

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON JUNE 19, 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, Doney, Hewitt, Hrubes, Scotten, Spika and Terry.

APPROVAL OF MINUTES

Chairman Terry stated that without objection and based on the corrections the May 15, 2023 minutes are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Doney reported that the Library Board met on June 15th and she was unable to attend the meeting.

Commissioner Day reported that she attended the Park and Recreation Board meeting on June 7th. There was a presentation by Tram Brooks, who is interested in fixing the basketball hoops on 4th Ave across from Frank Day Park. Mr. Brooks reported that the project is approximately \$2,800 and will be asking for funding from the Central Montana Foundation. The project is to replace the back boards, rims and nets on the basketball hoops in that park. There was an update on the Lewistown Soccer Parks from Mr. Brett Thackery. Mr. Thackery reported that the group is wrapping up phase I out of 3 phases. The soccer association is hoping to do a memorandum of understanding between them and the City of Lewistown in the future. The group continues to work on landscaping, grass, ADA parking and gates for emergency access to the fields. There was a request from Rotary to put a shelter picnic area at Frank Day Park across from the park on 4th Ave. Mr. Rick Vaughn was in attendance and talked about the trail maintenance, equipment and manpower. The board looked at the staffing for the park and recreation department. There was discussion on the trail maintenance plan that was put together by Josh Uecker. There was discussion regarding the renewal of the Park Contract with Rick Sandor. The clean up of East Fork Recreation Area has been postponed until the water recedes.

Commissioner Hewitt reported that she attended the Airport Board meeting. The mowing at the airport has been completed. The Airport Manager is looking at a tractor that is for sale by the Fair Board. There

have been some questions regarding a dry hangar, which is a hangar with no plumbing. The Fly In is on scheduled for this upcoming weekend. The board discussed raising the fuel cost due to the increase private jets flying in.

Commissioner Scotten reported that the annual meeting for Snowy Mountain Development Corporation will be held on June 21, 2023 at the Winnett Community Center. The meeting will be at 10 am and the luncheon will be at noon.

Commissioner Scotten reported that the next Shelter Solutions meeting will be June 27th at the Episcopal Church.

Commissioner Terry reported the Central Montana Foundation will meet on June 27, 2023 at 2 pm.

CITY MANAGER REPORT

City Manager Phelps reported on the following issues:

East Fork is once again open. The boat ramp did move during the high water and will have to be reset but all the camping spots and other day use area were not damaged. The park and recreation board had planned their annual cleanup for the end of May but had to cancel due to the weather. The annual clean up will be done later this month.

Construction around the area is in full swing. There are many projects going at the same time. The 6th Ave portion of the water project will begin soon and will impact traffic for a short time, more information regarding street closures will be available on the City's website.

The Montana League of Cities and Towns (MLCT), Montana Municipal Interlocal Authority (MMIA) and the Local Government Center are once again hosting municipal summits around the state. There will be one held in Roundup of July 19th. Each summit runs from 9:00 am to 4:00 pm. There is no cost to attend and lunch is provided. The information was included in the packets and if any Commissioners would like to attend, please let the City Manager or City Clerk know.

The City Manager, City Clerk and Recreation Director has a follow up phone call with MMIA regarding what they feel constitutes a special event. MMIA's stance is if the City cannot control the risk associated by the event and is hosted by another party, the event would require special event insurance. Using the parks as they were intended for picnics, playing on the playgrounds or informal gatherings would not be considered a special event. MMIA recent put out a risk bulleting on Special Events and it was handed out to the Commissioners before the meeting for reference.

The City will soon have a new planner. Doug Osterman will be joining our team in September. Doug is a Montana native that has over 30 years' experience in urban planning. He is currently working on relocating from Washington and he looks forward to getting back to Montana.

The pool has been open the last ten days as weather has allowed. There is a great team of pool workers and they have already started swim lessons

CONSENT AGENDA

Commissioner Doney made the motion to approve the consent agenda and Commissioner Hewitt seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgment of the claims that have been paid from June 1, 2023 to June 15, 2023 for a total of \$77,023.82

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

1. Follow up discussion on allowing chickens inside the city limits and the timeline for the referendum.

City Manager Phelps explained that at the last Commission meeting, the Commission requested information regarding the referendum process would look like, cost, timelines and what would need to be prepared. City Clerk Nikki Brummond reported that she talked with the Fergus County Clerk and Recorder and the approximate cost for the referendum would be \$5,000 in addition to the regular election expenses. City Clerk Brummond stated that the regular cost for an election is about \$4,500.

Commissioner Spika asked if this is for a regular election or a special election. City Clerk Brummond answered that we are talking about having the referendum on the ballot this November 2023. City Manager Phelps reported that a lot will need to be done and the time line will be tight. The information must be to the County by August 1st. City Attorney Theresa Diekhans explained that to have the referendum on the November election, the Commission will have to pass a resolution of intent to put it forth to the voters. The resolution must be passed 92 days prior to the election which is August 1st. City Attorney Diekhans explained that the Commission will need to provide as much detail regarding the ordinance for the public prior to the election. City Attorney Diekhans further explained that the formal ordinance can be passed or a detailed rough draft that can be passed after the decision of the election. There was discussion regarding the ordinance process and how the Commission would like to proceed. Commissioner Terry asked if the commission needs to decide if they want to pass an ordinance prior to the election or prepare a draft and finalize the ordinance once the vote is determined. Commissioner Doney stated that her preference is a rough draft and then the voters know what will happen and then finalize the ordinance after the vote. City Attorney Diekhans commented that the City will have to draft informational material for the voters to know the details of the referendum. Commissioner Terry stated that she feels the Commission should shoot to pass the resolution at the July 17th meeting. Commissioner Terry commented that the question right now is if the Commission finalizes an ordinance before the vote or after the vote. City Manager Phelps answered yes, the ordinance process is the same whether it is done before or after the vote. Commissioner Doney is in favor of resolution passing on July 17th and then if the vote passes the work will be done on the ordinance. Commissioner Spika agreed that a draft version before the vote is sufficient. Commissioner Day agreed with the rough draft being done prior to the vote. City Attorney Diekhans commented that the rough draft of the ordinance will be a pretty complete document prior to the vote, because the voters need to fully understand what the ordinance is going to say. Commissioner Scotten agreed it should be done after the vote. Commissioner Terry stated that her opinion is to put more work into the budget and then finalize an ordinance after the vote is determined.

2. Discussion on how to proceed with parking in the downtown business district.

Commissioner Terry asked the City Manager to define the downtown business district. City Manager Phelps stated that the downtown district could be redefined, but is currently defined as from 7th Ave to Daws and includes Janeaux, Broadway, Main Street and avenues between those streets. City Manager Phelps further explained that some of the downtown district is different depending on which code is being looked at for example overnight and two hour parking. City Manager Phelps stated that is what the Commission would like to do is make the parking more consistent. Commissioner Terry explained that the Commission has been discussing and looking changes, funding and enforcement for about a year. Commissioner Terry commented that with that being said, what is the City Manager looking for from the Commission. City Manager Phelps stated that based on the conversation of the last Commission meeting, it was discussed the City would work to reach out to the community in somehow whether it is a survey, letter writing campaign and asking some questions. City Manager Phelps explained she is wanting to know what questions the Commission would like to see posed in the survey or letter. City Manager Phelps commented that she has talked with both the Chamber of Commerce and the Lewistown Downtown Association and they would allow us to use their contacts. Commissioner Terry asked if a

survey committee should be created. City Manager Phelps answered that would be helpful and another area to discuss is the angle parking on 3rd Ave and if it is a time the City should address it or at least reevaluate. Commissioner Terry appointed Commissioner Spika, Commissioner Day and Commissioner Hrubes to the parking committee. Mr. Tony Moline, owner of Big Sky Fire, addressed the Commission regarding his concerns of the parking in front of his business. Mr. Tony Moline explained that people park in front of their business, then which customers have to park elsewhere and does think something could be done to make the situation better. Mr. Tim Moline, Central Lock & Security owner, addressed the Commission and explained that he does call the police department of people parking too long and too often in front of this business. The police do issue a warning and it does help a little. Mr. Tim Moline stated that he struggles with the employees of One Health and is concerned with the completion of the apartments. Commissioner Doney asked Mr. Tim Moline if a full-time warrant officer would be warranted in the City the way it has grown. Mr. Tim Moline answered yes, he feels that would be the best alternative. Commissioner Terry explained that she has heard of a lot of business owners complaining about other business owners parking in front of their business. There was further discussion on survey questions. Mr. Doug Day commented that maybe there should be an incentive or motivation for businesses to provide parking for employees. Mr. Day stated his main concern is how is it okay for people to violate the law. Mr. Day commented that we should be a City of order and has had windows broken in both buildings he owns and if a police officer is enforcing laws in the down town area things might be better with regards to vandalism, parking and more order. Mr. Day doesn't understand how the Police Department can say they are not going to enforce parking or how they have the authority to say that when the City Commission is wanting the Police Department to enforce this. Mr. Chris Wright stated that he thinks the City can more than afford a parking officer. Mr. Chris Wright commented that the overnight parking and cars left of the street should be ticketed. Mr. Chris Wright stated that he has talked with officers off duty and they admit they are not getting support from the Commission. The officer feels if they write the ticket, they don't know if the ticket is getting enforced or not and the person is parked in the same spot the next day. City Manager Phelps explained that some of the proposed changes is increasing the parking fines substantially, not sent to the court right away and the last resort would be the court. City Manager Phelps further explained that what is being proposed as part of the budget process is to keep one code enforcement officer and dedicating one full time parking officer for the downtown area. There is a lot of be decided and hope the survey will provide some insight. Commissioner Terry stated in summary some of the Commissioners have been working on an ordinance and the next step is to get input from the survey. Commissioner Terry asked about the parklet. City Manager Phelps answered that we received two applications one from Main Street Treats and one from the Art Center and working to get the spot cleaned up to place the parklet.

3. Discussion on the 2023-2024 budget.

City Manager Phelps reported that the budget prep summary for the general fund was handed out to the Commission for review. City Manager Phelps explained some of the budget items including the intercap loan for the radios, recorder and 800 MHz and the payments are approximately \$180,000. City Manager Phelps further explained that this report shows where the expenditures for the general fund are at today and there is still two weeks left in the budget. City Manager Phelps went through the different accounts in the general fund budget. There was discussion on the possibility of special meetings.

CITIZENS' REQUESTS

There were none.

COMMISSIONER’S MINUTE

Commissioner Spika reported that a citizen talked to her regarding a sewer repair in their alley. City Manager Phelps explained it was not a City project, but the citizen can call public works, because contractors must call in locates.

Commissioner Doney reported that she has received some positive comments on the Public Works Director. Commissioner Doney stated that she has received from calls regarding the cemetery and it looks as bad as it has ever looked. Commissioner Doney commented that she has had a lot of comments and calls from citizens regarding chickens and citizens are passionate on both sides.

ADJOURNMENT

Chairman Terry adjourned the meeting.

Dated this 19th day of June, 2023.

KellyAnne, Terry, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk