

COMMITTEE OF THE WHOLE

MAY 16, 2022

6:00 PM

1. Tour of the Fire Department – meet there

NOTICE FOR, AND AGENDA FOR, A REGULAR MEETING OF THE CITY COMMISSION, CITY OF LEWISTOWN, MAY 16, 2022 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 – May 2, 2022

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 May 1, 2022 to May 13, 2022 for a total of \$172,859.61

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

1. Annual report from the Fergus County Council on Aging – City Manager Holly Phelps
2. Discussion and action on approving Resolution No. 4086, a resolution establishing a city court of record in the City of Lewistown (**Action: approve, disapprove or amend Resolution No. 4086**) City Manager Holly Phelps
3. Discussion and action on approving Resolution No. 4087, a resolution by the City of Lewistown Commission setting the fees of the Lewistown City court of record for electronic audio records (**Action: approve, disapprove or amend Resolution No. 4087**) City Manager Holly Phelps
4. Discussion and action on approving Resolution No. 4088, a resolution appointing successor trustee to Lewistown Tourism Business Improvement District No. 1 (**Action: approve, disapprove or amend Resolution No. 4088**) City Manager Holly Phelps
5. Discussion and action on reappointing Mr. Tim Robertson to serve as the City's representative on the Lewistown Airport Board for an additional two-year term (**Action: approve, disapprove or amend reappointing Mr. Robertson to the Lewistown Airport Board**) City Manager Holly Phelps
6. Discussion on future funding for the City of Lewistown – 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



May 02, 2022
City Commission
Lewistown MT

Annual Report on facilities of the Council on Aging.

This year has been an interesting year for the Council on Aging. As we move from a pandemic stance with all the Federal and State entities we deal with to a endemic response, we have been moving back to programs and usages of the facilities that are more post-covid in nature. Currently we are delivering 3300 meals each month to the homebound and the dining room. Our health clinics have been very well attended. The Central Montana Shuttle is getting back to post covid numbers with around 1600 shuttle rides a month, these shuttle numbers are growing steadily. The shuttle rides to Billings and Great Falls are packed on many of the transit days. We have received a grant to build a Transit storage unit across the street from the fire department and the building should be useable this fall.

The Central Montana Community Center facility continues to be improved on a year over year basis. This year we were able to replace all lighting in the building with L.E.D. fixtures at a cost of \$15,980.00 with a energy rebate of \$1423.58, These fixture have made a noticeable difference in the power bill. The payback on the install is projected to be just short of four years. The main dining room lights are a 30-year fixture on replacement whereas the old bulbs were around 25.00 each and very hard to get.

We continue to fix bad spots in the flooring that are driven by the base flooring from the old sand shed days of this building. The exterior of the building was painted by Darrell Tuss Painting this last summer it was the first painting in 25 years, we are hopeful that this paint job will last as long. This painting invoice was split between the Council and the City. We finished remodeling/painting the offices this past fall and changed the dynamics in the meeting room off the dining room. We use this area for zoom trainings/meetings and assorted health care clinics currently. I have attached last two years reports as a reference for where we have been and where we are today. These past reports will be informative for the new commissioners. In the past three years we have completely rebuilt the basic usable infrastructure of the building, this started with the complete rebuild of the kitchen in our fiscal year 2019/2020.

The roof has been checked this spring and has wintered well, except a leak developed at the entry to the building. We continue to check the roof twice a year spring and fall. The current building fund balance at Central Montana Foundation is \$30,458.28 as of March 2022. This does not include our contribution for this year.

FERGUS COUNTY



Telephone 406-535-7486

Fax 406-535-6441

307 West Watson

Lewistown, MT 59457

May 3, 2021

City Commission
Lewistown MT

Annual Report on the facilities of the Council on Aging.

The State of the Facilities is excellent. We have over the last year painted the interior spaces except offices. The offices are due to be painted with the current office update. All exterior fences were painted last year. We had the rain gutters fixed on the building. New LED lighting was installed in the drive through portico. New flooring was installed. The next week we will be fixing a few spots in the flooring that has shown up in the past months since the new was laid. New curtains were installed in dining / meeting area. The surge water heater was replaced last year at a cost of over \$10,000.00. The plumbing that was not replaced in 2019 was done in 2020. Virtually any thing that has water running through it has been fixed or replaced.

We are still working on getting the exterior painted. The Styrofoam stucco takes an elastomer paint and not many painters will touch it. We have spots that are starting to really need some repair and paint, so we continue to work on this.

We are concerned about the lighting in the dining/meeting room. We would like to move these over to LED ballast so we could utilize LED bulbs. The bulbs that are utilized in the small square lights were probably state of the art 25 years ago, but the bulbs have gotten very expensive/hard to get. There is some Northwest Energy incentive money, and we are checking to see if we qualify.

We have the roof checked spring and fall of each year and at this time it is in excellent shape.

The current amount of the building repair fund at Central Montana Foundation is \$30,424.36.

Sincerely yours,

Dale Pfau, Director FCCOA



Telephone 406-535-7486

Fax 406-535-6441

307 West Watson

Lewistown, MT 59457

June 18, 2019

Notice of work at Community Center:

Given this date to City Manager for approval of work to be done.

The Council On Aging has applied for and received a \$10,000.00 grant to replace the flooring in the main portion of the Community Center. The work will cover the bathrooms, anteroom, lobby, main meeting area and anteroom to kitchen. This work is set to proceed the end of August or early September 2019. We have also written a grant for the interior painting of these areas. We hope that painting would take place after the flooring is down.

The kitchen in the Community Center is also inline for a makeover. We have raised \$20,000.00 for some updating. We will be replacing our steam table and counter area. New counter tops on the work counters will be installed. Hard board walls will be installed in areas of food prep and dish washing. We are in the process of getting our cook stove and convection oven refurbished as a part of this update to the kitchen.

This work is a reflection on our want to meet the needs of our lease agreement with the City of Lewistown. The Community Center's infrastructure is in very good shape for a 25-year-old building and this update will make for a better reflection of the community when people utilize the building.

As an aside, during the Council meeting of 6/17/19 the roof fund was mentioned, the fund has approximately \$27,300.00 with the Central Montana Foundation.

Sincerely yours,

Dale Pfau, Director FCCOA



Central Montana Insurance Center LLP

204 4th Avenue South • Lewistown, Montana 59457
(406) 538-2331 • Toll Free 1-800-597-7135 • FAX (406) 538-2333

June 9, 2021

Fergus County Council on Aging
307 W Watson
Lewistown, MT 59457

Re: Renewal of Commercial Insurance

Dear Dale,

Enclosed is the renewal policy in computer disk form for the Fergus County on Aging. As the policy is over 200 pages long, the company uses CDs to save paper.

The following is a brief review of limits of insurance and coverage. Attached also are the main coverage pages.

Property

Business Personal Property-307 W Watson	\$100,000
Business Personal Property-414 W Broadway St	10,000

Coverage under your policy is on the special form. Special form includes protection against most types of physical loss or direct "peril", except for earthquake, flood, wear and tear, or any other type of loss specifically excluded or limited by the policy language.

Any covered loss is subject to a \$500 deductible.

Replacement cost applies to any covered loss on the above business personal property subject to the limit of insurance at each location. Any partial loss is subject to a 90% coinsurance requirement.

There is \$50,000 of employee theft coverage for the 110 6th Ave North location.

Liability

General Aggregate Limit (Other than Products/Completed Operations)	\$2,000,000
Products/Completed Operations	\$2,000,000
Personal & Advertising Injury	\$1,000,000
Each Occurrence Limit	\$1,000,000
Medical Expense Limit	\$ 5,000

Liability extends to the premises and operations of Fergus County Council on Aging including Meals on Wheels, and janitorial services provided to seniors. Liability also extends to the 414 W Broadway location. Non-Owned automobile liability is part of the policy to provide protection for the Council in the event a volunteer using their vehicle for Council activity.

Professional liability is a separate rider on the policy. The aggregate limits are \$2,000,000. Each profession incident limit is \$1,000,000.

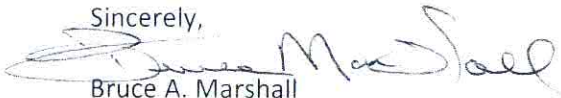
The Elite Property Enhancement endorsement is part of your policy. Major coverage items on this endorsement are \$10,000 fire extinguisher exchange, \$25,000 for backup of sewer-flood damage, \$1000 for lock replacement, \$25,000 for spoilage, and \$100,000 for business income and extra expense.

The company will bill you directly for the premium.

Thank you for allowing our agency to be of continued service to you.

Should you have any questions regarding the renewal, please contact me at 538-2331.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bruce Marshall", written over a horizontal line.

Bruce A. Marshall

Partner

Central Montana Insurance Center

RESOLUTION NO. 4086

**A RESOLUTION ESTABLISHING A CITY COURT OF RECORD
IN CITY OF LEWISTOWN**

WHEREAS, Lewistown's City Court was established pursuant to Montana Code Annotated § 3-11-101(1) and City ordinance 1474 and is not a court of record; and

WHEREAS, Montana Code Annotated § 3-11-101(2) allows the City Commissioners to establish a city's court of record by resolution subject to the provisions of Montana Code Annotated § 3-11-109 and -110; and

WHEREAS, changes and improvements in technology have enabled the City Court to become a court of record without significant modifications or expense; and

WHEREAS, a city's court of record will increase judicial efficiency and result in cost savings to taxpayers;

NOW, THEREFORE, BE IT RESOLVED that Lewistown City Court is a city court of record effective July 1, 2022.

PASSED AND APPROVED this 16th day of May 2022.

Gayle Doney, Commission Chairman

Attest:

Nikki Brummond, City Clerk

RESOLUTION NO. 4087

A RESOLUTION BY THE CITY OF LEWISTOWN COMMISSION
SETTING THE FEES OF THE LEWISTOWN CITY COURT
OF RECORD FOR ELECTRONIC AUDIO RECORDS

WHEREAS, the laws of the State of Montana allow cities to collect fees to search and copy court records, and

WHEREAS, by Resolution No. 4086 of the City of Lewistown Commission passed on May 16, 2022, Lewistown City Court will become Lewistown City Court of Record effective July 1, 2022, and

WHEREAS, the Lewistown City Judge has indicated a need to collect reasonable fees for the searching and copying electronic audio records to cover the cost of conducting the searches and making the copies, and

WHEREAS, the fees charged will be deposited with the County and distributed to the City as set by agreement between the City and County.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Lewistown City Commission has set the rates for the Lewistown City Court of Record to charge for searching and copying the Court's electronic audio records as follows:

\$25.00 per hearing; or

\$50.00 or all hearings in a case

Said fees shall be effective July 1, 2022. The City believes the amounts are reasonable and necessary.

FURTHER, that these fees may be reviewed and adjusted annually as determined by the Lewistown City Commission in June of each year.

PASSED AND APPROVED this 16th day of May 2022.

Gayle Doney, Commission Chair

Attest:

Nikki Brummond, City Clerk

RESOLUTION NO. 4088

A RESOLUTION APPOINTING SUCCESSOR TRUSTEE TO LEWISTOWN TOURISM BUSINESS IMPROVEMENT DISTRICT NO.1

WHEREAS, the Lewistown City Commission created Business Improvement District No.1 on December 3, 2012 by approving Resolution No. 3806, and

WHEREAS, pursuant to Resolution 4043, passed on January 19, 2021, set the current Board of Trustees for Business Improvement District No. 1;

WHEREAS, pursuant to MCA § 7-12-1121 and Resolution 4043, all subsequent Trustees shall be appointed to four (4) year terms, except that a vacancy occurring during a term will be filled for the unexpired term. An unexpired term shall be filled in the same manner as other vacancies. A member holds office until a successor has been appointed and qualified. Subsequent chairpersons shall serve one (1) year terms as chair and shall be selected by the Board.

WHEREAS, the Trustee Vince Mistretta has left and vacated his position as Trustee and his current four year appointment is now vacant, Susanne Wigginton has been nominated by the Board to serve the remainder of his appointment.

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of Lewistown, Montana, that the nominations of Susanne Wigginton to serve out the remainder of the term of Vince Mistretta as Trustee to Business Improvement District No.1 is approved. The board shall hence consist of the following members:

<u>Trustee Name</u>	<u>Term</u>	Begin Term	End Term
VACANT	4 Years		
Delisha Patel	4 Years	Nov 1, 2020	Oct 31, 2024
Lonnie Mannin	4 Years	Feb 1, 2020	Jan 31, 2024
Amanda Lipke	4 Years	Feb 1, 2021	Jan 31, 2025
Susanne Wigginton	4 years	May 16, 2022	Jan 31, 2025
KellyAnne Terry	4 years	Feb 1, 2020	Jan 31, 2024

BE IT FURTHER RESOLVED, that the appointed Trustee shall have the powers and duties set out in Sections 7-12-1121 through 7-12-1133, M.C.A. and any other applicable laws, City ordinances or regulations.

APPROVED by the City Commission of the City of Lewistown, Montana this 15th day of May, 2022.

Gayle Doney
Chairman of the Commission

ATTEST:

Nikki Brummond, City Clerk