

A COMMISSION MEETING OF MARCH 21, 2016 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Chairman Byerly called the meeting to order.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present were Commissioners: Byerly, Doney, Gremaux, Poss, Putnam and Turk. Commissioner Hewitt was absent.

APPROVAL OF MINUTES

Commissioner Putnam made the motion to approve the March 7, 2016 minutes as presented and Commissioner Doney seconded the motion. The motion passed unanimously.

COURTESIES

There were none.

PROCLAMATIONS

Chairman Byerly read the following proclamation:

**A PROCLAMATION OF THE LEWISTOWN CITY
COMMISSION DECLARING APRIL 5, 2016 AS
A DAY OF RECOGNITION FOR NATIONAL SERVICE**

Proclamation:

WHEREAS, service to others is a hallmark of Montana and American character and central to how we meet our community challenges; and

WHEREAS, Montana and American cities and towns increasingly turn to volunteerism as a cost-effective strategy to meet municipal needs; and

WHEREAS, locally and nationally, volunteerism expands economic opportunity by creating more sustainable and resilient communities, takes advantage of and offers education, career skills and leadership abilities to those who serve; and

WHEREAS, civic, neighborhood and faith-based organizations as well as individuals represent a unique public-private partnership that invests in our community's economic and social well-being; and

WHEREAS, Lewistown is blessed with so many individuals and organizations who work tirelessly to support and improve our community.

THEREFORE, IT IS HEREBY PROCLAIMED by the Lewistown City Commission, recognizing that April 5, 2016 is National Service Recognition Day, its appreciation and profound gratitude to all who give of their time and resources, skills and talents to make Lewistown a wonderful place to live and work. And the City Commission urges all Lewistown residents to join in thanking the local volunteers and organizations who give back to their community.

BOARD AND COMMISSION REPORTS

Commissioner Doney explained that she was unable to attend the Local Government Study Commission meeting on March 11th, but Commissioner Byerly was able to attend.

Commissioner Poss reported that the City County Planning Board met as the Zoning Commission on March 17th and the item is on the agenda for action.

Commissioner Putnam stated that there is a Central Montana Foundation Board meeting tomorrow.

Commissioner Byerly reported that he did attend the Local Government Study Commission and the News Argus did a nice story on it. Commissioner Byerly commented that there was a change in tone at the meeting and hope it is an indicator of things to come. The visit of Dan Clark was discussed. Commissioner Byerly encouraged everyone to attend and a lot of citizens have been attending the meetings.

CITY MANAGER REPORT

City Manager Kevin Myhre reported on the following issues:

Contractors are preparing to mobilize into Lewistown to begin work on the City water project and the City sewer slip-lining project that were awarded last fall. Public Works staff will be assisting them with locates and other local planning issues.

The Water Department has begun work on the replacement of the bulk water salesman located off of the Truck Bypass. They hope to get it constructed as soon as possible to assist with the large amount of construction occurring this summer and fall.

The City Manager recently attended a hearing before the Legislative Taxation and Transportation Interim Subcommittee in Helena. The agenda included discussion on local government funding and a lengthy discussion about the Tax Increment Financing laws in Montana. Two citizens

testified against the laws. Representatives from the League of Cities and Towns, Billings, and Kalispell testified in favor of the laws. The City Manager also testified on the issue in regard to Lewistown's newly created Tax Increment District (TIF) and our hopes for its successful usage to rejuvenate the downtown area in Lewistown.

The City Manager recently attended the Annual Economic Outlook Seminar provided by the U of M Bureau Business and Economic Research (BBER). They are projecting positive stable growth in Central Montana for period of 2016-2019 at a rate of 1.6%. The projected growth for State of Montana for the same period is 2.9%. The BBER holds the seminars each year and Lewistown hosts at site every two years. If Commissioners are interested in reading the seminar information, please let the City Manager know.

The annual Elected Officials training will be held in Billings on May 4th, 5th and 6th. Information on the training is in your packet and also will be mailed to you. The City will pay for City Commissioner's allowable travel expenses if you wish to attend.

The City Manager is still working with IAFF representatives to schedule negotiations for the contract which expires June 30th of this year. Their president has been out on sick leave and we have been unable to set a date to begin.

CONSENT AGENDA

Commissioner Doney made the motion to approve the consent agenda and Commissioner Putnam seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from March 1, 2016 to March 17, 2016 for a total of \$399,247.87.

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Public hearing on a zoning change request by Dan Bartel regarding property located at 114 7th Ave S.

Chairman Byerly opened the public hearing to hear comments on a zoning change request by Dan Bartel regarding property located at 114 7th Ave S. Planning Director Duane Ferdinand explained that Mr. Dan Bartel has requested a zoning change on property located at 114 7th Ave S. The property is located behind the county complex adjoining the subject property to the west and the Lewistown Public Library located across the alley to the north. Mr. Ferdinand explained that currently the property is located in a Residential Two-Family (R-2) Zoning District and is adjacent to the Central Business (C-2) Zoning District. Mr. Ferdinand further explained that the zoning request is from a Residential Two-Family (R-2) Zoning District to a Central Business (C-2) Zoning District. Mr. Ferdinand stated that if the zoning request is approved the applicant intends to demolish the single family residence located on the lot and place a 40' by 60' garage/shop on the property. The shop would be of frame construction and would have three garage doors accessible from 7th Ave. S. The building would have to go through plan review by the building code department and meet the requirements. Mr. Ferdinand commented that there are a number of factors that need to be looked at which are the adherence to the parking

ordinance for the City and the permitted uses allowed in the Central Business District. Mr. Ferdinand stated that all property owners within 300 feet were notified and all City departments were notified. There were no oppositions but one Zoning Commission Member did indicate by letter an opposition to it based on the clarification of the exact use of the property. Mr. Ferdinand stated that the Zoning Commission did approve the proposal and have forwarded it onto the City Commission for approval. Mr. John Miksch asked if the building would be metal only. Mr. Ferdinand answered that an architect has been obtained and it would be wood framed with a concrete base. Mr. Myhre stated that the request before the Commission tonight is to change the zoning from residential to commercial and if the zoning change is approved the owner of the property would have all the legal abilities of any commercial property owner in the Central Business District. Commissioner Byerly asked for comments from the audience. There being none, the public hearing was closed.

2. Discussion and action on approving a zoning change request by Dan Bartel regarding property located at 114 7th Ave S.

Commissioner Putnam asked why the Library did not object to this when it would be taking parking spaces from the Library. Mr. Tom Wojtowick represented the library at the zoning meeting and did oppose it because of parking, but the Library Director KellyAnne Terry is not opposed to it. Ms. Terry explained that there have been a lot of renters in the property and a lot of issues with the renters over the years. Ms. Terry also feels the area could be cleaned up into a very nice area compared to what it looks like now. Commissioner Poss commented that the current situation of this home is it is falling apart and is in disrepair and anything done to the lot including tearing it down is an improvement. Mr. Myhre commented that he wanted to clarify that we are talking about a zoning change from a Residential Two-Family (R-2) Zoning District to a Central Business (C-2) Zoning District not an industrial zone. Mr. Myhre further commented that industrial zoning is a classification and is the least restrictive of all zones. Mr. Myhre explained that there is a problem with the house and what surrounds it and makes it difficult to make it likeable for citizens. The property has a Library as a neighbor, the County Jail as a neighbor, school offices kiddy corner and a hotel a block away. Mr. John Pangburn stated that he lives in the area and there is a 10 feet in front of his yard in City street and is this person going to have to follow the setbacks. Mr. Myhre explained that they will have to follow the Central Business Zoning District. Mr. Frank Westhoff wondered if there would be an issue if it becomes a successful business and people start to park in front of the library. Commissioner Poss made the motion to approve the zoning change request by Dan Bartel regarding property located at 114 7th Ave S and Commissioner Turk seconded the motion. Commissioner Byerly asked for comments from the audience and Commission. There being none, the question was called for and those voting in favor were Commissioners: Byerly, Doney, Gremaux, Poss and Turk. Commissioner Putnam voted against and Commissioner Hewitt was absent.

3. Discussion and action on confirming the City Manager's appointment to the Library Board of Trustees

Mr. Myhre explained that Ms. Terry advertised for anyone interested to serve on the Library Board of Trustees. Mr. Myhre reported that two letters of interest were received from Ms. Stacy Auck and Ms. Bridget Tighe. Mr. Myhre commented that both are good candidates but this is

the second letter of interest he has received from Ms. Tighe and would like to appoint her to the Library Board of Trustees. Commissioner Turk thanked Ms. Blanche Chapman and Ms. Mary Frieze for all their hard work to recruit trustees. Commissioner Putnam asked why would Ms. Stacy Auck be interested and don't they have to be a resident of Lewistown. Commissioner Byerly answered that it does not specify in the ordinance. Mr. Myhre commented that currently Fergus County does contribute to the Library and it is up to the Commission where the Library Trustees are appointed from. Mr. Myhre further stated that two of the members serving on the Library Board are residents of Fergus County. Currently, all Library Board Trustees live in Fergus County, which two live in the City limits and two live in the County. Commissioner Byerly commented that he would like to acknowledge the letter the Commission received from Mr. Tom Wojtowick and thanked him for his service on the Library Board. Commissioner Doney stated that she is related to Ms. Auck and will be abstaining from the vote. Commissioner Poss made the motion to confirm the City Manager's appointment of Ms. Bridget Tighe to the Library Board of Trustees and Commissioner Putnam seconded the motion. Commissioner Byerly asked for comments from the audience and Commission. There being none, the question was called for and those Commissioners voting in favor were: Byerly, Gremaux, Poss, Putnam and Turk. Commissioner Gremaux abstained and Commissioner Hewitt was abstain.

4. Discussion and action on appropriating funds in the amount of \$5,000 to assist with the Rural Communities Assistance Corporation (RCAC)/Recharge Our Community (ROC) project

Mr. Myhre explained that the Rural Communities Assistance Corporation came into Lewistown and has been helping Lewistown with community development with volunteers since last fall. Mr. Myhre further explained that there were several meetings with several facilitators from RCAC and attended by citizens of the community with the whole reason on improving our community. As a result six different sub groups were created that are working on different areas. The RCAC group has gone out and received funding from the HUD program to help the communities with capacity building. The grant is \$45,000 for a three year period to help fund a coordinator in Lewistown to help coordinate the efforts. Mr. Myhre commented that Snowy Mountain Development Corporation (SMDC) has provided a lot of resources and support to the project but they cannot continue to provide the resources and do not have the capacity to manage the six groups and help them get done what they want to get done. Mr. Myhre stated that RCAC has got some funding and their goal is to get the community to match it with another \$15,000 a year. Mr. Myhre commented that he feels that is too much to ask the City and instead is asking the City to appropriate \$5,000 a year for three years to match the \$15,000. Mr. Myhre commented that in kind work is also accountable to matching the grant. Commissioner Byerly thanked SMDC for the time and effort that they have put into this project. Commissioner Byerly commented that this is the fourth one of these visioning type projects done in the last forty years. Each time there is a lot of energy, great ideas and then over a time there is no coordination and things go away. Commissioner Byerly stated that some things have gotten done but this time RCAC has come to the table with money and staff. Commissioner Byerly stated that he thinks the reason the groups in the past have failed is because there was not the needed support. Commissioner Byerly stated that he understands that the intent is to have someone available to support and assist the different subcommittees and RCAC has a commitment to have Lewistown show some results.

Commissioner Gremaux made the motion to approve appropriating funds in the amount of \$5,000 to assist with the Rural Communities Assistance Corporation (RCAC)/Recharge Our Community (ROC) project and Commissioner Putnam seconded the motion. Commissioner Doney encouraged the City Manager discuss the issue with the County Commissioners. Commissioner Byerly commented that he was planning on talking to them himself. Commissioner Byerly 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

Ms. Terry thanked Mr. Tom Wojtowick for his time he spent on the Library Board of Trustees. Ms. Terry stated that Mr. Wojtowick has served for ten years and has termed out. Ms. Terry commented that he will be missed.

Commissioner Putnam commented that even though she was never on the Library Board but as a public member she has felt the impact he made on the Library and Mr. Wojtowick fought a lot of hard fights and was willing to step up as the bad guy. Commissioner Putnam stated that it takes a lot of courage to be the bad guy and thanked him for that.

Commissioner Doney reported that she will not be at the April 4th meeting.

Commissioner Doney reported that there will be a ceremony on March 30th to honor the Veterans and it will be at Symmes Park at the Vietnam Memorial at 5:15 p.m.

ADJOURNMENT

Chairman Byerly adjourned the meeting.

Dated this 21st day of March, 2016.

Dave Byerly, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk