

**A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION
ON AUGUST 4, 2025 WHICH WAS HELD AT THE CENTRAL MONTANA
COMMUNITY CENTER AND STARTED AT 7:00 P.M.**

CALL TO ORDER

Chairman Day called the meeting to order.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present were Commissioners: Day, Hrubes, Hewitt, Robertson and Spika. Commissioners Buehler and Terry was absent.

APPROVAL OF MINUTES

Commissioner Day stated that without objection and based on the corrections the minutes for July 7, 2025 and July 21, 2025 are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Hrubes reported that the Board of Health met on July 28th. Commissioner Hrubes commented Ms. Eva Magnuson, sanitarian in training, was in attendance and appears to like her job. Commissioner Hrubes stated that part of Planned Parenthood of Montana program in tobacco and smoking prevention. Danielle Reddish is in charge of this program and will work to get some hard facts regarding how many high schoolers are vaping. Fergus County Nurses Office provide the following: play and pack for safe sleep programs for families with newborns, oral hygiene education and toothbrushes, safe sleep education safe sleep books, bike safety coloring books, band aids to the safe sitter course offered through the extension office. They continue to offer lead testing. The nurse's office held five vaccine clinics in Fergus County and performed immunization reviews. Commissioner Hrubes read some general statistics. The Nurse's Office does blood pressure checks, provide community lab draws, urine drug screening and drug patch program. There is a loan closet which has walkers, crutches, wheel chairs and currently have 56 clients that used the program last quarter. Danielle Reddish, Family planning, reported that the clean indoor act has been expanded to include vaping. Anywhere tobacco is prohibited, so is vaping. Commissioner Hrubes reported they exceeded their cancer goals for

fiscal year 2025. There will be three Providence nursing student interns starting in August that will help with marketing materials.

Commissioner Hewitt reported the Airport Board will be meeting this Wednesday, August 6th.

Commissioner Day reported the Park and Recreation board will also be meeting this Wednesday, August 6th.

Commissioner Day reported the Central Montana Foundation did not meet in July.

CITY MANAGER REPORT

There was none.

PUBLIC COMMENT – non agenda items

Mr. Chris Aamold addressed the Commission regarding the situation with Republic Services. Mr. Aamold commented that it sounds like the Commissioners and citizens have been struggling to get information and after spending 3 to 4 days on the phone he was able to get some information. Mr. Aamold explained the contact at Republic Services explained that she is unable to help individuals on an individual basis. There are individual contracts and some cities are fighting it through a garbage can ordinance or contract run through the City to make them a party to the contract. Mr. Aamold listed some of his concerns, vehicles moving slower, emergency services will be competing with garbage service for road space, what will happen if the garbage company hits a car near a can and

Mr. Aamold wanted to bring the information he found to the Commission. Mr. Aamold commented he wanted the City representatives to have all the information he found because he doesn't feel anything will happen unless everyone in the community is on the same page and not challenging Republic Services on an individual basis.

C Phillips, 815 W Evelyn, thanked Mr. Aamold for all the information and stated he strongly agrees with what Mr. Aamold presented. Mr. Phillips feels that Republic Services is making a judgement call when determining if there is 2-foot clearance around the garbage can and he has no control of where his neighbors park. Mr. Phillips stated the community needs to stand together.

Mr. Ryan McNary, 810 W Evelyn, asked if the Commission is trying to push back on this issue and any conversation with the public as to what is driving the change and/or a compromise. City Manager Phelps answered Republic Services did not have a conversation with the City prior to making this decision. Mr. McNary asked if there is a code violation because he can't leave his car in one place for too long without getting a ticket, but now has to reserve a parking spot for his garbage can. City Manager Phelps stated there would be issues with encroachment, items in the public right away for an extended time and that would come back on the individuals not Republic Services.

Mr. Mel Taurman stated he lives up on Evelyn St and he is 86 years old and he can't drag the garbage can in and out of the street, so he will have to leave his can on the street. Mr. Taurman commented that he did talk with the garbage truck drivers and they told him to put it on the street in between the cars. Mr. Taurman asked how he tells people not to park in certain spots so there is room for the garbage cans. Mr. Taurman stated that he feels there should be a way the Commission can force them to use the alleys they have used forever and never had trouble.

Mr. Bill Steele commented that he lives in the same vicinity as the others and have the same issues and the alleys have been used forever and there never appeared to be a problem. Mr. Steele reported he doesn't see how this isn't going to be chaos and echoes what everyone has already stated.

Mr. Aamold reported that he handed out the contact information for the Public Service Commission and the reason is he was told there is already a claim opened for the City of Lewistown citizens and people need to call in and if citizens have complaints, then you should have them call the number. Mr. Aamold stated that Republic Services falls under the Montana Public Service Commission and if even people complain then maybe Republic Services will be held accountable.

Commissioner Robertson stated he wants the citizens to know the Commission feels the same way and have heard a lot of the same complaints and concerns. Commissioner Robertson explained the City's hands are tied because it is a public utility and would be no different than trying to fight with Northwestern Energy. Commissioner Robertson commented the Commission has been talking about these issues at the last several meetings. Mr. McNary asked what the Commission is looking at doing. Commissioner Robertson answered the City is looking at what legal right they have to do anything. City Manager Phelps explained the Fergus County is looking at some options as far as landfills, and encouraging entrepreneurs to look at garbage collection. The City does not have a contract in place or the right to regulate how they are operating their private business. City Manager Phelps explained the Commission could pass an ordinance stating no garbage cans on the public right away and how Republic Services would interpret that the City would not know and then they could decide to move out of the community. Then the entire community would be without garbage service.

CONSENT AGENDA

Commissioner Spika 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 July 18, 2025 to July 31, 2025 for a total of \$554,439.59

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

1. Discussion and action on approving the purchase of a skid steer for the wastewater treatment plant

City Manager Phelps stated that skid steer at the wastewater treatment plant (WWTP) is no longer able to be used. The skid steer is used primarily to move large totes and do some work in

the drying beds. City Manager Phelps explained there are quotes one for a 2024 model of a John Deere and quote is for a Case. Commissioner Robertson commented he does have a little experience when reviewing the purchase of equipment. Commissioner Robertson stated that he does have some concern with the purchase of the lower quote because he does see the air condition and heating options and high flow. Commissioner Robertson further stated that when he looks at the newer John Deere model with the quote of \$66,259 has a cab with air conditioning, heating and high flow. Commissioner Robertson made the motion to approve the purchase of a John Deere skid steer from RDO in the amount of \$66,259 and Commissioner Hewitt seconded the motion. City Manager Phelps answered the Superintendent of Operations specked out the machine and was looking for cheapest option and not the best all-around piece of equipment. Commissioner Day asked if he was looking for the cheapest. City Manager Phelps answered, yes, he was looking for the most economical. Commissioner Robertson stated that if the more expensive model will physically work, then he would go with the more expensive model with the air conditioning and heat. Commissioner Robertson commented he would leave it up to staff to make the determination of which to purchase. Commissioner Hrubes asked if this equipment can be used in other departments for example to move snow. City Manager Phelps answered yes, all equipment is used in the various departments. Commissioner Day asked if this would be a huge drain on the budget. City Manager Phelps answered no. Commissioner Spika stated she thinks it is a good decision to spend a little more on the right equipment. Commissioner Day asked for comments from the audience and Commission. There being none, the question was called for and the Clerk took a roll call vote with all voting in favor of the motion.

2. Discussion and action on approving the repair for the vac truck in the sewer department

City Manager Phelps explained the sewer vac truck is the biggest pieces of equipment at the sewer department and gets used regularly for maintenance on lines. The sewer vac truck was purchased a few years ago and recently took it to Great Falls for preventative maintenance. City Manager Phelps stated the quote from KOIS is \$15,316.71. KOIS is the statewide vendor so it is proprietary and the estimate is over the amount required in the purchasing policy for approval by the Commission. Commissioner Robertson made the motion to approve the repair for the sewer vac truck in the amount of \$15,316.71 and Commissioner Hrubes second the motion. Commissioner Robertson commented this is the handiest piece of equipment in public works. City Manager Phelps agreed explaining it is used sewer or water digs and use it to help the small surrounding communities if they need assistance. Commissioner Day asked for comments from the audience and Commission. There being none, the question was called for and the Clerk took a roll call vote with all voting in favor of the motion.

3. Discussion and action on approving the proposal for storm water improvements at the wastewater treatment plant

City Manager Phelps explained this is a change order to the existing project at the wastewater treatment plant. City Manager Phelps stated that Dick Anderson is the contractor and is willing to provide an estimate for these improvements. The improvements include a trench drain in the biosolids field and improved storm outlet inside the plant. Commissioner Day asked if these

improvements coordinate with all the options the City has looked at or needs to be done. City Manager Phelps answered these do need to be done as checks and balance for the DEQ progress over time improvements. Commissioner Hewitt asked if this addresses the bio solids. City Manager Phelps answered this is not specifically related to any path forward the Commission decides with regards to biosolids. Commissioner Spika made the motion to approve the change order to the wastewater treatment plant 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 the Clerk took a roll call vote with all voting in favor of the motion.

4. Discussion and action on approving Resolution No. 4196, a resolution stating the intention of the City Commission to amend the 2024-2025 budget of the City of Lewistown

City Manager Phelps explained this resolution states the Commission's intent to amend the previous year's budget for unanticipated expenses and revenues. Those are primarily donations, grants and general cleanup of accounts prior to passing the final budget. City Manager Phelps stated if the resolution is approved the Clerk will publish for a public hearing to amend the budget at the next Commission meeting. Commissioner Spika made the motion to approve Resolution No. 4196, a resolution stating the intention of the City Commission to amend the 2024-2025 budget of the City of Lewistown 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 the Clerk took a roll call vote with all voting in favor of the motion.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Hrubes stated he wished campers were not parked on the streets all summer.

Commissioner Robertson asked if there is a city code change to address the campers parking on the street. City Manager Phelps answered this would be addressed as part of the parking changes.

Commissioner Day asked if it would be helpful to talk with the City Attorney regarding the republic services issues. City Manager Phelps answered that maybe the Commission should have a task force for a couple of Commissioners to work on the issues. Commissioner Hewitt agreed to serve on the task force. Commissioner Day stated that she would be willing to serve on it also. Commissioner Hrubes asked to be notified of the meetings and he will try to attend.

Commissioner Robertson reported that he met with Ms. Peggy Butler and they identified a piece of property that she is very interested in leasing at the airport. Commissioner Hewitt asked who would maintain. Commissioner Robertson answered it would be maintained by them and it is not an exceptionally large piece of property.

ADJOURNMENT

Chairman Day adjourned the meeting.

Dated this 4th day of August, 2025.

Loraine Day, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk