

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON NOVEMBER 15, 2021 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Chairman Turk called the meeting to order.

PLEDGE OF ALLEGIANCE

Chairman Turk asked everyone to stand and say the Pledge to the Flag.

ROLL CALL

Present were Commissioners: Day, Doney, Dunnington, Hewitt, Loomis, Oldenburg and Turk.

APPROVAL OF MINUTES

Chairman Turk stated that without objection and based on the corrections the October 18, 2021 and November 1, 2021 minutes are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Hewitt reported that she was unable to attend the Airport Board meeting on November 3rd, but did have a report. Commissioner Hewitt reported that the snow equipment at the Airport has been maintained and ready for the winter weather. The pilot's lounge is still waiting for a new heater and a new heater was installed in the airport managers house and it is working. The junk vehicle gate still needs to be repaired. Repair is needed on taxiway A B sign and a new main circuit board has been ordered and will start to convert to taxiway and runway lights to LED moving forward.

Commissioner Doney reported that the Library Board will meet on November 18th.

Commissioner Loomis reported that the Park and Recreation Board met on Wednesday and the new boards have been installed around the ice skating rink. The boards were paid by selling ads and was done so by the Lewistown Ice Skating Association. The locker room sheds will be put soon. There is a lot of interest in pickleball and it was discussed that maybe the tennis courts at Symmes Park could be made to be pickleball courts.

Commissioner Day reported that the Central Montana Health District board will be meeting this Wednesday, November 18th at 1 pm at the Lincoln School building.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

The City will be updating the City email accounts and antivirus software. Then we will begin requiring dual authentication for our email accounts. This change will require to do some updates on devices or devices you are using to access your city email account. The switch is planned for November 17th. If you have questions regarding your city email account, feel free to contact the City Manager.

This year's Christmas stroll will be November 26th from 4 to 8 pm. There will be a parade and other activities, as well as, Bright Country Nights and the North Pole Adventure train, this weekend.

The Commission may recall that the City Manager has discussed the need to update the City's MOU with the Library board. The goal of this revision is to better define the roles for both the City and the Library board. The current MOU is in effect until July 1, 2022, but want to allow enough time to negotiate this revision. The City Manager will be presenting a draft MOU to the Library board at their November board meeting.

The Lewistown Public Library, in conjunction with the organization Humanities Montana, the Hometown Humanities program is excited to announce that the Library will be hosting Missoula author Caroline Patterson for a Montana Women Writers Workshop. The workshop is a 2-part event on Thursday, November 18th and Thursday, December 2nd. This program will take place in the upstairs meeting room of the Library and Ms. Carole Patterson will join the group virtually.

Please mark your calendar. The City will be hosting a Commission and Management professional development training December 13th, beginning at 6 pm more details will follow but this training will be for incoming and current Commissioners and department heads.

PUBLIC COMMENT – non agenda items

Ms. Kellyanne Terry addressed the Commission stating that she was the Chairman of the Port Authority Board and was pleased to announce the Commissioner Clint Loomis will be a member of the Port Authority Board. The Port Authority meets the second Wednesday of every month at the Calvert Hotel at 10 am.

CONSENT AGENDA

Commissioner Oldenburg made the motion to approve the consent agenda and Commissioner Loomis seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgment of the claims that have been paid from November 1, 2021 to November 12, 2021 for a total of \$60,011.28

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Discussion on the future of the City of Lewistown's involvement in public health. (this is a discussion item only – no action can be taken) City Manager Holly Phelps

City Manager Phelps stated this discussion is a continuation on the City of Lewistown's involvement in public health. City Manager Phelps introduced the new City Attorney Theresa Diekhans, and explained that this is one of the first issues she has had the attorney working on. City Manager Phelps explained that City Attorney Diekhans has been review statue and is going to give her thoughts on how to proceed. City Attorney Diekhans explained that she is very happy to be here working for the City of Lewistown and the first thing the City Manager asked her to review was if the County withdraws from the health

board district what does that mean for the City of Lewistown. City Attorney Diekhans commented there isn't a lot of direction in statute but her plain reading of the statute is if the County is out of the health district, then the City is out of the health district. The reason lies in the way the statute is written. It is the Counties that form the health district and any 1st or 2nd class cities within the county would be considered part of the health district. City Attorney Diekhans stated that means if Fergus County withdraws, they take the City with them. According to City Attorney Diekhans the City has two choices: one to go with our own health board or two have a City County health board. This will open up discussions by the City on which direction to go and will open up discussion with Fergus County. City Attorney Diekhans explained that whether it is a City health board or a City County health board both are very defined in statute with regard to how the boards are formed, what the duties are and appropriations. All the appropriations in a City County Health Board come through the County and clearly defined what is allowed for the City and County. City Manager Phelps stated that Commissioner Day and herself did meet with the County Commissioners to discuss on a cursory level if the County is willing to partner with the City in a City County health board. City Manager Phelps further stated that she feels the County would be interested in discussing the possibility of a City County health board. Further discussion followed regarding the creation of a health board and the representation of the City. City Attorney Diekhans commented that regardless the City is a health board in accordance with statute because we are a 2nd class city. Commissioner Day asked if the next discussion is deciding if the City would like to go with a City health board or a City County health board. City Manager Phelps asked what direction the Commission would like her to move forward with pursuing. Commissioner Doney stated that she is comfortable with a joint board, making sure that the City and County mutually agree on how to go forward and feels that is the best option. Commissioner Doney stated that her biggest concern was representation. Commission Loomis agreed with Commissioner Doney. City Attorney Diekhans commented that her recommendation is starting discussions so there is plenty of time work on all the different items to finalize the decision.

2. Discussion and action on awarding a bid and authorize the purchase of a new loader for the Street Department

City Manager Phelps explained that as part of the budget process this year a new loader was budgeted for and would like City Clerk Nikki Brummond to read the summary for the record. City Clerk Nikki Brummond read the following: Public Works is currently utilizing a 1984 Cat 930 – wheel loader on a weekly basis at the wastewater treatment plant. At almost 40 years old, the loader has some engine issues that will require major maintenance in the near future. It has also become very difficult to find replacement parts for this machine. The Public Works Director is proposing that the City purchase a new wheel loader for the street and water department and move the existing 2004 John Deere to the wastewater treatment plant. This single purchase would upgrade the Street, Water and Wastewater departments. There is \$270,000 in the budget for the purchase of a new loader. The City following the state and City purchasing policy and advertised for bids for a new loader. The City has received bids from 2 vendors. RDO Equipment in Billings bid a 2021 John Deere 924P loader with approximately 300 hours on it for \$210,675. Tri/State Equipment in Billings bid a 2021 Volvo L90H loader with zero hours on it for \$191,971. The Street department will be demoing the machines this week and the Public Works director will give a recommendation once that is complete. Public Works Director JR Killham stated that after the staff demoed the machine and it is what will work for the City. Commissioner Doney made the motion to approve awarding the bid and authorize the purchase of the 2021 Volvo L90H loader with zero hours on it for \$191,971 and Commissioner Hewitt seconded the motion. Mr. Ron Hrubes asked if the Public Works Director has the opportunity to check the price of the fuel, oil and hydraulic filters? Public Works Director Killham explained that yes, he did look at those expenses. Commissioner Turk asked for

comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

3. Discussion and action on awarding the 2022 snow hauling bids

City Manager Phelps explained that as part of the annual contracts the City solicits bids for snow removal. City Manager Phelps stated that this bid is for an hourly rate. City Manager Phelps asked City Clerk Brummond to read the summary for the record. City Clerk Brummond read the following: in times of extreme weather conditions, the Public Works department utilizes local outside contractors to assist in the removal and hauling of snow. This contract is only utilized in extreme conditions when current public works staff are unable to maintain snow removal of its arterial roadways. This contract is 100 percent weather dependent and very difficult to budget. The Public Works Director advertises and requests that local contractors provide Public Works with specified snow removal equipment rates per hour including operator. If there is a significant weather event, the Public Works Director will contact the lowest bidder then the next lowest and so on until we are able to take care of the emergency. These contractors are paid by the hour for their services. Last year the City utilized this contract for approximately \$8,000. Two bids were received, one from Casino Creek Concrete and one from Griffith Construction. The bid for Griffith Construction was \$150 per hour for Motor Grader, \$150 per hour for Front End Loader and \$125 per hour for End Dump and the bid for Casino Creek Concrete was \$200 per hour for Motor Grader, \$200 per hour for Front End Loader and \$150 per hour for End Dump. City Manager Phelps recommended awarding the bid to Griffith Construction. Commissioner Doney asked who the City used last year and City Manager Phelps answered Griffith Construction. Commissioner Doney made the motion to awarding the 2022 snow hauling bid to Griffith Construction and Commissioner Hewitt seconded the motion. Commissioner Turk asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

4. Discussion and action on awarding the 2021-2022 gravel bids

City Manager Phelps explained that another annual contract is the aggregate contract. The City utilizes several different types of materials for various projects in the City. The City advertises and requests a unit price and only pay for the tonnage needed for the project. City Manager Phelps asked City Clerk Brummond to read the summary for the record. City Clerk Brummond read the following: Public Works utilizes a variety of aggregates throughout the year. These includes sand, ¾ inch road gravel, 3/8 inch pea gravel for pipe bedding and pit run gravel for fill. In order to receive a consistent product at the best unit price, public works requests bids from all local aggregate suppliers annually. Last year, Public Works purchases approximately \$15,000 in various aggregates through this contract. Currently there is \$30,000 in the budget for this year's aggregate needs. The Public Works Director did increase the budgeted amount due to expected significant increase in unit price along with utilization of more material with the coming seasons projects. The City received one bid from Casino Creek Concrete for \$43,500. Although the 3/8 inch pea gravel pit run remain mostly unchanged, this bid reflected a significant price increase in ¾ inch road gravel from \$13.50 ton to \$17.00 ton. City Manager Phelps explained that again the City only pays for what is used and would recommend the approval of this bid. Commissioner Doney made the motion to approve awarding the 2021-2022 gravel bid to Casino Creek Concrete and Commissioner Oldenburg seconded the motion. Commissioner Turk asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

CITIZENS' REQUESTS

There were none.

COMMISSIONER’S MINUTE

Commissioner Loomis reported that the American Prairie Reserve visitor’s center is going to be opening this Thursday, November 18th. Commissioner Loomis stated that he got a tour and it is amazing and a great benefit to the community.

Commissioner Doney congratulated all the citizens that won their races in the recent election. Commissioner Doney also welcomed the new City Attorney.

ADJOURNMENT

Chairman Turk adjourned the meeting.

Dated this 15th day of November, 2021.

Patty Turk, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk