A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON DECEMBER 5, 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: Doney, Hrubes, Scotten, Spika and Terry. Commissioner: Hewitt participated virtually. Commissioner Day was absent.

APPROVAL OF MINUTES

Chairman Doney stated that without objection the minutes for the November 7, 2022, November 14, 2022 & November 21, 2022 minutes were approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Terry reported that she was unable to attend the Central Montana Foundation meeting due to being ill. Commissioner Terry explained that she did get some notes of what happened, the board gave $2,800 to the Central Montana Spirit of Christmas which helps 120 households throughout Central Montana with mittens, hats and coats. Commissioner Terry commented that when Jean Hassler passed away, she left $500,000 to the Central Montana Foundation and 40% of her assets were given to the Central Montana Foundation to be split equally between several different groups one being the Library. Commissioner Terry stated that the next meeting is January 24, 2023.

Commissioner Doney reported that the Library board met on November 30, 2022. Commissioner Doney explained that it was a pretty large agenda. The Library Director is working on two grant projects. The Friends of the Library raised about $800 at the recent book sale. There are about 120 kids signed up for the Dolly Parton imagination library program. The Chili Bowl will be held on January 20, 2023 at Jack's Hangar. The Library board will be meet on December 15, 2022 to work on long range planning. Commissioner Doney stated that the statistics show the number of count patrons is 30% and about 4,800 patrons visiting the Libray on a monthly basis. The Library is going to continue to do more movie nights and color of the month reading.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

The City offices will be closed on the following days: December 26th in observation of Christmas and closed on January 2 in observation of New Year's day.

The cold weather has allowed the hockey association to make ice earlier than ever before. Hockey practices have already started for the season. Again, this year they will be busy with two hockey tournaments. These tournaments will be held the first two weekends of the new year.

Public Works recently had a Department of Labor safety inspection of the shop. The Public Works Director will be working with the department to provide them the necessary documents so they can complete their inspection report. More information will be provided to the commission once these reports are available.

As temperatures cool down the Civic Center gets busy. They had a basketball tournament this weekend and are gearing up for the winter programs. The bowhunters association recently completed a lot of work on the archery range.

As we approach the end of the year, the City Manager reminded the Commissioners that at the 1st meeting of 2023 we will be appointing Commissioners to City boards. Please start to think of which boards you may want to serve on.

Olness and Associates will be here the week of December 12 to conduct the City's annual audit. At this time, they will also work with us to complete our annual financial statement, these documents are available on the State's website for all local governments and schools.

PUBLIC COMMENT – non agenda items

There were none.

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 November 17, 2022 to November 30, 2022 for a total of $140,817.89.

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

1. Discussion and action on approving second reading of Ordinance No. 1769, an ordinance amending Title 4, Chapter 6 of the Lewistown City Code pertaining to sewer use regulations and fees

City Manager Phelps explained that this Ordinance No. 1769 that amends the sewer code which is Title 4, Chapter 6 in the City Codes. The ordinance has been discussed previously regarding the changes in definitions and adding definitions for equivalent dwelling units (EDUs), mixed occupancies were reviewed and multi-unit dwellings. The multi-unit dwellings will be assessed one EDU per dwelling connected to building sewer. City Manager Phelps stated that many of the sections stay the same, the title superintendent was amended to state public works department throughout the ordinance. Commissioner Terry made the motion to approve the second reading of Ordinance No. 1769, an ordinance amending Title 4, Chapter 6 of the Lewistown City Code pertaining to sewer use regulations and fees and

Commissioner Spika seconded the motion. Commissioner Hrubes asked if the storm drains go through the wastewater treatment plant. City Manager Phelps answered no storm water is not allowed to go through the plant. The city has a separate system and there is piping that goes to the storm retention at the wastewater treatment plant. Commissioner Doney asked for comments from the audience and the Commission. There being none, the questions was called for and the clerk took a roll call vote with all being in favor of the motion.

2. Discussion and action on approving Resolution No. 4107, a resolution of the Lewistown City Commission to set the of the City of Lewistown sewer rates and schedule of fees

City Manager Phelps explained that one of the changes that was done by the Ordinance is to allow the City to set fees by resolution. The fees will be set by Resolution No. 4107, the fees will go into effect January 1, 2023, the citizens will not see the change until the bills sent on February 1st. The fees in this resolution are based on what was proposed by the City Commission. A residential base rate will be $19.25 and increasing 25 cents the next five years. The commercial base rate will be $21.25 and increasing 25 cents the next five years. The meter use rate will be $7.50 per 1,000 gallons of water and increase each year. Commissioner Hrubes made the motion to approve Resolution No. 4107, a resolution of the Lewistown City Commission to set the of the City of Lewistown sewer rates and schedule of fees, with the change of the effective date to January 1, 2023 and Commissioner Scotten seconded the motion. Commissioner Doney asked for comments from the audience and the Commission. There being none, the questions was called for and the clerk took a roll call vote with all being in favor of the motion.

3. Discussion and action on accepting the proposal to hire a vendor to replace the radio and telephone voice recording system

City Manager Phelps explained that two quotes were received for the radio and telephone recording system. City Manager Phelps further explained that per State law any product over $80,000 and per City purchasing policy any product over $50,000 must be a formal bid process. City Manager Phelps stated tht the proposals are from Equature and Motorola. The Police Department and Dispatch have reviewed both proposals. Police Chief Justin Jenness explained that he has talked to the Commission regarding the inability to no longer be able to record certain calls or the ability to retain old calls. This project has been discussed at the last two 911 Board meetings. Police Chief Jenness stated that he does have a financial commitment from Fergus, Petroleum, and Judith Basin Counties and none from the hospital. Police Chief Jenness explained that he was able to contact other entities that use the Equature system and got a lot of good feedback and is recommending moving forward with Equature. There was a brief discussion on the ambulance and hospital assisting financially. Commissioner Scotten asked how the monetary amounts for the counties was determined. Police Chief Jenness explained it was based on per call volume mainly. City Manager Phelps explained that tonight we are asking the Commission to accept the proposal and then the Police Chief will go and negotiate a contract. City Manager Phelps stated that it is the City's intention to borrow the money from the intercap loan program. Commissioner Terry asked how long to get the recorder in place and operational. Police Chief Jenness answered the proposals states 8 months. Commissioner Spika made the motion to accept the proposal from Equature to replace the radio and telephone voice recording system and Commission Terry seconded the motion. Commissioner Doney asked for comments from the audience and the Commission. There being none, the questions was called for and the clerk took a roll call vote with all being in favor of the motion.

4. Discussion and action on accepting the proposal to hire a vendor to replace the P25 conventional/trunked mobile and portable radios

City Manager Phelps explained that this was also done by a formal bid process and two bids were received. The first bid was from Dunne Communications which is the vendor for Kenwood radios and Motorola was the other bidder. City Manager Phelps further explained that both vendors for dual band radios. Fire Chief Joe Ward commented that he has used both radios over the last year. Fire Chief Ward explained he feel that Kenwood mobiles would be the best fit for the Fire Department. Fire Chief Ward briefly discussed some of the reasons the Fire Department likes the Kenwood mobiles. Commissioner Scotten asked why the large price difference between the two bids? City Manager Phelps explained that after 911 it became very evident that it was very important that all first responders be able to communicate in major disasters, which is when the interoperability became a huge discussion item. City Manager Phelps stated that the federal government has mandated that all radios are able to communicate with each other. City Manager Phelps commented that either of these products would work for the City of Lewistown. Police Chief Jenness explained that the Police Department needs about half of what the Fire Department needs in radios. Police Chief Jenness stated that State radio communication network is build by Motorola and it is what the Lewistown Police Department uses. Police Chief Jenness commented by preference to keep all of the technology consistent, easier to maintain and learn. Police Chief Jenness commented that it is his recommendation to break the quotes out and the Police would use Motorola and the Fire Department would use Dunne. City Manager Phelps explained that there are a couple of challenges with doing that. One is that the City of Lewistown has a statutory obligation to accept the lowest responsible bidder, these are tax dollars and we need to be good stewards of the funds. Secondly the way the project was bid it was all or nothing, so by parceling out two departments it may affect the overall pricing. Further discussion followed. Fire Chief Ward explained that with Kenwood is a perpetual software licensing, which means the license for the radio is the City's and don't have to buy more updates or licenses. Police Chief Jenness stated he likes the assurance of always being able to be compatible with the State system. There was discussion on how to move forward if the Commission chooses to allow the departments to use two different systems. Police Chief Jenness stated that if the Commission wants to go with Dunne communication, then the Police Department will work with it and move forward. There was discussion on interoperability and how all radios need to be able to work together. Commissioner Doney stated that maybe this item needs to be tabled so that we can see prices for the separate entities. There was discussion on how the bid could be split out or if it needs to go through a whole new bid process. Commissioner Hrubes commented that he does not think separating the project out will lower the cost and he personally would go with the lowest bidder. Commissioner Hrubes made the motion to accept the proposal from Dunne Communications to replace the P25 conventional/trunked mobile and portable radios and Commissioner Spika seconded the motion. Commissioner Spika stated she does not want to contradict the recommendation of the Police Chief but the price difference is pretty significant for ease of use. Police Chief Jenness answered there are not hard feelings and completely understand the decision and his department will learn how to use Kenwood mobiles. City Manager Phelps explained that the next component of the project is the 800 MHz, which will be done as part of the whole, project. City Manager Phelps further explained that the 800 MHz is a sole source, but the City did get a quote.

5. Discussion on how to move forward with the request from the Neudicks, regarding the 909 W Erie encroachment – City Manager Holly Phelps

City Manager Phelps stated that this item was discussed in detail at the committee of the whole. City Manager Phelps explained that there is a long history of the garage located on the property of 909 W Erie. Over the years the City has presented a lease option to the owners of the property. City Manager Phelps explained the City will move forward with a lease item. Commissioner Terry commented that per the discussion of the committee of the whole it was the consensus of the commission to direct the City

Manager and City Attorney to move forward with ah lease option. The lease option would be for the property 909 W Erie for lease amount of $200 a year with a 3% increase starting with the year 2008.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Terry commented that she would like to get out to the citizens regarding property lines, covenants, easements and encourage people to ask questions prior to buying property.

Commissioner Doney thanked the staff for being at the meeting. Commissioner Doney also thanked the City Manager for the staff report for the encroachment prior to the meeting.

ADJOURNMENT

Chairman Doney adjourned the meeting.

Dated this 5th day of December, 2023.

____
Gayle Doney, Commission Chairman

ATTEST:

____
Nikki Brummond, City Clerk