

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON MAY 15, 2023 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Vice Chairman Day called the meeting to order.

PLEDGE OF ALLEGIANCE

Vice Chairman Day asked everyone to stand and say the Pledge to the Flag.

ROLL CALL

Present were Commissioners: Day, Doney, Hewitt, Hrubes, Scotten, and Spika. Commissioner Terry was absent.

APPROVAL OF MINUTES

Vice Chairman Day stated that without objection and based on the corrections the May 1, 2023 minutes are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Hewitt reported that she attended the Airport Board meeting via zoom. There is a new fire gate at the executive hangars. All of the port a potties have arrived and will be placed around the airport. The Montana Driving Club will lease the port a potties on the weekends that they need them. The terminal direction signs have all been replaced. The Airport Manager is accepting concrete bids for the cluster mailboxes and flag poles. The grass strip needs to be raked and have need seed. The taxi ways and run ways will need to be sprayed for weeds.

Commissioner Scotten reported that the Snowy Mountain Development Corporation (SMDC) annual meeting will be June 21, 2023 at the Petroleum County Community Center in Winnett this year.

Commissioner Hrubes reported that the Health Board will not meet until July.

Commissioner Doney reported that the Library Board will be meeting this Thursday, May 18, 2023.

Commissioner Day reported that the Park and Recreation Board met on May 3, 2023. Park and Recreation Director Jim Daniels will be staying on through the month of May. The staffing of the pool and the progression of the trees on Main Street. There is clean up of East Fork camping area on May 31, 2023 and everyone is welcome to participate.

Commissioner Day reported that she will be attending the Lewistown Downtown Association meeting and will bring a report back to the Commission.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

City Staff are getting the cemetery ready for Memorial Day. Public works and recreation staff will be temporarily assigned to the cemetery to help prepare the cemetery. The mowing and trimming is the bulk of the work needed to get the rea ready for Memorial Day weekend. Typically, the staff start on one end and work their way to the other end. The weather can make this more difficult.

The interviews have been completed for the Park and Recreation Director position. Ms. Lisa Langbehn has accepted the position and is the new Park and Recreation Director. She started today and will be working with Jim over the net couple of weeks to get a better understanding of what the position entails.

The Library Summer Reading Program will start June 6th and run through July 15th. This year's theme is All Together Now.

With the nice weather camping at East Fork has already been a popular destination. The Park and Recreation and Public Works departments will soon be turning on the water and getting the campground ready for the summer season.

The Park and Recreation department has already begun the process of cleaning the pool and getting things read for the pool season. The pool is still in need of lifeguards. So, if you know someone that is interested have them stop by and pickup an application. The tentative opening date is June 6th.

Last call, the City is still accepting applications for the parklet and the first location will be selected soon. Those businesses interested in hosting the parklet must agree to keep it clean and care for the flowers on it. More information on the parklet is available at the City Office.

Public Works has been busy assisting with the disposal of the trees removed from the public right of way. Several owners have participated in the City's removal assistance program, to remove dead or diseased trees. More information on the tree assistance program is available from the Public Works Department.

PUBLIC COMMENT

Mr. Jim Pearson addressed the Commission stating he has filed a complaint with Public Works Department on April 25th. The complaint is regarding his property at Ash Street where the water line runs under his property and serves water to four residences from the main pump house by the honey farm. Mr. Pearson stated that the line has been leaking for many years and has had no response yet. Mr. Pearson gave some history on the property located at 68 SW Ash Street. Mr. Pearson then explained the events of the leaking water line. City Manager Phelps stated that the Public Works Department is aware of the situation. City Manager Phelps explained that since she has been with the City there have been many line locators looking for leaks in the area and have exhausted the City's resources in that are without just going in and replacing everything in that area. Mr. Pearson stated that the line locator was in the wrong place and that he could not hear any water leaking in the line from the house to the curb stop. Mr. Pearson further stated that the leak is in the main line that crosses the street and that is the reason for his complaint.

Mr. Robert Snyder, 1307 W Broadway, addressed the Commission concerning the permit process and specifically the requirement for liability insurance for families to use City property. Mr. Snyder stated he is grateful to be able to use the parks for his 4th of July event. Mr. Snyder explained that he does not need any extra services and is just wanting to use the park, however the event application requires special event liability insurance coverage. Mr. Snyder commented that it will cost about \$450 for insurance for a six day cook out and revival. Mr. Snyder further commented that the \$450 is not a deal breaker, whereas the money could be used for frisbees or something else for the event. Mr. Snyder stated that this has not been an issue before. Mr. Snyder asked the Commission to put it on the agenda for discussion to waive the requirement for several families to get together for 4th of July week to have a cook out and tent revival. Mr. Snyder further stated that maybe it should be blotted of the ordinance because it is restricting park use. City Manager Phelps explained that he is referring to the city's event policy. Per the event policy for exclusive use or for organized events at different City owned properties special event insurance is required. City Manager Phelps stated that the City does not regulate what happens at the event but asks for the coverage to indemnify the City for those activities. If special event insurance is not required the liability is on the taxpayers. There was some discussion on how the Creekside works.

CONSENT AGENDA

Commissioner Hrubes made the motion to approve the consent agenda and Commissioner Spika seconded the motion. The consent agenda was the acknowledgment of the claims that have been paid from May 1, 2023 to May 11, 2023 for a total of \$166,051.90

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

1. Annual report from the Fergus County Council on Aging – City Manager Holly Phelps

Mr. Dale Pfau, executive director of the Fergus County Council on Aging gave an annual report to the City Commission. The Central Montana Community Center is in very good physical condition. Mr. Pfau stated that the Fergus County Council on Aging (FCCOA) has had several updates to the building the past year. Some of the improvements include plumbing repairs, all faucets have been repaired, the building has a new phone system and freezer condensers have been repaired and now on a maintenance schedule. The drainage runs for the kitchen that use the grease pit have been reworked to function properly. Mr. Pfau commented that a new kitchen manager and a change in cleaning services has put the building in the cleanest shape that it's been for year. FCCOA continues to monitor the roof twice a year and add to the roofing fund every year. A team effort between FCCOA and the City last year enabled us to have the building painted for the first time in years. FCCOA recently received an ARPA grant for the new chairs for the dining/meeting room. Mr. Pfau reported that the FCCOA services have expanded in some areas and decreased in other areas. The commodity program is done due to the lack of funds. The foot clinic has expanded due to the community loss of Dr. Church, Podiatry Doctor. The in house and delivered meals have expanded. FCCOA runs two meal vans Monday through Friday to deliver to the homebound. The kitchen remodel that was finished two year ago has been working well and made it easier to recruit kitchen help when needed. The transportation component of the FCCOA known as Central Montana Shuttle has seen growth again. During the past year 22,772 rides were provided to people of Central Montana. The new transport facility was done in 2022 and have been an amazing help in providing warm bus rides in the winter. The homemaker component has provided 1735 cleanings to senior homes and apartments. Mr. Pfau explained the I & A department which deals with Medicare and Medicaid was very busy this year. The I & A department was also in charge of the free tax help provided by the State of Montana grantee.

2. Discussion and action on appointing Faith See to serve a three-year term and Dana Goodan to serve a two-year term on the City of Lewistown Police Commission

City Manager Phelps explained the Ms. Bridgett Sparks term had expired and she chose not to be reappointed to that position. Police Chief Jenness reached out to members of the community who would be interested on serving on the Police Commission. City Manager Phelps stated that Ms. Faith See is the secretary at Lewis and Clark School and has been part of the community for several years. City Manager Phelps explained that Mr. Dana Goodan a long-term resident of the City of Lewistown has volunteered to serve on the Police Commission. City Manager Phelps further explained that Mr. Brad Doney has resigned from the Police Commission and so Mr. Goodan will finish the two-year vacated term. Commissioner Hewitt made the motion to approve appointing Faith See to serve a three-year term and Dana Goodan to serve a two-year term on the City of Lewistown Police Commission and Commissioner Hrubes seconded the motion. Commissioner Day 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.

3. Discussion and action on authorizing the City Manager to enter into a Contract Inspection Services agreement between inspection services xi, llc and the City of Lewistown, Montana

City Manager Phelps explained this is a draft contract with a gentleman who is certified building inspector for both commercial and residential properties. He has worked in several communities across the state and retired from State Building Codes Bureau. City Manager Phelps commented that per the requirements from the State of Montana as a certified local government we must be certified. City Manager Phelps stated that with the retirement of the Building Inspector and the hiring of a new one, this is required until the new building inspector can take the certification test. City Manager Phelps reported that the hourly rate for inspections or plan review services is \$85 per hour. That will be actual time spent performing the duties and any travel will be charged on a flat mileage rate. Commissioner Hewitt asked if this was temporary? City Manager Phelps answered yes, this individual will be providing oversight. Commissioner Doney made the motion to authorize the City Manager to enter into a Contract Inspection Services agreement between inspection services xi, llc and the City of Lewistown, Montana and Commissioner Scotten seconded the motion. Commissioner Day 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.

4. Discussion and action on approving an overhead electric powerline easement to Northwestern Energy and authorizing the City Manager to sign the easement

City Manager Phelps explained there are two easements with Northwestern Energy and are in the same area. One easement is in the area of the cemetery and crosses the trail and is an overhead electric line. The second easement is in the same area across the City property and would provide a redundant source of electricity. Commissioner Spika made the motion to approve two overhead electric powerline easement to Northwestern Energy and authorizing the City Manager to sign the easement and Commissioner Scotten seconded the motion. Commissioner Day 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.

5. Discussion and action on approving moving forward with the Department of Commerce to complete a growth policy update/comprehensive plan and authorizing the City Manager to sign an agreement if necessary

City Manager Phelps explained that a few months back the City Commission had a presentation by the Department of Commerce. Mr. Cody Ferguson was here and explained what his division had to offer through the CTAP program. City Manager Phelps stated that because they were able to move forward with one of the contractors that are already contract to do the work. This will allow the City the ability to move forward without waiting for a grant and will not have all the reporting requirements. The contractor is actually Cushing Terrell, they will start immediately to complete the comprehensive plan and growth policy. The plan is to continue with the digital twining component. City Manager Phelps reported that right now there is no financial requirements. Commissioner Hrubes made the motion to approve moving forward with the Department of Commerce to complete a growth policy update/comprehensive plan and authorizing the City Manager to sign an agreement if necessary and Commissioner Spika seconded the motion. Commissioner Day 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.

6. Discussion and action on approving Resolution No. 4122, a resolution of the City of Lewistown City Commission to notify Fergus County election administrator of the City's desire to conduct the 2023 City general election by mail ballot

City Manager Phelps stated that each election the City Commission is required to provide a resolution giving direction to the County administrator for the municipal election. City Manager Phelps stated that this resolution states that the City would like hold the municipal election by mail. Mr. Robert Snyder asked if the mail option has been available in the past and now you want to make it exclusively mail. City Manager Phelps answered no, this must be done for every City election. City Manager Phelps commented that a mail election does keep the cost down and provides a better turn out. Commissioner Spika made the motion to approve Resolution No. 4122, a resolution of the City of Lewistown City Commission to notify Fergus County election administrator of the City's desire to conduct the 2023 City general election by mail ballot and Commissioner Doney seconded the motion. Commissioner Day asked for comments from the audience and Commission. There being none, the question was called for and a roll call vote was taken with Commissioners: Day, Doney, Hrubes, Scotten and Spika. Commissioner Hewitt voted against.

7. Discussion and action on approving a business license for Colstrip Electric, Inc. DBA CEI Electrical contractors

City Manager Phelps explained that the City has received an business license application from Colstrip Electric, Inc. and were awarded the bid to complete the City's water improvement project. As part of the requirement the contractor must obtain a business license. City Manager Phelps stated the City has received all the necessary documentation and recommends approval. Commissioner Doney made the motion to approve a business license for Colstrip Electric, Inc. DBA CEI Electrical contractors and Commissioner Hewitt seconded the motion. Commissioner Day 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.

CITIZENS' REQUESTS

Mr. Robert Snyder asked that this be on the next meeting with regards to liability insurance. Mr. Snyder asked if the liability insurance requirement is preventing the use of the city property.

COMMISSIONER'S MINUTE

Commissioner Day reminded everyone that the Historic Preservation Awards presentation was Tuesday, May 16th at 6:30 pm and Jack's Hangar.

ADJOURNMENT

Vice Chairman Day adjourned the meeting. Dated this 15th day of May, 2023.

Loraine Day, Commission Vice Chairman

ATTEST:

Nikki Brummond, City Clerk