

A REGULAR COMMISSION MEETING OF AUGUST 6, 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 Hewitt, Loomis, Oldenburg and Turk. Commissioner Dunnington was absent.

APPROVAL OF MINUTES

Commissioner Oldenburg made the motion to approve the July 16, 2018 minutes as corrected and Commissioner Doney seconded the motion. The motion passed unanimously.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Loomis reported that he attended the recent Park and Recreation Board meeting. Mr. Tyler Lund was at the park board meeting to discuss disc golf with the board. The painting of the gym and the refinishing of the floors is complete. There was a lot of good feed back regarding the swim meet. There are three dead trees in Frank Day Park that the Recreation Department will be looking at removing this fall.

Commissioner Doney reported that she met with the City Manager in June about the cemetery ordinances and other ordinance concerns.

Commissioner Hewitt reported that she attended the most recent Airport Board. The airport has a new snow blower. There have been some issues with the Rimby building due to the recent storms, there was some blockage and it appears that the line is not connected to the septic tank.

Commissioner Turk reported that there was a Library Board meeting recently. There was a lot of discussion on the Library budget, discussion on the Interim Director's report. The upkeep of the roof was discussed at length. Commissioner Turk asked and the board discussed charging for the meeting room and that public libraries are to be free, but a donation is asked for when using the meeting room.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

A spreadsheet was attached to this report listing those individuals that have connected during the recent Riverdale Sewer Project. Next week the TSEP compliance inspection is scheduled in anticipation of closing out this project. They will be here looking at the site, as well as, all the paperwork done for this project.

The Montana League of Cities and Towns will hold their annual conference September 26-28 in Butte. This year's conference is titled Leading the Way – Civility, Inclusion and Results. If you are interested in attending please let us know.

Century has begun work on this year's street improvement project, the schedule is posted on the City's website. The work is scheduled to be completed by August 13th. The project has gone smoothly.

The Civic Center was closed last week for maintenance. They refinished all the floors upstairs and also painted some of the floor in the basement.

Trails and Ales will be held this year on September 8th, it will be held at Creekside from 4 to 7 pm. This year the ROC group will be providing music during the event. The concert is free and open to the public. The Friends of the Trails have had 11 brewers commit to coming to the event so far. They are optimistic this will be the largest Trails and Ales yet.

The Building Department will be meeting with the Insurance Services Office (ISO) this month to work on updating our Building Code effectiveness grading schedule. The ISO evaluates us every 5 years they look at code enforcement inside the City limits, and other ordinances that mitigate natural hazards. They use the information on the local building department, state plumbing and electrical and fire departments to generate a rating. This rating is used by some insurance companies to set rates.

Ms. Phelps explained that staff has been working with the Forest Service and Andy Brummond, with Fish Wildlife and Parks, regarding the spring recharge impact area and looking at the studies that were done in the Madison Aquifer area. A letter will be prepared and sent to the Forest Service prior to the September 6th deadline.

Ms. Phelps expressed some of the concern regarding the college and that the college is actually property of MSU Northern. The University of Providence is interested in coming to Lewistown. The enrollment has dropped, but the Port Authority and some other interested parties are concerned and recognize the schooling and training locally for the workforce is a huge economic driver for the community. It is hoped the building can be in the hands of the community and the funds that were raised to purchase the building was to benefit the community.

CONSENT AGENDA

Commissioner Loomis made the motion to approve the consent agenda and Commissioner Hewitt seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid for June 30, 2018 for a total of \$5,493.42 and the claims that have been paid from July 12, 2018 to July 31, 2018 for a total of \$258,553.40.

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Public hearing to hear comments on a request of an amendment to Zoning Ordinance Application (18-01-ZA) for property located at 411 W Corcoran Street.

Chairman Turk opened the public hearing to hear comments on a request of an amendment to Zoning Ordinance Application (18-01-ZA) for property located at 411 W Corcoran Street. Ms. Phelps explained that the zoning amendment request went before the City County Planning Board last month and several citizens were in attendance. Planning Director Cathy Barta explained that the request was an amendment to zoning ordinance application for property located at 411 W Corcoran. The property located at 411 W Corcoran is currently in a Residential Two – Family (R-2) Zoning District. The applicant is requesting a zoning change to General Commercial (C-1) to construct a 40' x 96' storage building containing 20 storage units on lots 1 and 2. Ms. Barta explained that per Montana Code Annotated when considering an amendment to a zoning ordinance you must pass the 12-point test as outlined in Montana Code Annotated. There were several citizens in attendance who were not in favor of the amendment and the application did not pass the 12-point test. The City County Planning Board denied the amendment to the zoning ordinance, but because of the City code the City Commission must still hold a public hearing and act on the item. Commissioner Turk asked for any more comments from the audience and Commission. There being none, the public hearing was closed.

2. Discussion and action on the amendment to zoning ordinance application (18-01-ZA) for property located at 411 W Corcoran Street

Commissioner Byerly made the motion to deny the amendment to zoning ordinance application (18-01-ZA) for property located at 411 W Corcoran and Commissioner Loomis seconded the motion. Commissioner Oldenburg commented that she drove by the property and it looks like a residence with a large yard. Ms. Barta explained that the property owner owns all three lots and is an individual looking to make money. Commissioner Oldenburg further commented that she did notice that the area is very narrow and think that parking in the area would be problematic. Commissioner Turk asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

3. Public hearing to hear comments regarding an application for Tax Exemption and Reduction for the remodeling, reconstruction or expansion of existing commercial buildings or structures.

Chairman Turk opened the public hearing to hear comments regarding an application for Tax Exemption and Reduction for the remodeling, reconstruction or expansion of existing commercial buildings or structures. Ms. Phelps explained that this is a tax abatement request from the owners of the proposed Burger King. Ms. Barta explained that Montana law provides for certain tax benefits for the remodeling, reconstruction, or expansion of existing buildings or structures. One of the requirements is that the property may not have been used in business for at least 6 months immediately preceding the date of application to the governing body for approval. Ms. Barta stated that the company purchased the whole lot and Mountain View Motel was in business right up until the sale of the property. Also, on the lot were two residential houses that were being taxed residential rates and not commercial. Ms. Barta explained that the application does not meet all of the criteria provided by Montana Code. Commissioner Byerly commented that in the past when appropriate the Commission has gladly approved tax abatement requests, because it is something the City can do to encourage development. Commissioner Byerly thanked the Planning Director for all of the detail and lining out the facts. Further discussion followed. Commissioner Turk asked for additional comments from the audience and Commission. There being none, the question was called for and the public hearing was closed.

4. Discussion and action on approving Resolution No. 3972, a resolution approving property tax benefits for remodeling, reconstructing, or expansion of a commercial property within the City of Lewistown, in accordance with MCA Section 15-24-1502

Commissioner Oldenburg made the motion to deny Resolution No. 3972, a resolution approving property tax benefits for remodeling, reconstructing, or expansion of a commercial property within the City of Lewistown, in accordance with MCA Section 15-24-1502 and Commissioner Doney seconded the motion. Commissioner Turk asked for comments from the audience and Commission. There was some confusion on the vote so Commissioner Turk asked for a roll call vote. Those Commissioners voting in favor of denying the Resolution were: Byerly, Doney, Loomis, Oldenburg and Turk. Commissioner Hewitt voted against it and Commissioner Dunnington was absent.

5. Discussion and action on approving the general union bargaining agreement for 2018-2021

Ms. Phelps explained that the draft agreement is before the Commission for approval tonight. Ms. Phelps reviewed the grammatical and informational changes. Ms. Phelps explained that a Safety Coordinator position has been created and that individual will be responsible for safety meeting for the whole unit. The Public Works Department will have weekly safety meetings and the other departments will have monthly safety meetings. The individual will receive an additional \$50 each month that they are the safety coordinator. Ms. Phelps explained that the City provides a DOT physical each fiscal year and will allow up to two hours not to be taken off of sick time. Ms. Phelps further explained that this is what the City has been doing but it has not been laid out in the contract before. Ms. Phelps stated that the other big issue was the wages and the biggest issue was to get the entry level positions to \$14.68 over a three-year period. Commissioner Loomis asked why the issue and change to such a high wage. Ms. Phelps answered that you would need to ask the bargaining union but there was a lot of discussion regarding poverty and working wages. Commissioner Doney asked if the wages were figured into the budget. Ms. Phelps answered yes, the wages are included in the budget at this time, however, it was disclosed and discussed that the Library Board does not know the allocation they will receive from the City Commission and how the raises could affect the Library and there is a potential that the Library may have to lay off staff. Commissioner Doney made the motion to approve the general union bargaining agreement for 2018-2021 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.

6. Presentation of the Library Annual Report

Ms. Danielle Buehler, Interim Library Director, presented the annual Library Report. Ms. Buehler stated the mission statement of the Library. The Lewistown Public Library provides free and equal access to quality materials and services, which fulfill the educational, informational, cultural, and recreational needs of the entire community. Ms. Buehler commented that the Library makes a lot of connections. The total number of patron visits for the year was 70,680. The library has 3,885 patrons of that 2,759 are City residents, 1,079 are county residents and 47 are other. The other are non-county temporary residents that are maybe in only in town for a short time and they have the option to pay a fee and receive a library card for that time frame. Ms. Buehler stated that 1,034 of the patrons use the Montana Library 2 Go service, which is the online downloadable audio books and ebooks. There were 66,377 items circulated from July 1, 2017 to June 30, 2018 and the Library's collection is 64,000. Of the items circulated 57,896 were in house items that left the library and were returned to the library, 8,239 were Montana Library 2 Go items and 242 were interlibrary loans, which is a connection with the community libraries. The Library does a lot of programming throughout the year and 4,421 patrons attended programming throughout the year. There were 626 seniors that participated in the Library's senior outreach program. The daily internet is available at the Library and the main computers were used 3,087 hours, youth area computers were used 1,248 hours and the Library's website was visited 21,994 times. Ms. Buehler explained that one of the

most unique and interesting collaboration the Library makes is with the Montana Memory Project. This is a statewide data base that hosts and archives our local history. There were 89,484 unique visits to the Lewistown Library's unique collection within the Montana Memory Project. There were 57,717 documents viewed, 28,024 photos viewed, 1,997 Polk Directories viewed and 1,752 oral histories were viewed. The Library has collaborative partners on both the state and local levels. The Lewistown Public Library is a community gathering place for the sharing of ideas and information, of an educational, cultural or civic nature. There are 23 groups that meet regularly throughout the year. There have been 11 unique library presentations, which includes the state library and the Montana Repertory Theatre and the Library has 6 partnership presentations. The collaborative outcomes were the completion of the building exterior with significant help from the City of Lewistown. The landscaping and update the meeting room bathroom was completed with help from the Friends of the Library. The Library has been able to offer some unique programming and cultural events with the help of Snowy Mountain Development Corporation, the State Library and other community partners. Ms. Buehler commented that inspiration is where connection and collaboration meet and this is what the Library can provide the community. The Library hopes to encourage individual inspiration which is to ignite the passion for lifelong learning and provide a gracious space for that learning. The Library encourages community inspiration where the library is a hub of cultural, educational, recreational and informational services. The Library has provided these services to the community for 113 years. The Library can inspire the community through actual economic value because there is economic value when you increase the quality of life. The Library Board has created a forward-thinking strategic plan. The main objectives of the strategic plan is to cultivate and inspire community engagement. Deliver quality services to expand central Montana's access to reading personal growth and learning. To build partnerships to make a difference in people's lives and the community they live in, optimize funding of the Library services and operation with diverse sustainability and lastly attractive, functional and accessible facility. The American Library Association advocacy line is libraries = strong communities.

7. Discussion and action on the City's contribution to the Library for fiscal year 2018-2019

Ms. Phelps explained that she has met with the Interim Library Director and the Library Board Chair several times over the last several weeks. They have prepared some financial information that they would like to go over with the Commission. Ms. Buehler explained that the two pie charts which outlined the budgeted revenue and expenditures for the budget. The expenditure budget does include the union wage increases that were approved at tonight's meeting. The total budgeted cost for personnel is \$279,285. Ms. Buehler commented that the Library Board is aware that they have a deficit in their budget and acknowledge that it does not balance. Ms. Buehler presented three suggestions for the contribution to the Library. Finance Officer Brummond reviewed the breakdown of the revenues the Library received this past fiscal year. The expenditure report was reviewed and it does include the increased union salaries that were just approved. Ms. Phelps commented that overall there really are not many changes to the operational expenses for the Library. Further discussion followed. Commissioner Loomis asked if the Library was short staffed. Ms. Buehler answered yes the Library is short one employee but the budget includes a full staff. Further discussion followed on Library trust account. Ms. Brummond explained that for many years the Commission has contributed \$5,000 toward the Library Depreciation account as a match for the Library to contribute \$5,000. This is how the outside of the Library was paid for. The decision to give the contribution to the Library is done by a motion of the City Commission. Commissioner Turk asked if the money the Commission contributes comes out of the general fund and the contribution by the Library comes out of the Library Trust because the depreciation account is for capital improvements. There was some discussion on the author dinner and the chili bowl fundraisers are to fund the summer reading program. Ms. Buehler commented that she has been doing some research regarding the County and City funding for the Library and she did find that several years ago there was an agreement between the City and County but that is something for the future and does not help with the budget that is being discussed. Ms. Buehler explained the options she is bringing before the Commission

for funding. One is to have the City fund the employee's expenses 100% which would be an 35% increase in the City's contribution. The other option would be for the City to gradually increase their contribution by 11% for the next three years to get at 100% employee funding by the City. Further discussion followed. Ms. Brummond recommended the Commission to table this item and give the City Manager some direction on what the Commission would like to see for the Library contribution. Ms. Brummond would like suggest a special meeting next Monday, August 13th. Commissioner Byerly commented that he would make a motion to give a 5% increase which is what the Civic Center's bottom line is increasing, but this does not solve the Library's issue. Ms. Phelps commented that the Library came in and asked the City Commission for a 35% increase and the County Commissioners are just giving a CPI increase and would like to keep the communication open with the County Commissioners of the concerns of the Library funding. Commissioner Doney commented that she is fine with a 5% increase but is also okay to table the item and get some more input. Ms. KellyAnne Terry explained that the County does mill for the Library, but a portion of the mill also goes to the other three libraries in the County. Commissioner Byerly made the motion to table this item and Commissioner Doney seconded the motion. Commissioner Turk asked for comments from the audience and Commission. There is none, the question was called for and the motion passed unanimously. The Commission will have a budget work session on August 13, 2018.

8. Discussion and action on Resolution No. 3971, a resolution requesting distribution of bridge and road safety and accountability program funds

Ms. Phelps explained that the legislature created and approved HB 473, which created the Bridge and Road Safety and Accountability Account. This requires the Montana Department of Transportation to allocate accrued funds to cities for construction, reconstruction, maintenance and repair of city streets and alleys that the City is responsible to maintain. This allocated additional gas tax funds and the City of Lewistown has approximately \$49,000 that can be given to the City of Lewistown for an eligible project. The eligible project is the City annual street improvement project which is also used for the 5% required match. Commissioner Hewitt made the motion to approve Resolution No. 3971, a resolution requesting distribution of bridge and road safety and accountability program funds and Commissioner Loomis 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.

9. Discussion and action on the purchase of the lights for Creekside

Ms. Phelps explained that there are 23 lights proposed in the Creekside development. The City's purchasing policy requires any purchases over \$15,000 must come before the Commission for approval and three bids are required. The lights are models after the historic lights on main street and have single head and double head fixtures, some will also have an outlet for accessory power. Ms. Phelps is recommending purchasing the lights from Mel Northey Co out of Ohio. Mel Northey Co are able to provide LED lights and it is more of a commercial grade product. The engineers estimate for these lights is \$28,000. Commissioner Doney made the motion to approve the purchase of the lights for the Creekside development from Mel Northey Co 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.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Turk asked all of the Commissioners to take some time and prepare the performance evaluation of the City Manager. The evaluation will be at the August 20, 2018 meeting.

Commissioner Loomis would like to put the Fireworks ordinance back on the agenda at some point. Commissioner Doney answered that the intention was to discuss it after the first of the year because there is still one more opportunity for citizens to do fireworks.

ADJOURNMENT

Chairman Turk adjourned the meeting.

Dated this 6th day of August, 2018.

Patty Turk, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk