion and action on approving the addition of a revolving loan fund option as part of the Tax Increment Financing District

City Manager Phelps explained that addition of the revolving loan fund was discussed during the Committee of the Whole and the current application process would also be used for the revolving loan fund. Snowy Mountain Development Corporation (SMDC) will be the point of contact for the revolving loan application, they would review the applications and provide documentation to the City as necessary. Commissioner Day asked if the revolving loan was the \$250,000 that was included in the budget. City Manager Phelps answered yes. Commissioner Day commented that the presentation made by SMDC during the Committee of the Whole was very helpful. Commissioner Day made the motion to approve the addition of a revolving loan fund option as part of the Tax Increment Financing District and Commissioner Hrubes 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.

3. Discussion and action on approving the revolving loan fund policies and procedures for the Tax Increment Financing Districts

City Manager Phelps explained that this outlines the process for the revolving loan fund. The process will have to follow the process as outlined in State statute. Any changes to the policies and procedures would come before the commission for approval. There was brief discussion on term and interest rates. City Manager Phelps stated that origination and late fees are laid out in the policy. Commissioner Hewitt asked if the revolving loan fund would remain active even if the TIF sunsets. City Manager Phelps answered yes. Commissioner Hewitt made the motion to approve the revolving loan fund policies and procedures for the Tax

Increment Financing Districts and Commissioner Spika made the motion to 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.

4. Discussion and action on appointing Megan Bartel to the Tax Increment Finance/Targeted Economic District Board

Commissioner Terry commented that she 100% endorses Ms. Megan Bartel. City Manager Phelps commented that Ms. Bartel will be a great asset to the board especially with her banking background. Commissioner Scotten made the motion to appoint Megan Bartel to the Tax Increment Finance/Targeted Economic District Board 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.

5. Discussion and action on approving the invoice from JR Civil for an emergency sewer line repair

City Manager Phelps explained that in August there was a water leak in the area of Erie Street and 6th Ave N as part of this water leak the water line is about 20 feet deep, which makes it impossible for the City to reach with our equipment. City Manager Phelps stated that the water department worked with a local contractor to fix the leak, but as part of that process the erosion caused a collapse of the line. City Manager Phelps explained that the City worked with a local provider and it was identified that the City did not have the equipment and local contractors did not have the availability so the City worked with JR Civil to make the repair. The repair was quite extensive and required a manhole replacement. City Manager Phelps explained that we did get a couple of sewer claims out of the deal and it needed to be addressed right away. Commissioner Terry asked where this will be paid from. City Manager Phelps answered that this is an eligible project to use ARPA funds. Commissioner Spika made the motion to approve the invoice from JR Civil for an emergency sewer line repair and Commissioner Day seconded the motion. Commissioner Hrubes commented on the cost of mobilization and a lot of big-time charges for the equipment and in protest he will vote in favor. 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.

6. Discussion and action on approving the 2023-2026 Police Department bargaining agreement

City Manager Phelps explained that the proposed changes are before the Commission for approval. This has been tentatively approved. City Manager Phelps explained that the canine officer will now get a two-hour call minimum which is consistent with other call outs. The proposed wage increases are year 1 \$2.50 per hour across the board, year 2 \$1 plus CPI with a minimum of 3% and max of 6% and year 3 the same as year 2. City Manager Phelps stated the CPI wording was standardized and there are some steps will now be 3 years with the City of Lewistown and then will receive senior pay. City Manager Phelps explained that the dispatch matrix was modified as a full-time dispatcher was paid 10 cents more than a part time dispatcher and it is not worth it and employees are an asset to the department. There was a change in the job posting from shall also to may and then the department of labor arbitration committee was an option for the grievance process. Commissioner Terry commented that the budget the Commission approved did include these wages. Commissioner Day made the motion to approve the 2023-2026 Police Department bargaining agreement 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.

7. Discussion and action on first reading of Ordinance No. 1771, an ordinance amending Title 10, Chapter 5, Section 2(D); Title 10, Chapter 5 Section 3(C); and Title 10 Chapter 6 Section 5(B) of the Lewistown City Code to allow fees and fines be set by resolution

City Manager Phelps explained that we are working to get all fines and fees to be set by resolution so that these items can be addressed in a timely manner. Commissioner Spika made a motion to approve the first reading of Ordinance No. 1771, an ordinance amending Title 10, Chapter 5, Section 2(D); Title 10, Chapter 5 Section 3(C); and Title 10 Chapter 6 Section 5(B) of the Lewistown City Code to allow fees and fines be set by resolution 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.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Spika commented that around Symmes Park has a horrible sewer smell. City Manager Phelps will have the public works department check it out.

Commissioner Day commented that she was pleased with Chokecherry Festival and was able to talk with the consultants.

Commissioner Hrubes would like to look at the diagonal parking on 3rd Ave S. Commissioner Hrubes stated that he did not pay attention to the change in sewer for churches and nonprofits and would like to what can be done.

Commissioner Hewitt would like to continue working on the fences that she has talked to the City Manager about.

ADJOURNMENT

Chairman Terry adjourned the meeting.

Dated this 18th day of September, 2023.

KellyAnne Terry, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk