

**A REGULAR COMMISSION MEETING OF JUNE 17, 2019 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, Hewitt, Loomis, Oldenburg and Turk. Commissioners Byerly and Dunnington were absent.

**APPROVAL OF MINUTES**

Commissioner Hewitt made the motion to approve the June 3, 2019 minutes as corrected and Commissioner Loomis seconded the motion. The motion passed unanimously.

**PROCLAMATIONS**

There were none.

**BOARD AND COMMISSION REPORTS**

Commissioner Hewitt reported that she attended the most recent Airport Board meeting and the Airport Manager position has been reopened. Commissioner Hewitt reported that two resumes have been submitted so far. Commissioner Hewitt reported that the local Fish Wildlife & Parks are wanting to build a building and have asked for property near the water tower, but the state level of Fish Wildlife & Parks will decide if it is okay. The general maintenance of all the equipment is complete. Commissioner Hewitt reported the WTI have been moving some of their properties out of the buildings and OPI is wanting a separate contract.

Commissioner Doney reported that the Library Board met on June 13<sup>th</sup>. There are a lot of people signed up for the summer reading program. The walking summer reading club is big and going well. The board toured the building and saw where the seepage was on the outside of the building. There is some warranty and will be working with the contractor that did the stucco work. The Library Director has obtained a grant for windows.

Commissioner Doney reported that the Ordinance committee will be meeting on June 24<sup>th</sup> at 10 am to start reviewing the Cemetery ordinances.

Commissioner Loomis reported that the Park and Recreation Board met on June 5<sup>th</sup>. The group Make It Happen would like to have a community event to bring non profits together and any businesses that would like to show their wares. City Manager Phelps stated that the event is in the process of being moved. Commissioner Loomis reported that Walleyes Unlimited are looking at the possibility of a ADA ramp for East Fork.

Commissioner Oldenburg reported that the Central Montana Foundation will be meeting on June 25<sup>th</sup>.

**CITY MANAGER REPORT**

City Manager Holly Phelps reported on the following issues:

The Park and Recreation Board has scheduled a work night at East Fork. They will be working out there June 26<sup>th</sup> beginning at 5:30 pm. The Park and Recreation Department spent time cleaning up East Fork. They have been assisted by the Public Works Department, maintenance staff and the parks maintenance contractor on projects up at East Fork.

There are several groups interested in purchasing new banners to display on the light post hardware in the downtown. The Planning Department is working with these organizations to approve the banners and coordinate when they will be displayed.

The gym floor at the Civic Center has recently been finished. This has made a huge different in the overall look of the gym. The floor looks amazing and now you can see the quality workmanship that was done when the floor was originally installed.

Century construction plans to start patching sometime this next week. They are also doing the civil work at the Town and Country site. The installation of water lines in H Street should begin in late July.

The school district dropped off a request for some improvements to the area around the Junior High. The letter is included in your packet. The Department Heads are reviewing their request and once a recommendation is determined it will be brought before the Commission for action.

The Library exterior repairs have been complete for about a year. Dani is working with the Stucco contractor to address a couple of warranty items. There were also several maintenance and repair items were pointed out. These improvements should be done to ensure that there is proper drainage away from the building. Dani is also working with contractors to do additional improvement to the building.

Public Works Director JR Killham is working on finalizing the Riverdale sewer project. Next week there will be a 11 month walk through. There is a one year warranty period for this project and this will be the last opportunity to check the project and make sure everything is working and the area has been cleaned up.

There will be an awards ceremony tomorrow June 18<sup>th</sup> at 1 p.m. Former Police Chief Cory Birdwell nominated Chief Justin Jenness and Sergeant Levi Talkington for the Medal of Honor from the State of Montana's Montana Police Protective Association. The officers responded to a fire where a woman had locked herself in a room and because of their actions they saved her life during the call.

**PUBLIC COMMENT – on non-agenda items**

There were none.

**CONSENT AGENDA**

Commissioner Doney made the motion to approve the consent agenda and Commissioner Oldenburg seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from May 31, 2019 to June 12, 2019 for a total of \$225,470.52.

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

1. Discussion and action on awarding the East Fork North bid for three years

City Manager Phelps explained that the City put all three properties located at East Fork out to bid for lease the end of May. The City leases these properties for three years with the option to lease for another

three years. The City did not receive any bids for the East Fork North and South property prior to the deadline. Once the deadline passes the City did receive a bid for both the North and South properties and both bids were for the minimum bid and submitted by Paul Ritchey. City Manager Phelps explained that there are several restrictions listed in the lease and the number of AUM's that can be run on the property City Manager Phelps recommended awarding the bid to Paul Ritchey. Commissioner Turk asked how many acres each parcel was. City Manager Phelps answered the North property is 21 acres and the South property is 57 acres. Commissioner Turk asked if Mr. Ritchey has ever leased this property before and are, they given the animal units. City Manager Phelps answered no he has never leased the property and the animal units are outlined in the lease and the City requires a grazing plan be submitted upon approval of the lease and each following. Commissioner Doney made the motion to approve awarding the East Fork North lease to Paul Ritchey and Commissioner Loomis seconded the motion. Commissioner Turk asked for comments and questions from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

2. Discussion and action on awarding the East Fork South bid for three years

City Manager Phelps explained that the East Fork South lease is a haying lease and there are two parcels south of the dam and adds up to 57 acres. The bid is \$1,000 per year or \$40 per ton whichever is higher. City Manager Phelps answered that the bid needs to be based on yield. Commissioner Turk asked if animals can be grazed when not haying. City Manager Phelps answered this is strictly a haying lease. Commissioner Loomis made the motion to approve awarding the East Fork South lease to Paul Ritchey and Commissioner Hewitt seconded the motion. Commissioner Turk asked for comments and questions from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

3. Discussion and action on accepting the 2019 Recreation Trails Program grant and authorizing the City Manager to sign the agreement

City Manager Phelps explained that earlier this spring the Friends of the Trail applied for a Recreational Trails Program grant in the amount of \$20,500. The Friends of the Trail have been awarded the grant and it will be used for a bridge on the Machler trail over Reed creek. The Friends of the Trail have agreed to match the grant with \$10,500 in matching funds. City Manager Phelps explained that in the past the Friends of the Trail took care of the grants, but due to a recommendation from the auditors all these grants should be run through the City for better record keeping. Commissioner Oldenburg made the motion to approve the 2019 Recreation Trails Program grant and authorizing the City Manager to sign the agreement and Commissioner Doney seconded the motion. Commissioner Turk asked for comments and questions from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

4. Discussion and action on entering into a purchase, general release and settlement agreement with Marvin Beck and authorizing the City Manager to sign the agreement

City Manager Phelps explained that the City acquired the Railroad property in 2007 and for some reason this parcel was not transferred into City ownership. Mr. Beck continued to pay property taxes on land and he owns the buildings. City Manager Phelps further explained that Mr. Beck wanted to acquire the property by adverse possession because he had been paying the taxes. City Manager Phelps stated that herself and the City Attorney has been working with Mr. Beck on this issue and did work with the Department of Revenue and was able to get some of the taxes that were paid back to Mr. Beck. City Manager Phelps reported that the estimate value of the property was \$25,000 and now the agreement is at \$15,000. City Manager Phelps further reported that the building would be a great place for storage for the Park and Recreation Department. There was discussion on the Marv Beck property. Commissioner

Oldenburg made the motion to approve entering into a purchase, general release and settlement agreement with Marvin Beck and authorizing the City Manager to sign the agreement and Commissioner Loomis seconded the motion. Commissioner Turk asked for comments and questions from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

5. Discussion and action on approving Resolution No. 3994, a resolution electing to participate in the Montana Voluntary Employee Beneficiary Association Health Benefit Plan established by the State of Montana Department of Administration also known as “Montana VEBA HBP”

City Manager Phelps explained that as a municipality the City has access to the State of Montana’s Voluntary Employee Beneficiary Association Health Benefit Plan. City Manager Phelps stated that what that means is upon retirement as employees we can elect to create a group that an elect to put their vacation and sick leave in essential a health saving plan. If the Commission passes this resolution tonight it is just giving the option for City staff to create a group. The biggest benefit is the tax benefit the employee gets 100% of the value with no taxes. City Manager Phelps stated that this is voluntary, but we did have some training here in Lewistown for the employees in conjunction with the County.

Commissioner Oldenburg made the motion to approve Resolution No. 3994, a resolution electing to participate in the Montana Voluntary Employee Beneficiary Association Health Benefit Plan established by the State of Montana Department of Administration also known as “Montana VEBA HBP” and Commissioner Doney seconded the motion. Commissioner Turk asked for comments and questions from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

6. Discussion and action on awarding a 2019 concrete recycling bid

City Manager Phelps explained that from time to time the City crushes concrete to be used for different things like road base and fill. The City is out of it and this is a great way to recycle. Public Works Director Killham commented that this is truly a recycling project and it is a great product to use. The City received to competitive bids from Casino Creek Concrete and Bridgford Industries. The concrete that is currently up there is from City projects and is better to be crushed than trying to dispose of it.

Commissioner Loomis made the motion to approve awarding the 2019 concrete recycling bid to Casino Creek Concrete and Commissioner Oldenburg seconded the motion. Commissioner Turk asked for comments and questions from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

7. Discussion and action on approving Resolution No. 3995, a resolution discontinuing a portion of Corcoran Street between Miller Street and Spring Creek and Block 9 and Block 10 of the Riverdale Addition to the City of Lewistown

City Manager Phelps explained that Mike and Ramona Chamberlain own several pieces of property at the dead end of East Corcoran. The Chamberlains wanted to put a new trailer on their property back in the 1980’s and went through the process to abandon a portion of Corcoran Street. The process was completed and approved by City Council but no paperwork was recorded. City Manager Phelps explained that it is very clear that this was approved and would like to approve the Resolution to formalize and record the actions of the intentions of the City Council from 1980.

Commissioner Doney made the motion to approve Resolution No. 3995, a resolution discontinuing a portion of Corcoran Street between Miller Street and Spring Creek and Block 9 and Block 10 of the Riverdale Addition to the City of Lewistown and Commissioner Hewitt seconded the motion.

Commissioner Turk asked for comments and questions from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

**CITIZENS' REQUESTS**

Mr. Richard Battrick asked when they will find a new airport manager and if we will get airport service. Commissioner Hewitt explained that the airport gave up their 139 and will not have airport service again. The airport manager is retiring and is continuing to look for a manager. The need for an airport manager is needed for the leases, the maintenance of the land and the property.

**COMMISSIONER'S MINUTE**

Commissioner Loomis reported that there was illegal slurry being dumped at the Frog Ponds parking lot.

Commissioner Oldenburg reported that the beavers are starting to take down the huge trees in Robinson Park and feels that something should be done. Commissioner Turk asked if you can rehome beavers. Public Works Director Killham reported that we have an Urban Beaver common and they have ringed many of the trees behind Eagles Manor. Some of the things that can be done is to put netting around the trees and it would be very hard to do this in the areas of the Frog Ponds and Eagle's Manor. Public Works Director Killham said that there are two options and one if finding someone to trap the beavers or live trap and relocate them. Once the beavers are removed the dams can be destroyed. Commissioner Doney asked if we could get a cost of what it would take to remove the beavers.

**ADJOURNMENT**

Chairman Turk adjourned the meeting.

Dated this 17<sup>th</sup> of June 2019.

\_\_\_\_\_  
Patty Turk, Commission Chairman

ATTEST:

\_\_\_\_\_  
Nikki Brummond, City Clerk