

COMMITTEE OF THE WHOLE

NOVEMBER 1, 2021

5:30 P.M.

NOT OPEN TO THE PUBLIC

REGULAR COMMISSION MEETING WILL BE AT 7 PM

1. City Manager Review – the meeting will be closed because the demands of individual privacy clearly exceed the merits of public disclosure in regards to the City Manager review.

**NOTICE FOR, AND AGENDA FOR, A REGULAR MEETING OF THE CITY COMMISSION,
CITY OF LEWISTOWN, NOVEMBER 1, 2021 AT 7:00 P.M. AT THE CENTRAL MONTANA
COMMUNITY CENTER LOCATED AT 307 W WATSON**

To participate virtually the options are as follows:

To join by zoom: <https://zoom.us/j/8486275925?pwd=dTVGbndDK253ZUJLMjRuZXU5QVpMdz09>

Meeting ID: 848 627 5925 Passcode: 59457

To participate by phone: dial (253) 215-8782 Meeting ID: 848 627 5925 Passcode: 59457

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES – October 4, 2021 & October 18, 2021

COURTESIES

PROCLAMATIONS

BOARD AND COMMISSION REPORTS

CITY MANAGER REPORT

PUBLIC COMMENT – non agenda items

CONSENT AGENDA

Acknowledgment of the claims that have been paid from October 16, 2021 to October 31, 2021 for a total of \$251,006.79

***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
2. Discussion and action on approving Resolution No. 4078, a resolution adopting fees and charges for the Lewistown City Cemetery (**Action: approve, disapprove or amend Resolution No. 4078**) City Manager Holly Phelps
3. Discussion and action on approving Resolution No. 4079, a resolution setting Business License and Registration Certificate Fees and setting penalties for delinquent payments of those fees (**Action: approve, disapprove or amend Resolution No. 4079**) City Manager Holly Phelps
4. Discussion and action on Resolution No. 4080, a resolution setting animal registration, lost tag and impound fees (**Action: approve, disapprove or amend Resolution No. 4080**) City Manager Holly Phelps
5. Discussion on rental fees for Creekside (this is a discussion item only – no action can be taken) City Manager Holly Phelps

CITIZENS' REQUESTS

COMMISSIONER'S MINUTE

ADJOURNMENT

* All citizens are invited to make comment on any agenda item prior to action being taken by the Commission

RESOLUTION NO. 4078

A RESOLUTION ADOPTING FEES AND CHARGES FOR THE LEWISTOWN CITY CEMETERY

WHEREAS, Lewistown City Ordinance No. 1784 provides that fees for the purchase and assignment of cemetery lots, opening and closing of graves, perpetual care, and setting of headstones, shall be set by Resolution of the Lewistown City Commission.

WHEREAS, Lewistown City Resolution No. 4043, adopted the fees and charges for the Lewistown City Cemetery. That, unless otherwise modified by the City Commission, fees would be reviewed in prior to January each year and adjusted fees, by the amount of the consumer price index annual percent change for the previous year. The amount of increase for each fee category shall be rounded up to the nearest \$5.00 increment.

NOW THEREFORE BE IT RESOLVED, that the following City Cemetery fees and charges shall apply, **effective January 1, 2022**:

LEWISTOWN CITY CEMETERY LOTS	
Single, City Resident	\$675
Single, Nonresident	\$775
Infant lot (12 months of age or younger in Baby land)	\$155
Cremains Lot, Resident 4' X 3' (1 Vault per lot)	\$275
Cremains Lot, Nonresident 4' x 3' (1 Vault per lot)	\$360
Perpetual care fee per lot for Nonresident	\$105
OPENING AND CLOSING (PER LOT)	
Weekday Body Burial:	
City resident	\$620
Nonresident	\$675
Infant lots	\$230
Weekday Cremains:	
Maximum of (3 per regular lot)	
City Resident	\$365
Nonresident	\$465

WEEKENDS AND HOLIDAYS	
Body Burials	\$795
Infants Burial	\$230
Cremains	
City resident	\$465
Nonresident	\$540
SET UP AND TEAR DOWN FEE	\$155
SHEPARD HOOK INSTALLATION	\$25
CALVARY CEMTERY:	
Weekdays	\$700
Weekends and Holidays	\$850
SETTING OF GRAVESTONES	
Monuments (2' x 1' or smaller)	\$105
Monuments (2' x 1' or larger)	\$205

BE IT FURTHER RESOLVED, that, unless otherwise modified by the City Commission, the above fees shall be adjusted on December 31, 2022, by the amount of the consumer price index annual percent change for the previous year as certified at:

<http://www.usinflationcalculator.com/inflation/consumer-price-index-and-annual-percent-changes-from-1913-to-2008/>.

The amount of increase for each fee category shall be rounded up to the nearest \$5.00 increment.

BE IT FURTHER RESOLVED that a copy of each year's prospective fee adjustments shall be presented to the City Commission each January.

PASSED AND APPROVED this 1st day of November, 2021.

Patty Turk, Chair
Lewistown City Commission

Attest:

Nikki Brummond
City Financial Officer/Clerk

RESOLUTION NO. 4079

A RESOLUTION SETTING BUSINESS LICENSE AND REGISTRATION CERTIFICATE FEES, AND SETTING PENALTIES FOR DELINQUENT PAYMENTS OF THOSE FEES

WHEREAS, Title 5 of the Lewistown City Code provides for the issuance of City business licenses and registration certificates; and,

WHEREAS, the Lewistown City Commission has established that City business license and registration certificate fees as well as penalties for delinquent payment of such fees shall be established by resolution of the City Commission; and,

WHEREAS, the City Commission has reviewed the various business license fees, registration certificate fees and delinquent payment fees and resolves to set those fees;

NOW, THEREFORE, BE IS RESOLVED that the City Commission hereby established the following fee schedule for City business license and registration certificate fees as well as delinquent payment fees as follows:

Part 1: City License Fees, in accordance with Section 5-1-13 of the Lewistown City Code, all businesses licensed pursuant to that chapter, except those as listed below, shall pay an annual business license in the amount of \$60.00. Any business listed below shall pay the fee as set forth on the schedule.

Annual fee (unless otherwise noted)

A. Hotels/Motels	\$100.00
B. Trailer courts/rooming houses/apartments:	
2-6 spaces, rooms or apartments	\$60.00
6-12 spaces, rooms or apartments	\$90.00
12 and up spaces, rooms or apartments	\$130.00
C. Utilities and Cable TV	\$617.00
D. Resident Salesman/Direct Sales Consultant	\$35.00
E. Transportation	
Freight, refuse hauling, buses, taxis	\$60.00 per vehicle/year
F. Bowling Alleys	\$90.00
G. Food and beverage stands, sales booths	
Temporary food and beverage stands,	
Sales booths	\$35.00 per day
H. Movie Theatres	\$120.00
I. Auctioneers	\$30.00 per day
Resident auctioneer	\$85.00

Part 2: Beer and Wine License Fees, in accordance with Section 5-15-7 of the Lewistown City Code, the license fee for the sale of beer and wine shall be established as follows:

Beer and/or Wine

Each retailer	\$300.00
Each wholesaler	\$300.00
Each store vendor	\$300.00
Veteran's Club	\$200.00
Fraternal Organizations	\$200.00

Part 3: Liquor License Fees, in accordance with Section 5-16-2 of the Lewistown City Code, the license fee for the sale of Liquor shall be established as follows:

Fraternal organization	\$300.00 per annum
Liquor Stores	\$305.00 per annum
All other persons	\$425.00 per annum

Part 4: Delinquent Business License payment, in accordance with Section 5-1-15 of the Lewistown City Code, all person required to obtain a City business license shall be assessed a penalty of fifteen dollars per month for each full month after the passage of sixty (60) days delinquency in obtaining a license.

Part 5: Registration Certificate Fees, in accordance with Section 5-5-3 of the Lewistown City Code, all businesses required to obtain a registration certificate shall pay a fee in the amount of \$60.00.

Part 6: Delinquent Registration Certificate Charges, in accordance with Section 5-5-5 of the Lewistown City Code, all persons required to obtain a registration certificate shall be assessed a penalty of fifteen dollars per month for each full month after the passage of sixty (60) days of delinquency in obtaining a certificate.

BE IT FURTHER RESOLVED, that the above fees and charges shall be effective commencing December 1, 2021 and shall continue until amended by the City Commission.

Dated this 1st day of November, 2021.

Patty Turk, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk

RESOLUTION NO. 3900

**A RESOLUTION SETTING BUSINESS LICENSE AND REGISTRATION CERTIFICATE FEES, AND
SETTING PENALTIES FOR DELINQUENT PAYMENTS OF THOSE FEES**

WHEREAS, Title 5 of the Lewistown city code provides for the issuance of city business licenses and registration certificates; and,

WHEREAS, the Lewistown City Commission has established that city business license and registration certificate fees as well as penalties for delinquent payment of such fees shall be established by resolution of the City Commission; and,

WHEREAS, the City Commission has reviewed the various business license fees, registration certificate fees and delinquent payment fees and resolves to set those fees;

NOW, THEREFORE, BE IS RESOLVED that the City Commission hereby establishes the following fee schedule for city business license and registration certificate fees as well as delinquent payment fees as follows:

Part 1: City Licenses Fees. In accordance with Section 5-1-13 of the Lewistown City Code, all businesses licensed pursuant to that chapter, except those as listed below, shall pay an annual business license fee in the amount of \$55.00. Any business listed below shall pay the fee as set forth on the schedule.

	Yearly fee (unless otherwise noted)
A. Hotels/ Motels	\$85.00
B. Trailer courts/rooming houses/apartments:	
2-6 spaces, rooms or apartments	\$55.00
6-12 spaces, rooms or apartments	\$85.00
12 and up spaces, rooms or apartments	\$123.00
C. Utilities and cable TV	\$617.00
D. Resident Salesman/Direct Sales Consultant	\$30.00
E. Transportation	
freight, refuse hauling, buses, taxis	\$55.00 per vehicle/year
F. Bowling Alleys	\$85.00
G. Food and beverage stands, sales booths	\$55.00
temporary food and beverage stands,	
sales booths	\$30.00 per day
H. Movie theaters	\$114.00
I. Auctioneers	\$15.00 per day
resident auctioneer	\$76.00

Part 2: Beer and Wine License Fees.

In accordance with Section 5-15-7 of the Lewistown City Code, the license fee for the sale of beer and wine shall be established as follows:

Beer and Wine

	Beer	Beer and Wine or Wine
Each retailer	\$190.00	\$285.00
Each wholesaler	\$190.00	\$285.00
Each store vendor	\$190.00	\$285.00
Veteran's club	\$95.00	\$190.00
Fraternal organizations	\$95.00	\$190.00

Part 3: Liquor License Fees.

In accordance with Section 5-16-2 of the Lewistown City Code, the license fee for the sale of beer and wine shall be established as follows:

Fraternal organization	\$285.00 per annum
Liquor stores	\$300.00 per annum
All other persons	\$406.00 per annum

Part 4: Delinquent Business License payments.

In accordance with Section 5-1-15 of the Lewistown city Code, all persons required to obtain a city business license shall be assessed a penalty of ten dollars per month for each full month after the passage of sixty (60) days delinquency in obtaining a license.

Part 5: Registration Certificate Fees.

In accordance with Section 5-5-3 of the Lewistown Code, all businesses required to obtain a registration certificate shall pay a fee in the amount of \$55.00.

Part 6: Delinquent Registration Certificate Charges.

Be it further resolved that in accordance with Section 5-5-5 of the Lewistown City code, all persons required to obtain a registration certificate shall be assessed a penalty of ten dollars per month for each full month after the passage of sixty (60) days of delinquency in obtaining a certificate.

BE IT FURTHER RESOLVED, that the above fees and charges shall be effective commencing January 5, 2016 and shall continue until amended by the City Commission.

Dated the 21st day of December, 2015

City of Lewistown

BY: RICK POSS
Chairman of the Commission

ATTEST:

NIKKI BRUMMOND, City Clerk

RESOLUTION NO. 4080

**A RESOLUTION SETTING ANIMAL
REGISTRATION, LOST TAG AND
IMPOUND FEES**

WHEREAS, Title 6 of the Lewistown City Code provides for the payment of animal registration, lost tag and impound fees; and,

WHEREAS, by City Ordinance 6-2-6 the Lewistown City Commission has established that animal registration, lost tag and impound fees shall be established by resolution of the City Commission; and,

WHEREAS, the City Commission has reviewed animal registration, lost tag and impound fees and resolves to set those fees;

NOW, THEREFORE, BE IT RESOLVED that the City Commission hereby establishes the following fee schedule for animal registration, lost tag and impound fees as follows:

Part 1: ANIMAL REGISTRATION FEE. In accordance with Section 6-2-6 (C) 7 of the Lewistown City Code, the annual fee for each altered animal owned, kept or harbored within the City shall be \$10.00 and the annual fee for each unaltered animal owned, kept or harbored within the City shall be \$20.00.

Part 2: LOST REGISTRATION TAG FEE: In accordance with Section 6-2-7 of the Lewistown City Code, the annual fee for a lost, destroyed or duplicate animal registration fee shall be \$5.00.

Part 3: COLLECTION OF IMPOUND FEES: In accordance with Section 6-2-16(A) of the Lewistown City Code, the daily impound fee for each animal held at the city pound shall be \$20.00.

BE IT FURTHER RESOLVED, that the above fees and charges shall be effective for December 1, 2021 and shall continue until amended by the City Commission.

Dated the _____ day of November 2021.

City of Lewistown

BY: Patty Turk
Chairman of the Commission

ATTEST:

NIKKI BRUMMOND, City Clerk