

A COMMISSION MEETING OF DECEMBER 19, 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, Hewitt, Poss, and Turk. Commissioner Putnam was absent.

APPROVAL OF MINUTES

Commissioner Turk made the motion to approve the November 21, 2016 and the December 5, 2016 minutes as presented. Commissioner Doney seconded the motion and the motion passed unanimously.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Hewitt reported on the Airport Board meeting. Commissioner Hewitt reviewed the changes to the new hangar. Commissioner Hewitt reported that the frontage road has basically been rebuilt. Commissioner Hewitt reported that the Flywheelers are looking at building a new building and they are in the process of submitting a plan to the Airport Board. The new radio tower is being reviewed by the FAA.

Commissioner Byerly reported that the Central Montana Health District met this last week and everything is going really well with the consolidation and the new location. Commissioner Byerly commented that he is a citizen member on the Port Authority and then have met several times with a board of a potential of a large new business in the community. The Interim City Manager has been a part of the meetings and have been a great representative for the City of Lewistown.

Commissioner Doney reported that she has printed several ordinances and put them in a binder and will begin reviewing.

Commissioner Turk reported that the Library met last week. The big item discussed was the cancelation of the Chili Bowl due to the staff shortage at the Library. Commissioner Turk reported that on the agenda tonight is the appointment of a new Library Trustee.

CITY MANAGER REPORT

Interim City Manager Holly Phelps reported on the following issues:

Winter is upon us. Please take time to remind people of the snow removal procedure for the City of Lewistown. To prevent a snow berm from being plowed around vehicles make sure people are moving their vehicles frequently. The City of Lewistown does have requirements for removing snow off the sidewalks. It is important to watch for snow removal equipment and please refrain from pulling out in front of equipment or attempting stop drivers by walking out in front of them. If anyone has any questions or concerns regarding snow removal have them contact the Public Works

This weather is great for the ice skating rink. The ice hockey group continues to expand their hockey program.

The waterline replacement that was done last spring should prevent problems with freezing of the main line in the area of 10th and Spring Street.

Construction continues around the City, they have started working on the Starbucks in Albertsons, and Kentucky Fried Chicken plans on opening next week. A spreadsheet of construction values for the past several years was included in the Commissioners packet. The numbers for 2016 only include the work permitted through the first week of December. Construction inside the City limits continues to remain strong and the Building Department has already met with several people regarding 2017 projects.

There was an open house prior to the meeting and it appears to be well received. This provided another opportunity for the City Commissioners and employees to mingle and hear what the citizens of Lewistown have to say. This is a continuation of our quarterly listening sessions we have discussed in the past.

The plans for the Riverdale Sewer project were included in the packets. These plans include cost estimates and maps of the proposed line. This will be submitted to DEQ and construction is planned for 2017. Also, the engineer for this project has contacted man of these owners and there is a lot of support for this project. The City has received a grant to this project in the amount of \$500,000.

CONSENT AGENDA

Commissioner Hewitt made the motion to approve the consent agenda and Commissioner Doney seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from December 1, 2016 to December 14, 2016 for a total of \$90,673.87.

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Discussion and action on approving Resolution No. 3924, a resolution declaring it to be the intention of the City Commission to take action on a petition to vacate ten feet on each side of Entrance Street between Block 1 of Welch Addition to the City of Lewistown and Block 28 of Staffords 5th Addition to the City of Lewistown

Ms. Phelps explained that this is the intent to vacate ten feet on each side of Entrance Street and if this passes a notice will be published for a public hearing and action on the next agenda. This has been reviewed by the City departments and a 60 foot right of way still gives adequate access. In accordance to state law the City is allowed to do this and the portion that is vacated goes to the adjacent land owners. There was further discussion on the other encroachments in the same area. Commissioner Turk made the motion to approve Resolution No. 3924, a resolution declaring it to be the intention of the City Commission to take action on a petition to vacate ten feet on each side of Entrance Street between Block 1 of Welch Addition to the City of Lewistown and Block 28 of Staffords 5th Addition to the City of Lewistown and Commissioner Doney 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 confirming the City Manager’s appointment to the Library Board of Trustees

Ms. Phelps explained that a Library Trustee recently resigned from the Library Board of Trustees and the Library Director did advertise the vacancy. The City Manager received two letters of interest, one from Jean Collins and the other from Cheri Pallett. Ms. Phelps further explained that she received a letter from the Chairman of the Library Board, Mary Frieze with their recommendation of Ms. Jean Collins. A letter from Marie Anderson, president of the Friends of the Library, was also submitted to the City Manager and their recommendation is Ms. Jean Collins. Ms. Mary Frieze commented that they would appreciate if the City Commissioner would appoint Ms. Jean Collins. Ms. Frieze further commented that since the Library board is so small it is important to have an active, well-coordinated and diverse board. Ms. Phelps stated that Ms. Collins does attend a lot of the Library functions and although both individuals are good candidates, she recommends the appointment of Ms. Jean Collins. Commissioner Doney commented that she would really like the candidates being asked to be appointed to a board be in attendance at the Commission meeting. Commissioner Turk reported that Ms. Collins did attend the recent Library Board of Trustees meeting. Commissioner Poss made the motion to confirm the City Manager’s appointment of Ms. Jean Collins to the Library Board of Trustees 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 Hewitt voted against and Commissioner Putnam was absent.

3. Discussion and action on approving a business license for Action Plumbing & Heating Company

Ms. Phelps explained that the next three items are housekeeping items. In accordance with City Code the Commission must approve a business license for plumbers and electricians. Action Plumbing has been contracted by Albertsons and are working on the Starbucks at Albertsons. Commissioner Gremaux asked if they are required to have a master plumber on staff. Ms. Phelps answered yes. Commissioner Doney made the motion to approve a business license for Action Plumbing & Heating Company 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.

4. Discussion and action on approving a business license for United Electric LLC

Ms. Phelps explained that this is the electrician that has been hired for the Starbucks project. Commissioner Turk made the motion to approve a business license for United Electric LLC and Commissioner Doney 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.

5. Discussion and action on approving a business license for Liberty Electric Inc

Ms. Phelps explained that Liberty Electric Inc. is the electrician for a small project at the BLM. Commissioner Doney made the motion to approve a business license for Liberty Electric Inc and Commissioner Poss 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.

6. Discussion and action on setting the regular Commission meeting for 2017

Ms. Phelps explained that if a holiday falls on a Sunday then it is observed on Monday and if a holiday falls on Saturday then it is observed on Friday. This year both Christmas and New Year's both fall on a Sunday and as a result the holiday is observed on Monday. The City Offices will be closed so the first meeting in January will be on Tuesday, January 3rd. Finance Officer Nikki Brummond explained that she and the Interim City Manager Holly Phelps are also okay if the City Commission would like to keep their meetings on Monday regardless if there is a holiday or not. Commissioner Doney stated that she loves her holidays. Commissioner Doney made the motion to set the regular Commission meeting for 2017 that is a holiday is observed on a Monday the Commission meeting will be held on Tuesday and Commissioner Poss seconded the motion. Ms. Brummond stated that the first Commission meeting in January 2017 will be held on January 3rd at 7 p.m. and there will not be a committee of the whole because a new chairman will be elected at the regular meeting. Commissioner Byerly asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

7. Discussion and action on applying for a DNRC Voluntary Cleanup Grant for the Central Post Treatment Facility.

Ms. Phelps explained that she has spoken in detail with DEQ and they feel that the contaminants have extended beyond the boundaries they originally tested and would like to do some additional testing. DEQ will also work with the City to do a voluntary cleanup plan for the location. It is hoped that the City can get some cleanup funds at the next legislature. Commissioner Poss made the motion to approve applying for a DNRC Voluntary Cleanup Grant for the Central Post Treatment Facility and Commissioner Doney 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.

8. Quarterly Interim City Manager Review – the meeting will be closed because the demands of individual privacy clearly exceed the merits of public disclosure in regards to the Interim City Manager review.

Ms. Phelps asked everyone for attending the meeting but asked that the meeting be closed. Commissioner Byerly stated that the meeting will be closed because the demands of individual privacy clearly exceed the merits of public disclosure in regards to the Interim City Manager review.

CITIZENS' REQUESTS'

Mr. Mike Chapman stated that he was in attendance on behalf of the Snowy Mountain Chapter of Trout Unlimited and the Big Spring Creek Watershed Council and both organization are opposed unequivocally to developing soccer fields anywhere on Brewery Flats. Mr. Chapman stated they are not opposed to soccer fields. Mr. Chapman commented that they are for maintaining Brewery Flats and for enhancing the natural area of Brewery Flats.

Ms. Kimberly Fend commented that Lewistown has a vibe or brand going already and if you are marketing to others to potentially invest in the community the open space and fishing access is the brand for this area. Ms. Fend explained that the soccer group is doing fine and doing well with what they have, they want more and maybe they should do some more fund raising and research.

Mr. Ron Moody commented that the good people of the soccer club are becoming greatly invested in developing, detailing and modifying a plan for placing soccer fields at Brewery Flats. Mr. Moody stated that Brewery Flats is a wonderful amenity quality of life and treasure for this community.

Mr. Al Eggers commented that soccer is really important, there is a lot of flat land and Brewery Flats is a neat place and it is his understanding that it was a brownsfield and was restored to the condition it now exists. Mr. Eggers suggested the Berg Lumber site and is opposed to soccer fields at Brewery Flats.

Ms. Terry Pepper Daniels commented that looking at the history of Brewery Flats and the grant money that was received to clean up Brewery Flats which would have stipulations that Brewery

Flats not be turned into something like soccer fields. Ms. Pepper Daniels asked where the information is for the other sites that were researched and studied for viable options.

Ms. Laura Flugge explained that some studies were done on other options and those options were too small and were informed that Berg Lumber was off the table.

Mr. Brett Thackery explained Ms. Laura Flugge is a member of the soccer group and she came to them in February and told them we need to find a place to build soccer fields. Mr. Thackery further explained that Ms. Flugge did a lot of looking at different locations and Brewery Flats was brought to their attention early June. Mr. Thackery explained that the soccer group with the previous City Manager Kevin Myhre and they were informed that it was feasible. After that meeting it was his understanding that they needed to find more information out about Brewery Flats.

Mr. Jeff Friessen commented that he knew from the beginning this would be a controversial issue, he values the trail system, Trouts Unlimited and Watershed Council. Mr. Friessen stated he does not think it can be said that he doesn't have commonality with the others in this room but wants what is in the best interest of our community and don't want it to be negative. Mr. Friessen explained that at the last soccer group meeting they say down and looked at all the different options and if there is a better option then they should pursue it. Mr. Friessen explained that they figured out the limitations and Brewery Flats was the original one in the plan for recreation. At some point in the past an initial group did look at soccer fields at Brewery Flats. Mr. Friessen would like to lessen the division as much as possible.

Mr. Monte Werdin commented that he is a member of the soccer group and that he would like to find a good location for the soccer fields and willing to work with anyone to help find a location.

Mr. Frank Westhoff commented that he thinks they are all on the same page and need to work together to find a place for the soccer fields.

COMMISSIONER'S MINUTE

Commissioner Turk commented on the amount of building code revenue over the last five years.

ADJOURNMENT

Chairman Byerly adjourned the meeting.

Dated this 19th day of December, 2016

ATTEST:

Nikki Brummond, City Clerk

Dave Byerly, Commission Chairman