

**A REGULAR COMMISSION MEETING OF APRIL 2, 2018 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.**

**CALL TO ORDER**

Chairman Turk called the meeting to order.

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

Present were Commissioners: Byerly, Doney, Dunnington, Hewitt, Loomis, Oldenburg and Turk.

**APPROVAL OF MINUTES**

Commissioner Doney made the motion to approve the March 19, 2018 minutes and Commissioner Hewitt seconded the motion. The motion passed unanimously.

**PROCLAMATIONS**

There were none.

**BOARD AND COMMISSION REPORTS**

Commissioner Hewitt reported that the Airport Board meeting is on Wednesday.

Commissioner Oldenburg reported that she attended the Central Montana Foundation Board meeting on March 27<sup>th</sup>. There was a large donation made to the Creekside project by the Evans'. The other grant was for the chimney in the crew chief building up at the airport. The full request was funded in the amount of \$2,692.00.

Commissioner Loomis reported that the Park and Recreation Board will meet on Wednesday evening.

**CITY MANAGER REPORT**

City Manager Holly Phelps reported on the following issues:

At the April 4<sup>th</sup> Park and Recreation Board monthly meeting, they will be discussing charging for camping at East Fork Dam. If you are interested in attending or know someone that may be interested in attending please let them know. The meeting will be held at the Civic Center at 7 pm.

The City does have a couple of board openings for various City boards. These boards include the Tax Increment Finance Board, City County Planning Board and the Board of Adjustments. We will again be advertising to fill these board openings. The board application was included in the Commissioner's packets.

The Parks and Recreation Department is currently accepting applications for pool staff. Applications are available at the Civic Center. The anticipated opening day of the pool is June 6<sup>th</sup>.

The Library is also a busy place this spring. The Library will be hosting a Ghost Towns and Mines presentation April 19<sup>th</sup> at 6 p.m. The author dinner is scheduled for May 16<sup>th</sup>. Tickets go on sale next so if you are interested in attending please contact the Library.

After the last meeting, Library Director KellyAnne did do reference checks on the Stucco Tech, the contractor that was the low bidder to do the repairs on the exterior of the Library. His former customers' spoke very highly of the work done and professionalism exhibited by Stucco Tech. We did move forward with awarding the bid and work on the exterior of the Library should begin very soon.

The agenda for the Municipal Elected Officials training that will be held May 8<sup>th</sup> through the 9<sup>th</sup> in Billings, is attached. It is not too late to register so if you are interested in attending please let Nikki know.

A date has been set to start the phase one analysis of the LaFountain Building. The contractor will be here tomorrow and it is hoped to move right into the phase two analysis.

### **CONSENT AGENDA**

Commissioner Loomis 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 March 15, 2018 to March 27, 2018 for a total of \$30,826.60

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

1. Public hearing to obtain public comments regarding the City of Lewistown's overall community development needs for economic development, housing and neighborhood revitalization and public facilities, including the needs of low and moderate income persons and the possibility of applying for a Montana Community Development Block Grant (CDBG)

Chairman Turk opened the public hearing to hear comments on City of Lewistown's overall community development needs for economic development, housing and neighborhood revitalization and public facilities, including the needs of low and moderate income persons and the possibility of applying for a Montana Community Development Block Grant (CDBG). Ms. Phelps explained that the Community Development Block Grant is something the City has applied for in the past. At this time the City does not have any anticipated projects, but it does require a couple of public hearings. This is the first public hearing and the City tries to do one annually just to establish needs in the community and get any necessary feedback. Then if the City has a specific project they will move it forward and a lot of times the projects are for economic development, infrastructure, housing rehab or new housing. Ms. Phelps

commented that housing is an area in the community that is talked about a lot and there is a great need for affordable housing in the community. Commissioner Byerly commented that if this type of a grant could be applied for and in helps of helping to move forward with the Berg property and affordable housing. Commissioner Loomis asked about what Commissioner Byerly is referring to regarding the Berg property. Commissioner Byerly answered that the City owns the former Berg lumber yard that has been cleaned up and reclaimed. There are have been several conversations regarding the Berg property and one of the ideas is affordable family housing. There was further discussion on obtaining a developer and what can be done with CDBG program. Commissioner Turk asked for comments from the audience and Commission. There being none, the public hearing was closed.

2. Discussion and action on approving the submission of a grant application for the Coal Board for a request of \$226,000 for the Creekside Marketplace and Pavilion project

Ms. Phelps explained that this a grant to help with the development of Creekside Marketplace and Pavilion and could possibly be used as a match for the Land and Water Conservation Grant that the City has applied for. The actual application use is broad but the actual proposed use being discussed is for the restrooms at Creekside Marketplace and Pavilion. Ms. Phelps stated that about a year ago the City had an environmental assessment done of the Mill Building and where it was located. As part of the process the environmental assessment was sent out to about eight other agencies for them to evaluate to see if there were any significant impacts by the proposed development of Creekside location. There were no comments received. Ms. Phelps stated that at this time the development itself will have no significant impact to the surrounding community, waterways and wildlife activities. This is one of the requirements that must be document in order to submit the grant application. Commissioner Hewitt made the motion to approve the submission of a grant application for the Coal Board for a request of \$226,000 for the Creekside Marketplace and Pavilion project and Commissioner Doney seconded the motion. Commissioner Turk 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 confirming the City Manager's reappointment of Cathy Moser to the Library Board of Trustees

Ms. Phelps explained that included in the Commission packets is a letter from Ms. Mary Frieze, Chairman of the Library Board, supporting the reappointment of Ms. Cathy Moser to the Library Board. Ms. Phelps further explained that Ms. Moser's term expires this month and it is her recommendation to reappoint Ms. Cathy Moser for a second term to the Library Board. Library Director KellyAnne Terry reported that Library Board Trustees can only serve two five year terms and that Ms. Moser is a great asset to the board and is looking forward to continue to work with her as a board member. Commissioner Loomis made the motion to confirm the City Manager's reappointment of Cathy Moser to the Library Board of Trustees and Commissioner Byerly seconded the motion. Commissioner Turk 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 Resolution No. 3959, a resolution approving application for TIF funds made to the Lewistown Tax Increment Financing District Board

Ms. Phelps stated that this resolution was prepared by the City Attorney and the Commission may recall that prior funding approval was done and as part of the project there were several oversights. The applicant is now asking for an additional TIF funds to help with the unexpected costs of the project which include higher than expected labor costs and the need for safety glass. Ms. Phelps explained that this is still in the range of the \$10,000 maximum in grants that the TIF board can approve. This application was approved by the TIF board and is for the additional \$3,000 of work that was done. The applicant is only

asking for 50% of the cost and all documentation has been provided and is done on a reimbursement basis. Commissioner Doney made the motion to approve Resolution No. 3959, a resolution approving application for TIF funds made to the Lewistown Tax Increment Financing District Board and Commissioner Hewitt seconded the motion. Commissioner Turk 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 first reading of Ordinance No. 1760, an ordinance amending Title 6, Chapter 2 of the Lewistown City Code amending definitions, prohibiting dogs at certain public events and amending general penalties

Ms. Phelps explained that this is the first reading of the ordinance that prohibits dogs at certain public events. As part of the ordinance there is a pretty extensive definition section and public event is defined as where there are food vendors and located in the downtown area as outlined in the ordinance. Ms. Phelps further explained that this change was prompted by the County Sanitarian. The City Manager has discussed the issue with the Chamber of Commerce and they are in support of the change. Ms. Phelps stated that she is aware that not allowing dogs at an event like the Chokecherry Festival the first year will require educating the public. There will need to be some signage and possibly people on patrol to help with the change. Ms. Phelps explained the fine schedule. Commissioner Byerly made the motion to approve the first reading of Ordinance No. 1760, an ordinance amending Title 6, Chapter 2 of the Lewistown City Code amending definitions, prohibiting dogs at certain public events and amending general penalties and Commissioner Loomis seconded the motion. Commissioner Byerly commented that this issue was talked about at the Central Montana Health District Board after the most recent Chokecherry festival and briefly discussed some of the issues. Ms. Phelps reported that she has followed up with the Chamber of Commerce and they are very supportive of this and may be able to offer some financial help for code enforcement or an officer to assist with enforcement. Commissioner Byerly explained that this isn't something new in the State most communities already have something like this in place. Commissioner Doney explained that the committee working on this did look at all events but are only addressing food events at this time. Ms. Phelps explained that the committee did look at the legality of service animals and will continue to follow code. Further discussion followed. Commissioner Turk 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 the purchasing a police car for the City of Lewistown

Ms. Phelps explained a purchase requisition for a police car was included in the Commissioners packets. Police Chief Cory Birdwell solicited bids for three of the local dealerships. Ms. Phelps further explained that only two of the dealerships submitted a bid and would recommend approval from the Commission for the lowest bid from Snowy Mountain Motors. Police Chief Birdwell explained that the department is in desperate need of an animal control vehicle. There was \$10,000 budget in the animal control budget in the hopes of being able to work out purchasing a vehicle from the Public Works department. As a result that is not going to work. Police Chief Birdwell further explain that he didn't want to purchase a vehicle with a lot of miles and determined that the current patrol pick up could be moved down to the Animal Control department because it is in good working condition. The money budgeted for the animal control truck will be used to purchase this vehicle. Commissioner Oldenburg made the motion to award the bid to Snowy Mountain Motors for the purchase a police car for the Lewistown Police Department and Commissioner Hewitt seconded the motion. Commissioner Loomis asked if the current animal control vehicle would be traded in. Police Chief Birdwell answered that now there is not a lot of value and will plan on selling the vehicle in a City auction in the near future. Commissioner Turk asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

7. Discussion on the Community Award Program.

Ms. Phelps explained that the City Commission appointed a subcommittee last year with the purpose of recognizing volunteerism and community service in our community. We recognize that there are a lot of great and passionate citizens in the community that perform many selfless acts. The subcommittee developed an application and criteria for the award. Ms. Phelps stated that we have yet to award our first award and would like to look over the application and criteria and get some input this evening. Discussion was held on different ways to get the information out to all areas of the community to nominate someone in the community. Commissioner Byerly would like to have some type of application deadline which sometimes appears to help get things accomplished. Commissioner Oldenburg asked that there are a lot of people in the community that and do not necessarily live in Lewistown would that limit nominations. Commissioner Doney commented that she thinks it was discussed that there are already a lot of community awards and it was the intent to recognize an exceptional Lewistown resident. Commissioner Turk asked how the Commission would like to proceed. Commissioner Byerly commented that if there was someone that he felt should be nominated because of all their work they have done on a project and then be disappointed because they could not be nominated because they do not live in the City limits. Commissioner Doney commented that maybe the name needs to be changed to outstanding community member. Commissioner Loomis agreed that it should be broadened. Ms. Phelps suggested that the nominee should be promoting the City of Lewistown. Ms. Phelps will make these changes and work to get it distributed.

**CITIZENS' REQUESTS**

There were none.

**COMMISSIONER'S MINUTE**

Commissioner Hewitt asked if the City gets any PILT funds and Ms. Phelps answered no. Commissioner Loomis asked what PILT funds is. Ms. Phelps answered PILT stands for payment in lieu of taxes and is money that only the County receives.

Commissioner Loomis commented that he has talked to more citizens regarding the WSA and the draft plan has not been distributed yet. There will be a meeting on April 30<sup>th</sup> from 5 to 7 pm.

**ADJOURNMENT**

Chairman Turk adjourned the meeting.

Dated this 2<sup>nd</sup> day of April 2018.

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Patty Turk, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk