

**A COMMISSION MEETING OF NOVEMBER 18, 2013 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.**

**CALL TO ORDER**

Chairman Gremaux called the meeting to order.

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

Present were Commissioners Berry, Doney, Gremaux, Hewitt, Putnam, Poss and Turk.

**APPROVAL OF MINUTES**

There were none.

**COURTESIES**

Chairman Gremaux commented that Mr. Jason Manley started as a part paid fireman in June 1991 and retired as Fire Chief on October 31, 2013. Mr. Charlie Jones started as the Bookkeeper on November 14, 1988 and retired on November 14, 2013. Chairman Gremaux thanked them for their service to the City.

**PROCLAMATIONS**

There were none.

**BOARD AND COMMISSIONER REPORTS**

Commissioner Berry commented that the Central Montana Foundation will be celebrating their 30 year anniversary on Thursday, November 21, 2013 at the Yogo Inn from 6 p.m. to 8 p.m. Commissioner Berry further commented that Mr. Don Pfau and a couple other business men started the foundation with \$3,500 and now it is approximately \$20 million.

Commissioner Hewitt reported that she attended the recent Airport Board meeting and the ARFF truck has been order and the funding is in place.

Commissioner Turk reported that she recently attended a Library Board meeting. The Friends of the Library helped to pay for the repainting of the trim of the Library and it has been fully paid for. The Friends of the Library average about \$650 per month at the book station each month. The Friends of the Library are currently in the process of developing a discard standard for the books received at the book station. The Chili Bowl will be on January 31, 2014.

**CITY MANAGER REPORT**

City Manager Kevin Myhre reported on the following issues:

The final details for the design and construction of the ARFF truck have been completed and the truck has been ordered. It will take close to a year to build the truck and the Fire Chief will work with the vendor with any issues during that period.

The Library is currently hosting a photo display recognizing the National Guard and its impacts in our communities.

The News Argus recently ran an article highlighting the work done by the Police Department to deter internet crimes against children (ICAC). Officer Mike Drysdale has been assigned to the program and the police department receives grant funds to fund the expenses related to the program. It is a very good partnership with other local, state and federal departments.

The City has received the draft annexation plat from the surveyor but will not be able to fully complete the process by the end of the year. The City staff will continue to move forward and plan to complete the process in January or February.

The City will need to annex a couple of Railroad corridor parcels and possibly a couple of private parcels to complete the Tax Incrementing Financing District as planned by the City Commission. The base year will be set at 2014 in order to get everything accomplished properly.

The Commission's pool subcommittee and a good number of citizens attended the County Commissioner's meeting on November 8<sup>th</sup> to introduce the concept to the County.

Finance Officer Nikki Brummond is wondering if the Commission would like to have a Christmas party this year. There appears to be declining participation.

### **CONSENT AGENDA**

Commissioner Doney made the motion to approve the acknowledgement of the claims that have been paid from November 1, 2013 to November 13, 2013 for a total of \$57,638.69 and Commissioner Turk seconded the motion. The motion passed unanimously.

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

1. Discussion and action on modifying a Conditional Use Permit issued to Sandy Bodeker on February 25, 2002 for property located at 913 5<sup>th</sup> Avenue South

Mr. Myhre explained that Ms. Sandy Bodeker, DBA Sandy's Upholstery, located at 913 5<sup>th</sup> Ave S was issued a conditional use permit to operate an upholstery business in a building that formerly housed Al's 5<sup>th</sup> Avenue Market. The use of the property as an upholstery shop is not a permitted use in an R-2 Zoning District; therefore, the use of the property as an upholstery shop was authorized as a conditional use after appropriate public hearings and final approval by the Lewistown City Commission. The property and business is now being purchased by Carol McNeill and Tiffany Olson. The future owners have requested that a modification to the original conditional use permit be granted by the City Commission. Lewistown Zoning Ordinance 11-16-11 provides for such modifications where the modifications are found to be insignificant and that such modification will not alter the neighborhood character. The new owners are requesting that the permit be modified to so that alterations to clothing can be added to the business activities. There is not expected to be any adverse impacts to the neighborhood. Adequate off street parking is available to accommodate any additional drop off and pick up of merchandise. Commissioner Doney made the motion to approve modifying the Conditional Use Permit issued to Sandy Bodeker on February 25, 2002 for the property located at 913 5<sup>th</sup> Ave S and Commissioner Hewitt seconded the

motion. Commissioner Gremaux asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

2. Discussion and action on approving and entering into a contract between the Montana Department of Commerce and the City of Lewistown for a Treasure State Endowment Program (TSEP) contract for a planning grant to prepare a preliminary engineering report to study the water and wastewater systems

Mr. Myhre explained that the City of Lewistown has been working with Fergus County and looking at upgrading the water system and installing a wastewater system in the area of the fairgrounds. Then the use of septic systems can be discontinued to provide a more efficient system. Mr. Myhre explained that in order for the City to apply for grants to help fund the improvements a preliminary engineering report is required. Mr. Myhre stated that this grant we are asking for approval for is to fund the preparation of a preliminary engineering report. Commissioner Turk made the motion to approve and enter into a contract between the Montana Department of Commerce and the City of Lewistown for a Treasure State Endowment Program (TSEP) contract for a planning grant to prepare a preliminary engineering report to study the water and wastewater systems and Commissioner Doney seconded the motion. Commissioner Gremaux asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

3. Discussion and action on approving a Montana Main Street Program application for planning and project grant funding to the Montana Department of Commerce for \$10,000 with a match of \$2,000 from the City of Lewistown

Mr. Myhre explained that currently the City of Lewistown has a tourism assessment report that was completed in January of 2013. The report identifies the need for signage and way finding for the City. Mr. Myhre further explained that the City would like to apply for a grant to the Main Street program to put together a plan to help with where the signage should be located and the proper signs that should be purchased. Commissioner Putnam made the motion to approve a Montana Main Street Program application for planning and project grant funding to the Montana Department of Commerce for \$10,000 with a match of \$2,000 from the City of Lewistown and Commissioner Turk seconded the motion. Commissioner Hewitt stated that she would like the Commission to have some say on the final product. Commissioner Gremaux asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

4. Discussion and action on approving an application for a Reclamation & Development Planning Grant from DNRC for \$6,000 to assist in the writing of a grant for EPA's Brownfields ARC Grant Competition

Mr. Myhre explained that currently the City of Lewistown is a partner with the Snowy Mountain Development Corporation (SMDC) and the Montana Business Assistance Connection in a EPA Brownsfields revolving loan fund. The current loan fund is approximately \$500,000 which is set up to identify sites that are in need of clean up of contamination areas. Mr. Myhre explained that there is not a revolving loan fund in place to help citizens determine what needs to be cleaned up. Mr. Myhre commented that that grant will allow us to hire a consultant to help write the assessment grant request. The assessment funds are needed so that we can work with landowners to assess whether there are hazardous or petroleum contaminants on sites and move these projects to clean up if they have materials present. There are no matching funds or financial commitment from the City would be necessary and would only be a government sponsor. Commissioner Doney made the motion to approve an application for a Reclamation & Development Planning Grant from DNRC for \$6,000 to assist in the writing of a grant for EPA's Brownfields ARC Grant Competition and Commissioner Berry seconded the motion. Commissioner Gremaux asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

5. Discussion and action on reappointing Jim Dullenty for an additional two year term on the Historic Resources Commission

Planning Director Duane Ferdinand explained that the Lewistown Historic Resources Commission (HRC) operates under the guidelines of City Ordinance 11-15. The duties of the HRC are to maintain a system of survey and inventory of historic and prehistoric properties; use the National Register of Historic Places to designate properties; consult on applications, environmental assessments and other similar documents pertaining to historic districts; review zoning regulations for applicability to issues of historic districts; make recommendations to the Board of Adjustment to approve or disapprove applications for variances; render advice and guidance to property owners on restoration of historic buildings; conduct public information or educational programs; and insure compliance with State guidelines regarding certifications. The HRC consists of seven members appointed by the Lewistown City Commission for two year terms. Mr. Jim Dullenty's term is expiring and he has asked to be reappointed to the HRC. Mr. Dullenty has served the HRC well. Mr. Dullenty is a knowledgeable historian and preservation advocate and has an intense desire to continue serving the community in an official capacity on the HRC. Mr. Myhre stated that he recommends Mr. Jim Dullenty be reappointed to a two year term to the Lewistown Historic Resources Commission. Commissioner Poss made the motion to reappoint Mr. Jim Dullenty to a two year term on the Historic Resources Commission and Commissioner Berry seconded the motion. Commissioner Gremaux asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

**CITIZENS' REQUESTS**

There were none.

**COMMISSIONER'S MINUTE**

Commissioner Berry stated that when she walked down Main Street and the music from the Western Lounge was extremely explicit and is very concerned because of the family atmosphere next door. Commissioner Doney stated that she did not feel that there is the ability to censor. Commissioner Turk stated that maybe the ordinance should be looked at. Commissioner Putnam commented that maybe just a visit by a citizen maybe help the situation. Mr. Myhre stated that he will discuss the issue with the City Attorney.

Commissioner Doney congratulated all the Commissioners that won the election.

**ADJOURNMENT**

Chairman Gremaux adjourned the meeting.

Dated this 18<sup>th</sup> day of November, 2013.

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Frank Gremaux, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk