

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON OCTOBER 3, 2022 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Chairman Doney called the meeting to order.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present were Commissioners: Day, Doney, Hrubes, Scotten, Spika and Terry. Commissioner Hewitt participated virtually.

APPROVAL OF MINUTES

Chairman Doney stated that without objection the August 29, 2022 and September 19, 2022 minutes were approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Terry reported that she attended the Central Montana Foundation meeting on September 27th. Commissioner Terry stated that the agenda was basic business and the one grant was for the Lewistown Downtown Association in the amount of \$4,000 for the trees in the downtown district. Commissioner Terry further reported that the downtown association is working on the trees in the area and will be receiving money from the TIF district and the Department of Transportation. Commissioner Terry commented that the next board meeting is October 25, 2022.

Commissioner Day reported the Park and Recreation Board will be meeting this Wednesday, October 5th.

Commissioner Doney reported that the 911 Board has not met recently.

Commissioner Doney reported that the Library Board will be meeting on the third Thursday in October.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

The Public Works Department will start the leaf cleanup very soon. The Public Works staff are working on the leaf cleanup schedule and when complete this information will be shared with the newspaper and radio and will be available on the City's website.

The Police Department is working on parking issues prior to the winter season. The Police Department continues to address long term and recreational vehicle parking. Just a reminder that RV's, boat trailers and campers may not be parked on City streets after November 1st.

The Police Department has received a new F150. This vehicle was originally ordered in September 2021 and will need to be upfitted before it goes into service.

For the last month, the Fire Department has been using a larger fire truck to respond to calls. The smaller first responder truck has a mechanical issue that they have been working to resolve the issue.

The City has been receiving a lot of complaints regarding election signs. These signs must be placed on private property. While temporary signs are exempt from the standard permit requirements, they cannot be placed on public right of way (City or State) and must be removed within 60 days or upon completion of the event.

The City Office recently welcomed two new employees and is now fully staffed. The Fire Department has also welcomed a new firefighter. There are two new dispatchers that are being trained and a new Police Officer and Water Worker will start in the next few weeks.

The last and final session of reimagining rural will be held October 6th from 6 to 8 pm at the Council on Aging. This session is titled "Success in a Small Town." Each session has had new faces come and join in on a lot of great discussion.

PUBLIC COMMENT – non agenda items

Mr. Eric Vanderbeek addressed the Commission expressing his concern of knapweed in the community. Mr. Vanderbeek explained that there is quite a bit of knapweed on 7th Ave N, around Kiwanis Park and in the past, he has worked with the County Weed District to get it taken care of, however, it appears to be more difficult now. Mr. Vanderbeek explained that the City needs to come up with a plan to mitigate knapweed on City property. Commissioner Doney expressed her concern and wonder what the City can do? City Manager Phelps answered that there is a new County Weed District employee and they did have difficulties hiring staff this summer. City Manager Phelps explained that there is a weed board and we can see when they meet. City Manager Phelps further commented that City taxpayers do pay into the County weed district. There was some discussion and it has been worse this year compared to previous years.

CONSENT AGENDA

Commissioner Terry made the motion to approve the consent agenda and Commissioner Hrubes seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from September 16, 2022 to September 29, 2022 for a total of \$501,240.69.

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

1. Discussion and action on approving a curb cut deviation for Kerby and Karen Durbin for their property located at 209 Diamond Lane

City Manager Phelps explained that included in the Commissioners packet is a schematic showing what the house will look and they are currently constructing their home on the south west corner in Stonewood Farms. City Manager Phelps stated the Durbin's' are wanting a deviation from the City's curb cut

requirement to allow them a 30-foot driveway. The request has been approved by their home owner's association and is the same request the Commission has approved for other property owners in the same area. Commissioner Spika made the motion to approve a curb cut deviation for Kerby and Karen Durbin for their property located at 209 Diamond Lane and Commissioner Scotten seconded the motion. Commissioner Day commented that this is the third time the Commission has done this should the City code be changed. City Manager Phelps answered that there has been some discussion on making changes to the curb cut ordinance. Commissioner Doney answered that the curb cut ordinance is one that will be looked at but there are a few ordinances ahead of the curb cut. Commissioner Doney asked for comments from the audience and commission. There being none, the question was called for and a roll call vote was taken with all being in favor of the motion.

2. Discussion and action on approving Resolution No. 4105, a resolution approving an application from Lewistown Downtown Association for TIF funds made to the Lewistown Tax Increment Financing District Board

City Manager Phelps stated that at the last Tax Increment Financing (TIF) District Board meeting there was a presentation by Ms. Abby Franks with the Lewistown Downtown Association for her proposal to work together to put together a tree committee to address the trees in the downtown areas. The group will be looking at needing to replace 20 of the 34 downtown trees. This partnership will get the tree situation addressed for the long term. This plan includes contract watering, tree guards, and a way to address the long term needs of the trees. City Manager Phelps explained the group has been working to get donations from different areas to make this project work. Commissioner Terry made the motion to approve Resolution No. 4105, a resolution approving an application from Lewistown Downtown Association for TIF funds made to the Lewistown Tax Increment Financing District Board and Commissioner Day seconded the motion. There being none, the question was called for and a roll call vote was taken with all being in favor of the motion.

3. Discussion and action on approving the quote from Dana Safety for the upfitting of the new police vehicle

City Manager Phelps stated that included in the Commissions packet was the quote from Dana Safety to upfit the new F150 for the Lewistown Police Department. The total bid for this is \$15,278.75, which would upfit the vehicle to the City's current standard and would include lightbars, computers and installation of the radios. Commissioner Terry asked why there is only one quote. City Manager Phelps answered that it is a limited market and a tight time frame. Spika made the motion to approve the quote from Dana Safety for the upfitting of the new police vehicle and Commissioner Day seconded the motion. Commissioner Doney asked if this was budgeted for in the current budget. City Manager Phelps answered it was budgeted last budget and carried forward to the current budget. Commissioner Hrubes asked if any old equipment is used. City Manager Phelps answered that yes any equipment that can be used from a prior vehicle is used. There being none, the question was called for and a roll call vote was taken with all being in favor of the motion.

4. Discussion and action on approving Resolution No. 4104, a resolution of the Lewistown City Commission of its intention to increase sewer utility rate fees for sewer customers of the City of Lewistown

City Manager Phelps stated that this is the same resolution from the prior meeting with a couple of changes that were discussed at the meeting. The changes are as follows: the third whereas the wording is changed to no rate increase in more than 10 years, and a public hearing date has been set for November 14, 2022 at 6 pm. This will be a special meeting. There was a discussion with the engineer regarding some of the situational questions with regard to equivalent dwelling units. The City's current code states

if the property is mixed use, it is considered commercial. The definition of equivalent dwelling units (EDUs) was defined. Commissioner Terry asked why commercial sewer is not averaged. City Manager Phelps answered the main reason is irrigation. City Manager Phelps reminded the Commission that we are currently only looking at sewer rates and when the City gets closer to the water project the water rates will be evaluated. City Manager Phelps explained that the unmetered sewer rate will be raised to \$85.00 which includes the sewer base rate. Commissioner Day made the motion to approve Resolution No. 4104, a resolution of the Lewistown City Commission of its intention to increase sewer utility rate fees for sewer customers of the City of Lewistown and Commissioner Spika seconded the motion. City Manager Phelps stated that the public hearing will be a special meeting on November 14th at 6 pm, prior to that the notices will be mailed prior to the first publication date of October 22nd. Mr. Vanderbeek asked what the rate increase will be. City Manager Phelps answered the base rate will go from \$12.81 to \$19.25 and the sewer use rate will go from \$5.08 to \$7.50 per 1,000 gallons. Mr. Vanderbeek asked what the increase in rates will go to. City Manager Phelps answered that part of the increase is to cover the bond obligation, and it was decided to put some money away to be proactive. City Manager Phelps stated there are upcoming sewer projects but there is money for the project, but the rates need to be in place to get the project complete. There being none, the question was called for and a roll call vote was taken with all being in favor of the motion.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Day was glad the Lewistown Downtown Association to address the trees in the downtown area.

Commissioner Terry stated that she enjoyed the tour of the Library.

Commissioner Hrubes commented that he as happy with the Library tour also.

Commissioner Doney thanked Mr. Vanderbeek for coming and expressing the concern on the weed situation in the community.

Commissioner Doney thanked the City staff, attorney and manager for the work on the sewer rates.

ADJOURNMENT

Chairman Doney adjourned the meeting.

Dated this 3rd day of October, 2022.

Gayle Doney, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk