

**A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON MARCH 21, 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, Hewitt, Hrubes, Scotten, Spika and Terry.

**APPROVAL OF MINUTES**

Chairman Doney stated that without objection and based on the corrections the March 7, 2022 minutes are approved.

**COURTESIES**

There were none.

**PROCLAMATIONS**

There were none.

**BOARD AND COMMISSION REPORTS**

Commissioner Hewitt reported that she attended an Airport Board meeting this month. Commissioner Hewitt reported that under old business there was discussion on the number of airplanes in the Rimby hangar. The board will look at the utilities and other items to determine if it is feasible with the rent to have less airplanes in the hangar. The roof bid for the big hangar was awarded to R & C contractors. The Fish and Game would like more parking and would like to extend the lease for a year for their building. An audit of the buildings will be done by Mr. Tim Robertson and the Airport Manager Bryan Armour. Commissioner Hewitt commented that the airport board is still working with the FAA to allow commercial drone flights.

Commissioner Terry reported that the Central Montana Foundation Board meets tomorrow, March 22, 2022.

Commissioner Day reported that the Park and Recreation Board will meet on April 6, 2022.

Commissioner Doney reported that she attended the March 16, 2022 Library board meeting as the City Commission representative. Commissioner Doney reported that just prior to this meeting she was informed that Montana Municipal Interlocal Authority (MMIA) did approve the recommendation of Mr. Alan Hulse. The recommendation was that Libraries would no longer be covered under MMIA unless an endorsement is approved. Commissioner Doney stated that she is expecting some direction from MMIA in the next week or so. Commissioner Doney reported that the Library received a \$1,000 grant for

robotics equipment. There was first aid training for youth and mental health for Library employees. Commissioner Doney stated that the Montana Humanities Programing will resume in person this week. The program this week is Chris LaTray. There is a welcome to Lewistown book club.

### **CITY MANAGER REPORT**

City Manager Holly Phelps reported on the following issues:

Last September the City Commission approved the purchase of two patrol vehicles for the Police Department. The Police Department is still waiting for information on the two vehicles. The City has not received a build date for the new vehicles. The Police Chief is continuing to talk with Snowy Mountain Motors to try and get more information on when these vehicles may be delivered.

MMIA had their Board of Directors meeting on March 18<sup>th</sup>. On the agenda was the recommendations on Library coverage. It was decided to move forward with not covering Libraries as has been the case in the past. There will be an underwriting process if the Library chooses to continue with coverage with MMIA. City Manager Phelps commented that she has talked with the Library Board Chair and they hope to meet in the next couple of weeks to discuss how the Library and City will be moving forward.

The warmer weather increases the number of events in the parks and along the trails. Last year, the Commission made changes to the event process and began charging for events and making sure we have all the necessary documents, including insurance prior to approving the event. City staff has been working hard to educate the public on the new process. The new process has improved the flow of events throughout the City.

The State of Montana is getting ready to begin the renewal of the Regional Multi-Hazard Mitigation Planning (MHMP). This is a requirement to participate in Federal Emergency Management Agency (FEMA) programs. Previously each county, including Fergus, was responsible for hiring consultants and paying for the FEMA mandated update to this document. The State Disaster and Emergency Services (DES) has hired a consultant to conduct who will handle the planning and expenses associated with the task of updating the mitigation plan.

### **PUBLIC COMMENT** – non agenda items

Ms. Mary Frieze read the following letter to the Commission and all Commissioners received a copy of the letter. Dear Ms. Phelps and Commissioners; As Chair of the Lewistown Public Library Board of Trustees, it is my pleasure to inform you that the Library Board looks forward to working with the City of Lewistown to create the best possible Memorandum of Understanding (MOU) for the coming years. We have a confidence that we will be able to build on the current MOU and establish a document that will guide the City and the Library as we move forward. The citizens of Lewistown and Fergus County treasure our Library and the Board is honored to have the responsibility to strive for what is vest for our Library and our patrons. Sincerely, Mary Frieze, Chair, Lewistown Public Library Board of Trustees.

Ms. Jerry Carpenter addressed the Commission stating that spring is coming and she would like to know where the City is at with the deer situation. City Manager Phelps answered that the Police Chief is working with FWP to come up with an appropriate deer population and as of yet has not gotten any response from FWP. City Manager Phelps explained that the Police Department completed a census of the urban deer population and it was shared with the biologist at FWP. Commissioner Doney commented that right now the City is waiting on the FWP to get back to the Police Department to determine how to move forward.

Ms. Jerry Carpenter stated that her next question is the chlorine in the water. Ms. Carpenter stated that the chlorine smell is still very prevalent. Ms. Carpenter commented that she read in the paper that the City is looking to be able to change the chlorination of the water system so that it is done properly. Ms. Carpenter stated that as citizens, we do not want chlorine in the water and know that it is very expensive but we need to be getting the money to fix the problem.

### **CONSENT AGENDA**

Commissioner Terry made the motion to approve the consent agenda and Commissioner Hewitt seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from March 1, 2022 to March 17, 2022 for a total of \$212,509.06.

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

#### 1. Discussion and action on proposing amendments to current sewer base rate structure

City Manager Phelps explained that she is looking for more clarification to be used as guidance to work through the sewer rate setting process. City Manager Phelps further explained the current system has been discussed and the same sewer base rate is charged to all customers regardless of residential or commercial property. There is a usage rate of \$5.08 per 1,000 gallons and reviewed the sewer averaging process. City Manager Phelps commented that there has been some discussion about changing the base rate structure and adding a dwelling unit equivalent. City Manager Phelps presented some other options for sewer charges and what other cities do. City Manager Phelps stated that one of the concerns is Mountain Acres Trailer Court, which has three connections and each connection pays the base rate of \$12.81, however, there are approximately 300 hundred residents in the park. The previous Commissioners expressed some desire to equalize the cost. Commissioner Terry asked how one could equalize that situation or an idea. City Manager Phelps answered there are a couple of different options, one would be to base the sewer base rate on the meter size, base it on equivalent dwelling units. Commissioner Spika commented that given all the research the City Manager has done, what would she recommend. City Manager Phelps answered that she feels the costs need to be equated. City Clerk Nikki Brummond commented that she is leaning toward EDUs and City Manager Phelps agreed that would be her preference too. City Manager Phelps stated that it will be a process, because it will be a switch from what is being done currently and feels it is the great equalizer. Commissioner Spika made the motion to revise the structure to be on an equivalent dwelling unit basis for sewer base rates and Commissioner Hrubes seconded the motion. Commissioner Doney asked for comments from the audience and Commission. There being none, the question was called for and a roll call vote was done and the motion passed unanimously.

#### 2. Discussion and action on recommending a proposed sewer rate to move forward with the sewer rate increase process

City Manager Phelps stated that there has been discussion about where to go with rates. There is a break even point that will address the issue with the bond coverage requirements and as Commissioner Doney commented that the previous Commission expressed desire to go about the break even point and put aside some money to keep the plant up. City Manager Phelps explained that the rate needed to do this will fluctuate by going to an EDU system because of the equalize of base rates. City Manager Phelps stated that based on the current system to break even that average increase to bills would be \$11.31 and the rate to include an increase in operation and maintenance and the extra money to maintain the plant would be a target rate of \$16.78. This is a total increase in a monthly bill and it will need to be determined how much to raise the base rate and the usage rate to equal the \$16.78. City Manager Phelps explained that she is wanting to have some discussion on where the Commission would like to see the rates. Whether it be

break even, \$100,000 in savings to maintain the plant or spreading it out over three years. Then a proposal would be brought back with some option for a base rate of x and usage rate of x and then an annual increase could be determined. Further discussion followed. Commissioner Spika asked about the annual operating cost, she looked at it and suggested that a 10% increase of \$120,000 each. There was discussion about the possibility and options to do annual increases and review of rates. City Manager Phelps commented that she will bring options back to the Commission, once she is given some basic direction, she will bring back some options. Commissioner Day made the motion to approve the sewer rate process to include a rate that will provide \$120,000 savings and periodic incremental increases and Commissioner Terry seconded the motion. Commissioner Doney asked for comments from the audience and Commission. There being none, the question was called for and a roll call vote was done and the motion passed unanimously.

3. Discussion and action on entering into an agreement with Dorsey & Whitney to provide bond counsel and authorize the City Manager to sign the agreement

City Manager Phelps explained that included in the Commissioner's packet is an engagement letter from Dorsey & Whitney. City Manager Phelps further explained that Dorsey & Whitney have served as bond counsel in the past and have already been working with DNRC on this loan and we would like to work with them also. City Manager Phelps stated that the approximate fee is \$20,000 and would be included in the loan. Commissioner Spika made the motion to approve entering into an agreement with Dorsey & Whitney to provide bond counsel and authorize the City Manager to sign the agreement and Commissioner Day seconded the motion. Commissioner Doney asked for comments from the audience and Commission. There being none, the question was called for and a roll call vote was done and the motion passed unanimously.

4. Discussion and action on approving Resolution No. 4085, a resolution of the City of Lewistown to allow Sole Source Procurement for the 2022 Lewistown Water System Improvements Project

City Manager Phelps explained that this resolution is to allow sole source procurement for the scada system as part of the upcoming water project. City Manager Phelps further explained that the City is considered an entity as part of State of Montana and we have to follow statute for the bidding process. City Manager Phelps stated that the City currently uses Micro Comm for the water system and have been very satisfied and that is the sole source. City Manager Phelps commented that outlined in the resolution is what will need to be provided by Micro Comm regarding cost, why it is an acceptable solution. This is the way the City fulfills the statutory obligation. Commissioner Hewitt made the motion to approve Resolution No. 4085, a resolution of the City of Lewistown to allow Sole Source Procurement for the 2022 Lewistown Water System Improvements Project and Commissioner Spika seconded the motion. Ms. Carpenter asked if this is for the chlorine water the water system. City Manager Phelps answered no it is a system that the City has used for many years, one thing it does is monitor the water tank levels and is used for both the water and sewer systems. Commissioner Doney asked for comments from the audience and Commission. There being none, the question was called for and a roll call vote was done and the motion passed unanimously.

5. Discussion and action on appointing Douglas Day to the Historic Resources Commission for a two-year term

City Manager Phelps explained that there has been a vacancy for a while on the Historic Resources Commission and Mr. Douglas Day has submitted an application to serve a two-year term. City Manager Phelps commented that Mr. and Mrs. Day own two historic buildings. Commissioner Terry made the motion to appoint Douglas Day to the Historic Resources Commission for a two-year term and Commissioner Hewitt seconded the motion. Commissioner Doney asked for comments from the

audience and Commission. There being none, the question was called for and a roll call vote was done and the motion passed unanimously with Commissioner Day recusing herself.

**CITIZENS' REQUESTS**

There were none.

**COMMISSIONER'S MINUTE**

Commissioner Day commented that herself and Commissioner Spika completed the recent fundamentals of Municipal Government provided by the Local Government Center.

Commissioner Hrubes commented that he is concerned about some of the visibilities of the corners in this town and he is looking for some direction on how to proceed with the process. Commissioner Hrubes asked if he meets with the City Manager to discuss the issue. City Manager Phelps answered yes.

Commissioner Terry commented that she thinks it is really good that when discussions are held and all the Commission voted unanimous on the issue. Commissioner Terry commented that she thinks it is good to have board comradery when discussing some issues.

**ADJOURNMENT**

Chairman Doney adjourned the meeting.

Dated this 21<sup>st</sup> day of March, 2022.

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Gayle Doney, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk