

A REGULAR COMMISSION MEETING OF MAY 7, 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: Doney, Dunnington, Hewitt, Loomis, Oldenburg and Turk. Commissioner Byerly was absent.

APPROVAL OF MINUTES

Commissioner Loomis commented on the corrections that needed to be made. Commissioner Doney made the motion to approve the minutes as corrected and Commissioner Hewitt seconded the motion. The motion passed unanimously.

PROCLAMATIONS

The following proclamations were read:

**A PROCLAMATION OF THE LEWISTOWN CITY COMMISSION
DECLARING MAY 2018 AS HISTORIC PRESERVATION MONTH**

WHEREAS, historic preservation endeavors to protect, conserve, and preserve buildings, places, and other artifacts of historical significance for the benefit of present and future generations; and

WHEREAS, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, The City of Lewistown is hosting the Historic Resources Commission's annual awards ceremony Friday, May 11, 2018 in honor of National Historic Preservation Month.

NOW, THEREFORE, BE IT RESOLVED THAT the Lewistown City Commission does proclaim May 2018 as National Historic Preservation Month and call upon the people of Lewistown to join their fellow citizens across the United States in recognizing and participating in this special observance.

Dated this 7th day of May, 2018

**A PROCLAMATION OF THE LEWISTOWN CITY COMMISSION
DECLARING MAY, 2018 AS MEMORIAL POPPY MONTH IN
RECOGNITION OF ALL CENTRAL MONTANA VETERANS**

Whereas, the poppy is a memorial flower of sacred significance that has become a living symbol for American war dead. The immortalized red blossom gained its international acceptance by the memories of returning servicemen who remembered the wild poppies which covered the devastated battlefields of France and Flanders during WWI where their comrades had fought and died in defense of freedom.

Whereas, the poppy has become a symbol to perpetually remind us of, and to unflinchingly teach coming generations, the value of the light of liberty, and of our debt to those who helped save it for us by paying the supreme sacrifice.

Whereas, the wearing of the memorial poppy is a fitting and effective way of keeping bright the memory of our veterans who gave their lives in the service of America;

Whereas, in 1921 the American Legion Auxiliary adopted the poppy as its memorial flower and encourages the wearing of the poppy by all citizens, especially on memorial day, and,

Whereas, the American Legion Auxiliary distributes memorial poppies that are made by disabled veterans to help veterans;

It is hereby proclaimed by the Lewistown City Commission that May, 2018 is declared to be Memorial Poppy Month in Lewistown and Central Montana and all citizens are urged to observe the month by wearing the memorial poppy of the American Legion Auxiliary in honor of our veterans who gave the ultimate sacrifice.

BOARD AND COMMISSION REPORTS

Commissioner Dunnington reported that the City County Planning Board was cancelled for the month of April.

Commissioner Hewitt reported that the snow blower at the Airport has quit and the Airport Manager went to Bozeman and visited with the City of Bozeman and looked at their snow blower and they are willing to donate to the Airport. Commissioner Hewitt further reported that

the Airport Board will have to get it here and request the snow blower in writing. Commissioner Hewitt stated that a pilot from BLM is renting the trailer space and there is a new renter in the Airport rental house. All of the Airport Leases are going to go to an attorney in Billings to be reviewed and then will be mailed out. There is a special Airport Board meeting on May 18th at 5 pm.

Commissioner Oldenburg reported that she attended the Central Montana Foundation Board meeting on April 24th. There was only \$2,400 to disperse this month for grant requests and there were seven grant requests. All seven received a small portion of the \$2,400. The annual CMF Board meeting will be on Tuesday, May 22nd.

Commissioner Loomis reported that he attended the Park and Recreation Board meeting on May 2nd. There were several items on the agenda and one was a request from the Make it Happen group for a donor board at the Big Sky Skate Park. There is some concern of where it is proposed to be located may interfere with the irrigation lines in the park. The Friends of Brewery Flats were at the meeting and presented their proposal for the restoration of the south end of Brewery Flats. There are several information signs proposed and bird platforms. The final item on the agenda was the removal of the bleachers at the Civic Center. There were no bids to remove the bleachers, so the City will work to remove the bleachers and as part of that process there will be some improvements made to the floor and the walls. Capital Improvements were discussed and one of the priorities is the gym floor. The City is looking for the Trails Supervisor and the proposed opening for the Swimming Pool is June 6th.

Commissioner Turk reported that she attended the Library Board meeting on April 19th and welcomed the newest Library Trustee Mary Baumstark. The Library received a new micro film machine that was purchased by several entities for the Library. Library Director KellyAnne Terry attended one day of the Montana Library conference. The Library will no longer be receiving any funds from the Coal Tax funding next budget year. The Library Board is continuing to work on the strategic plan. There was a Ghost Towns and Mining presentation by Jerry Hanley in April and the author dinner in May 16th. Library Board Director KellyAnne Terry reported that she has resigned her position at the Library and will be going to work for Jeff Southworth and Julie Walsh to run the Calvert Hotel and then do marketing for the new brewery. Commissioner Turk thanked her for her service.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

The City of Lewistown is currently accepting applications for seasonal positions. These positions include Cemetery, Parks and Street helpers, as well as pool personnel. Applications are available at the Job Service or the City Offices.

The Arts and Entertainment District will continue to operate the parklet program. They have selected the first locations and it will be placed there at the end of the month. There are also some design modifications that will be done prior to using the parklet the summer.

The City Manager has been discussing the banner program with both the Arts and Entertainment District and other organizations interested in putting up new banners this year.

The first bids for the Creekside Project have been advertised. This bid includes the construction of curb and gutter, sidewalks, parking lot, site drainage and the dining deck. We have had a lot of interest from contractors on this bid. The City Manager is working with the architect to get the design for the vertical construction done this month.

The City has received notice that Lewistown was nominated by Governor Bullock as an Opportunity Zone. The U. S. Treasury has approximately 45 days to confirm the nominations. The City of Lewistown was 1 or 25 census tracts that Governor Bullock nominated. The City Manager is hopeful that his designation allows this census tract the opportunity to apply for additional grants. This grant includes the City of Lewistown and a portion of Fergus County both west and north of Lewistown. This is a brand new program and was authorized by the president and the treasury department was authorized to give funds to low to moderate income census tracts for improvement.

There are several upcoming events, these include the Historic Resources Commission's Annual Awards Ceremony on May 11th and 6:30 pm at the Library and the Library's author dinner which will be held on May 16th at the Elks. The author is Mark Sullivan and the Library does have a copy of his, Beneath a Scarlet Sky, available for sale.

CONSENT AGENDA

Commissioner Doney made the motion for the approval to issue a business license to TJ Electric Inc. and Commissioner Hewitt seconded the motion. The motion passed unanimously.

Commissioner Oldenburg asked a couple of questions regarding claims. Her questions were answered and Commissioner Hewitt made the motion to approve the acknowledgement of the claims that have been paid from April 12, 2018 to April 30, 2018 for a total of \$127,150.33 and Commissioner Loomis seconded the motion. The motion passed unanimously.

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

1. Discussion and action on appointing Donna Byerly to serve a two year term and Don Bost to serve a three year term on the City of Lewistown Police Commission

Ms. Phelps explained that in accordance with Montana Code the City has a Police Commission in place that helps with the new hires of Police Officers. There are three members that serve on the Police Commission they are Don Bost, Donna Byerly and Brad Doney. It is a three member commission and it is a three year staggering term and can serve as many terms as they chose. The appointments are done annually in May. Ms. Phelps stated that for whatever the reason Ms. Byerly was not reappointed last May and that is why she is being reappointed to a two year term to serve her remaining term and Don Bost for a three year term. Commissioner Doney made the motion to approve appointing Donna Byerly to serve a two year term and Don Bost to serve a three year term on the City of Lewistown Police Commission 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.

2. Discussion on a payback for the Riverdale Sewer project.

Ms. Phelps explained that as part of the Riverdale Sewer project it was discussed on numerous occasions that there was the potential of thirty connections to the sewer and the final number was only 8 sewer connections. Ms. Phelps has had one resident in the area come and ask what the cost of connecting would be. It is too late to incorporate additional costs in the loan or grant that was used to fund the property. Ms. Phelps commented that the City may want to consider a buyback charge or a charge in addition to the current connection fees currently charged for residential properties. The cost to the City for the infrastructure in that area is \$344,000 in order to provide services in the area. Those individuals that are participating in the project have taken out a loan and it will be assessed to their taxes over the next years. The question is if the City would like to get some additional funds above what the City has already invested in the project. Ms. Phelps stated that unfortunately this was a 50/50 grant and by those individuals not participating in the project did affect the funding for the project. Further discussion followed. Ms. Phelps stated that she would recommend moving forward with having additional service/connection fee for this main line. Ms. Phelps stated that the potential for citizens to hook on and would like some input. Commissioner Doney commented that the City was awarded a grant and worked with the engineers to help the property owners to receive sewer services at a low loan rate and it was expected that there would be 30 properties that would/could connect to receive sewer services. Commissioner Doney further commented that she doesn't feel the City should discourage those citizens that want to connect to the sewer line, but doesn't feel that it is fair for the other citizens in the community to pay for them to connect and some type of buyback should be considered. Commissioner Doney would like to have some more time to think about this idea and to refresh her memory of the project. Commission Oldenburg would like to see the area and have some more information since she is new to the Commission.

3. Discussion on the engineering report for the Lewistown ditch lining.

Ms. Phelps explained that the Lewistown ditch is located in the same area that was just discussed. The City applied and has received a planning grant to look at the feasibility of lining the Lewistown Ditch. There are two alternatives to choose from one is Big Spring Creek to Highway 191 for a possible cost of \$401,479.47. The second option is from Joyland lift station, would line the ditch in an area around the City's lift station. This is an area that does cause infiltration into the wastewater treatment plant and the possible cost is \$166,005.37. There is a DNRC grant that is available is \$125,000. Ms. Phelps stated that she is looking for some guidance from the Commission and does feel that it is a huge cost and not sure the benefit outweighs the cost. Commissioner Doney asked what the thoughts are on the owners of the Lewistown Ditch. Ms. Phelps answered that they do not see any problems and hesitant to do anything because of the cost. Commissioner Doney would like to see some ownership from the ditch owners. Ms. Phelps commented that her recommendation is to keep discussing this and look at other alternatives for the ditch.

4. Discussion and Action on approving a Lease agreement with Rich Hayner for City property located at N. Daws and E. Boulevard

Ms. Phelps explained that this lease has been reviewed by the Park and Recreation Board and they have approved this lease and it is now before the Commission for approval. The property is known as the Berg spur and located on East Boulevard. Mr. Hayner would like to do a community garden, where you could purchase fresh vegetables and hoping to provide produce to the community. This isn't necessarily to work at the garden but to be able to get fresh produce. Ms. Phelps commented that these are the same rates that are charged for all leased property and there is an inflationary rate included in the agreement. Commissioner Turk commented that she thinks it will be a great benefit to the area. Commissioner Doney made the motion to approve a lease agreement with Rich Hayner for City property located at N. Daws and E. Boulevard and Commissioner Turk 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 approving a Lease agreement with Jeff Southworth for City property located at N. Miller Street and E. Main Street

Ms. Phelps explained that the property that is being proposed to lease is to the east and north of the brewery. All of the property adjacent to Creekside will remain City property and open to the public. There are no boundaries included in the lease and they have agreed to snow removal for the entire property to offset some of the lease cost. The snow removal is a benefit to the City because it is one less responsibility for the City. The lease rates are a little different because it is commercial property. Commissioner Loomis made the motion to approve a lease agreement with Jeff Southworth for City property located at N. Miller Street and E. Main Street and Commissioner Oldenburg 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.

6. Discussion and action on awarding the Creekside Site Package Bid. This bid includes the construction of curb and gutter, sidewalks, parking lot, site drainage and the dining deck.

Ms. Phelps explained that the City did receive a lot of interest in this bid. The bid included the construction of curb and gutter, sidewalks, parking lot, site drainage and the dining deck. The City did allow the bid to be either asphalt or concrete of the parking lot. There were additives to the bid for some sidewalk which was adjacent to the sidewalk as well as the trail connection. The other additive was for the dining deck which is located where the old mill building was located. The final additive was paving the additional parking lot and if awarded the owner of the property would pay for that paving. The City received two bids from Casino Creek Concrete and Century Construction. Casino Creek Concrete's bid was for a concrete parking lot their base bid was \$213,000 with an additive of \$20,000 to change it to a concrete parking lot for a total of \$233,000, the bid alternatives were sidewalks at \$30,900, dining deck at \$33,000 and parking lot resurfacing at \$9,000. The other bid was from Century Construction for an asphalt parking lot their base bid was \$166,278, the bid alternatives were sidewalks \$30,449, dining deck at \$34,212 and parking lot surfacing at \$7,670. Ms. Phelps stated that she would recommend approval of

Century's base bid and two additives and reach out to the brewery owner for the additive of the third alternate. Ms. Phelps stated she would allow them to pass the expense through our contract but would be their expense. Commissioner Oldenburg asked if Casino Creek Concrete's bid included any asphalt. Ms. Phelps answered no that was an option for the bidder. Commissioner Doney made the motion to award the Creekside site package bid to Century Construction 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.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Doney asked when the budget will be discussed. Ms. Phelps answered that we will be handing out the budget in the next couple of weeks and the committee of the whole at the first meeting in June will be budget. Ms. Phelps commented that there was some historic resources commission information in the packet and that will be they will be presenting information at the next committee of the whole meeting.

Commissioner Loomis stated that he had received an anonymous letter that was earmarked toward the legal notices and would like a little information as to why he got it and what it is talking about. Ms. Phelps stated that she does not know why you got and that she did not receive one. Ms. Phelps explained that the City is required to be audited annually and required to publish the findings of the audit. There are audit reports provide to the City and anyone is welcome to one it does include the findings, the comments and the corrective action. Commissioner Doney explained that the audit is completed every year and many of the findings are due to the size of the City or short term situation or staff turnover. Commissioner Doney encourages everyone to go and talk with the City Manager and she will take the time to go over the findings.

ADJOURNMENT

Chairman Turk adjourned the meeting.

Dated this May 7, 2018

Patty Turk, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk