

**A COMMISSION MEETING OF APRIL 4, 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, Gremaux, Poss, Putnam and Turk. Commissioner Doney was absent.

**APPROVAL OF MINUTES**

Commissioner Turk made the motion to approve the March 21, 2016 minutes as presented and Commissioner Putnam seconded the motion. The motion passed unanimously.

**COURTESIES**

There were none.

**PROCLAMATIONS**

Chairman Byerly read the following proclamation:

WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers;

WHEREAS, Millions who have answered the call to arms have died on the field of battle;

WHEREAS, A nation at peace must be reminded of the price of war and the debt owed to those who have died in war;

WHEREAS, The red poppy has been designed as a symbol of sacrifice of lives in all wars; and

WHEREAS, The American Legion Auxiliary has pledged to remind America annually of this debt through the distribution of the memorial flower;

THEREFORE, I Dave Byerly, Chairman of the Lewistown City Commission of Lewistown , Montana do hereby proclaim this May 2016, as POPPY MONTH and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy on this day.

**BOARD AND COMMISSION REPORTS**

Commissioner Turk reported on the Library Board meeting that she attended on March 9<sup>th</sup>. The Scandinavian night at the Library was well attended by approximately 100 people. The Friends of the Library are going to be having a second book sale each month and it will be during the day from two to four on the second Wednesday. The author dinner is May 18<sup>th</sup> at the Elks Club and the author is Peter Stark. The Library Board is working on the Library Directors evaluation.

Commissioner Turk reported that she attended a Brownsfield meeting and will be attending another one tomorrow night.

Commissioner Byerly reported that he will not be at the next Commission meeting.

Commissioner Putnam reported that she attended the Central Montana Foundation Board meeting and they are starting the process for all the of scholarship applications.

### **CITY MANAGER REPORT**

City Manager Kevin Myhre reported on the following issues:

The eleventh month warranty inspection for the Fairgrounds water and sewer project will be held on April 4<sup>th</sup>. Representatives from the Public Works Department, Fairgrounds office and the engineering firm will be in attendance.

The Lewistown American Legion and Legion Auxiliary held a ceremony on March 30<sup>th</sup> at Symmes Park to recognize the Vietnam Veterans from Central Montana. The American Legion also talked about the upcoming changes they are planning to make in the park area in regard to a new sidewalk and informational signs for the memorial, the missile, and the artillery piece located in the park. They plan to work on the project in June.

The City Office has released a public information notice requesting interested citizens of Lewistown to submit applications for the five board positions for the newly created Lewistown Improvement District. The board will be tasked with the urban renewal duties associated with the Tax Increment Financing District.

The City Manager recently spoke with Airport Manager Jerry Moline about adding a link to the City's website for the airport. Our hope is that more people will visit the site to see what business and hangar development opportunities exist at the Airport Complex.

Reminder that the Annual Elected Officials training will be held in Billings On May 4, 5, and 6<sup>th</sup>.

The City Water Department will be chlorinating the water system in the area of Wendell Ave due to bad sample at on sampling location in that area. No other samples were over the allowable limits.

A representative of the Stockyards Bar and Restaurant property owner recently notified the City that they were ready to resume work on the project and are coordinating with the entities they will be working with. The building is currently out of the City boundary but they have requested to connect to City water and sewer so adherence to the City's water and sewer regulations will be required including a waiver of annexation.

The hearing for the oral arguments for the summary judgement motion has been set for Wednesday, April 20, 2016 at 3:30 p.m.

Mr. Kevin Myhre read the following letter:

On July 1, 2002, the Lewistown City Commission gave me the opportunity to serve as the Interim City Manager for the City of Lewistown. Almost fourteen years later, I now have served in the position of the City's Chief Executive Officer much longer than any other person in Lewistown's history.

After spending twenty-five years and most of my life serving the City and its residents, I have decided it is time to look for a new challenge. Our current employment contract expires on June 30, 2016, and at that point I plan to

retire from the City and pursue a new career. We hope to stay in the Lewistown area where we have many friends and where we have made our home. I have enjoyed working with the citizens of the community, the leaders in the community and many leaders from all over the state.

I have been lucky to have had great working relationships with many City Commissioners, and we have worked on hundreds of projects. While most of the names and faces of the City's Commissioners and employees have changed over that period, the dedication of each has been strong and consistent. We have worked together to employ and promote great employees and have built a very strong leadership team to move the City forward. We have implemented fiscally responsible procedures and have moved the city to a position of financial stability and strength.

In closing, I would like to thank the citizens of Lewistown and all of the community advocates who work to better our community. I especially want to thank the Lewistown City Commissioners and City employees who work every day to ensure the health, safety and welfare of the community. There will always be hard decisions to be made in community affairs and those who step forward to help make them set the course for the future. As the City moves into this transitional time, I will continue to assist the City staff with the many projects we are working on and I am willing to help the Commission to ensure that Lewistown's next City Manager has the tools for success.

Commissioner Byerly stated that he was contacted by Commissioner Doney and she asked that three things be stated at the meeting on her behalf. One is that Commissioner Doney hates to lose you. Commissioner Byerly stated that he concurs with number two that Commissioner Doney would have voted over and over again to renew your contract. The third one is that Mr. Myhre's departure leaves a hole in Lewistown. Commissioner Byerly further commented that he is sad to hear this but thinks the citizens of Lewistown owe Mr. Myhre a tremendous debt of gratitude. Commissioner Byerly stated that he had a lot of respect for Mr. Myhre before he became a City Commissioner and he has said it before and will say it again tonight that his respect has grown immensely for as he has seen the work that Mr. Myhre does. Commissioner Byerly stated that he does not think people have a clue of the efforts you make on behalf of the City of Lewistown. Commissioner Byerly commented that in countless ways our financial strength, our staffing, the planning for the future that we as commissioners are privileged to be a part of and you have left the City in far better shape than you found it. Commissioner Byerly stated that whoever hires you next and he hopes it is here in Lewistown are getting a great employee and great person. Commissioner Byerly stated that he would propose at the Committee of the Whole on May 2<sup>nd</sup> that this be discussed and how to move forward.

Commissioner Gremaux commented that he would second Commissioner Byerly's comments about Mr. Myhre and also agree that he had great respect when he became a Commissioner and it has nothing but grown since. Commissioner Gremaux stated that he agrees we do need a little time to think and agrees with discussing the issue on May 2<sup>nd</sup>.

Commissioner Putnam stated that she did not know Mr. Myhre until she became a Commissioner and someone told her she would really like him. Commissioner Putnam stated that he is fabulous and that she comes from back east and has known city managers in bigger towns that don't know a tenth of what he knows and the fact the Mr. Myhre can talk to people that are hostile and personally hostile and not get personally hostile is a gift. Commissioner Putnam further stated that through the major ordeals we have had over the past several months Mr. Myhre has shown his manhood, compassion and adulthood and we have been very fortunate for that.

Commissioner Poss commented that he remembers in 2002 and the City had a revolving door for City Managers for a few years. Commission Poss stated that he will never forget the day he and Mr. Myhre were changing the locks on the door after the dismissal and he looked at Mr. Myhre and told him just to do this job because it seems like the right thing to do. Commissioner Poss then commented that he will never forget the first time he met Mr. Myhre because he wrote him a ticket. Commissioner Poss commented that we are truly going to miss Mr. Myhre

and he has done an outstanding job and he has stepped up to the plate when the City asked him and did it over and over again. Commissioner Poss stated he knows how hard the job is and people do not have boundaries and attach you any place you are at.

Mr. Myhre commented that he has had a lot of support from the Commission over the years, my family and the public. Mr. Myhre stated he has worked with the public in a lot of different venues and the community is made up of a lot of people who care and it has made his job easier.

Mr. Myhre stated that he appreciates all of the nice comments and it has been a long time since the City has had to hire a City Manager and it will be new because it has been fourteen years. Mr. Myhre stated we will work through it and put a plan together and the Commission can move forward.

### **CONSENT AGENDA**

Commissioner Gremaux 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 18, 2016 to March 31, 2016 for a total of \$36,181.70.

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

1. Discussion and action on confirming Jennifer Thompson as a City Manager appointment to the Lewistown Board of Adjustment

Mr. Myhre explained that Lewistown Board of Adjustment is a 5 member board whose appointments are confirmed by the City Commission. The members serve for a term of 3 years. Ms. Jennifer Thompson as put her name in as interested on serving on this board and would replace Hal Conrad. Mr. Myhre commented that Mr. Hal Conrad has served on the board since 1994 and appreciate all of the time he has served on this board. Mr. Myhre stated the Ms. Thompson is a native of Lewistown and has extensive background in many areas. Mr. Myhre stated the he recommends Jennifer Thompson be appointed to the Board of Adjustments. Commissioner Putnam made the motion to approve confirming Jennifer Thompson as a City Manager appointment to the Lewistown Board of Adjustment and Commissioner Hewitt seconded the motion. Commissioner Byerly 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 Resolution No. 3905, a resolution to create the Lewistown Arts & Entertainment District and encouraging support from community based organizations

Mr. Myhre explained that this was discussed at the last Commission meeting and is being brought back before the Commission for approval. Ms. Carol Woolsey explained that the Arts and Entertainment District Commission has done a lot of research on dedicated art districts throughout the country and feel confident that they could answer almost all questions and work on the needs of the art community. Ms. Woolsey further explained that they would like to know the significance of the second half of the title and it seems that it would open the door for other organizations to try to govern the district. Ms. Woolsey stated that they would prefer that it read “a resolution to create the Lewistown arts & entertainment district”. Mr. Myhre explained that the reason he thinks it was added was to encourage all of the community based organizations that want to get involved in the goals of the art district. Mr. Myhre further stated that it does not prevent one board from taking it on and calling themselves the art district. Further discussion followed. Commissioner Poss made the motion to approve Resolution No. 3905, a resolution to create the Lewistown Arts & Entertainment District and encouraging support from community based organizations and Commissioner Putnam seconded the motion. Mr. Myhre commented that if a problem arises at a later date where two groups want to take the lead then a change to the ordinance could

be made to authorize one group. Commissioner Byerly asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

3. Discussion on the City of Lewistown Floodplain Hazard Management Regulations. City Manager Kevin Myhre

Mr. Myhre explained that the City of Lewistown participates the FEMA Floodplain Management Program. Mr. Myhre further explained that the benefit of participating in the FEMA Floodplain Management Program that when we have a disaster FEMA will come in and assist. Mr. Myhre stated that who knows residents who have floodplain insurance and if the community does not participate in the FEMA Floodplain Management Program then citizens are not eligible for floodplain insurance. Mr. Myhre commented that when the FEMA Floodplain makes changes the City of Lewistown must also make the necessary changes. Planning Director Duane Ferdinand explained that in order for the City to participate in the FEMA Floodplain Management Program the City must have current floodplain regulations in effect that meet the minimum standards of the national flood insurance program. Mr. Ferdinand commented that the Commission has approved Ordinance No. 1729 that adopted the new flood study. Mr. Ferdinand explained that the City County Planning Board will be having a public hearing on April 21<sup>st</sup> and then it will come before the Commission for another public hearing and approval. Mr. Ferdinand went over some of the changes. The statutory regulations in the new ordinance are more elaborate and do specify any amendment to the regulations require a public hearing. Subdivision review criteria has been added, definitions have been expanded, form section added and the flood regulated area was expanded. Mr. Myhre commented that we need to be able to help home and business owners to get through the floodplain permit process as easy as possible and still accomplish the goals.

**CITIZENS' REQUESTS**

There were none.

**COMMISSIONER'S MINUTE**

Commissioner Turk stated that someone has contacted her and when the public works employees are having their coffee break at Doc's they are parking on the wrong side of the road and breaking the law.

**ADJOURNMENT**

Chairman Byerly adjourned the meeting.

Dated this 4<sup>th</sup> day of April 2016.

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Dave Byerly, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk