

COMMITTEE OF THE WHOLE

OCTOBER 7, 2024

6:00 PM

1. Presentation on the 2024 Lewistown Land Use Plan

Citizen Participation

The Lewistown City Commission welcomes you to its public meeting. The Commission appreciates your participation and values your input in our decision-making process. Your input and suggestions are important to the Commission as we discuss important issues affecting all of us in Lewistown.

We ask that you silence your cell phone before the meeting begins and please refrain from using your cell phone during the meeting. Thank you.

The City Commission thanks public members for respectfully and courteously providing constructive and valuable information.

The Public is invited to speak on any issue under discussion by the Commission, after recognition by the presiding officer.

Public members who are recognized by the presiding officer shall:

- *Stand*
- *Give his/her name and address for the record*
- *If applicable give the person, firm, or organization he/she represents*
- *Address comments to the presiding officer and not to individual members or staff*
- *Limit comments to the matter of fact listed on the agenda unless recognized in the 'Citizen Requests' portions*
- *Keep comments brief to ensure adequate time for additional comment and commission business*
- *Prepared statements are welcome and should be given to the Clerk of the Commission. Prepared statements that are also read, however, may be deemed unduly repetitious if they are lengthy. All prepared statements shall become part of the official record.*

In the event that there is a large number of people wanting to comment in a meeting or hearing, the presiding officer reserves the right to impose a time limit on comments to ensure adequate time for public comment and Commission business.

Impertinent or slanderous remarks towards city officials, staff or other members of the public, or other boisterous, disorderly or disruptive behavior during a Commission meeting are not permitted. Swearing, derogatory language, threats, personal attacks, heckling or similar behavior may be considered impertinent and/or disruptive. Any person exhibiting such behavior during the Commission meeting may be admonished to cease that behavior or risk being asked to vacate the Commission chambers. If such behavior continues after the admonishment, the presiding officer may request that person to vacate the Commission chambers, unless permission to remain is granted by vote of the Commission.

NOTICE FOR, AND AGENDA FOR, A MEETING OF THE CITY COMMISSION, CITY OF LEWISTOWN, OCTOBER 7, 2024 AT 7:00 P.M. AT THE CENTRAL MONTANA COMMUNITY CENTER LOCATED AT 307 W WATSON

To participate virtually the options are as follows:

To join by zoom: <https://zoom.us/j/8486275925?pwd=dTVGbndDK253ZUJLMjRuZXU5QVpMdz09>

Meeting ID: 848 627 5925 Passcode: 59457

To participate by phone: dial (253) 215-8782 Meeting ID: 848 627 5925 Passcode: 59457

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES – September 3, 2024 & September 16, 2024

COURTESIES

PROCLAMATIONS

BOARD AND COMMISSION REPORTS

CITY MANAGER REPORT

PUBLIC COMMENT – non agenda items

CONSENT AGENDA

Acknowledgement of the claims that have been paid from September 14, 2024 to September 30, 2024 for a total of \$286,962.37

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

1. Public hearing to hear comments on the 2024 Lewistown Land Use Plan
2. Discussion and action on Resolution No. 4171, a resolution on approving the 2024 Lewistown Land Use Plan (Action: approve, disapprove or amend Resolution No. 417) City Manager Holly Phelps
3. Public hearing to hear comments on a conditional use application from the Broadway Apartment Development Venture, to construct 18 apartments at the property located at 204 6th Avenue S, in Lewistown
4. Discussion and action on conditional use application from the Broadway Apartment Development Venture, to construct 18 apartments at the property located at 204 6th Avenue S, in Lewistown (**Action: approve, disapprove or amend conditional use application from the Broadway Apartment Development Venture**) City Manager Holly Phelps
5. Public hearing to hear comments on a conditional use application from the Lewistown Art Center to construct one apartment at the property located at 323 W Main Street, in Lewistown.
6. Discussion and action on approving a conditional use application from the Lewistown Art Center to construct one apartment at the property located at 323 W Main Street, in Lewistown (**Action: approve, disapprove or amend conditional use application from the Lewistown Art Center**) City Manager Holly Phelps

7. Discussion and action on Resolution No. 4172, a resolution approving an application from Chaney Bowen for TIF Funds made to the Lewistown Tax Increment Financing District Board (**Action: approve, disapprove or amend Resolution No. 4172**) City Manager Holly Phelps

8. Discussion and action on a Resolution No. 4173, a resolution adopting the 2024-2029 Montana Central Region Hazard Mitigation Plan (**Action: approve, disapprove or amend Resolution No. 4173**) City Manager Holly Phelps

9. Discussion and action on awarding the bid for the Lewistown Headworks replacement – 2024 project (**Action: approve, disapprove, or amend awarding bid for headworks replacement**) City Manager Holly Phelps

10. Discussion and action on approving Resolution No. 4174, a resolution stating the intention of the City Commission to amend the 2024-2025 budget of the City of Lewistown (**Action: approve, disapprove or amend Resolution No. 4174**) City Manager Holly Phelps

CITIZENS' REQUESTS

COMMISSIONER'S MINUTE

ADJOURNMENT

* All citizens are invited to make comment on any agenda item prior to action being taken by the Commission

RESOLUTION NO. 4171

A RESOLUTION ADOPTING THE 2024 LEWISTOWN PLAN

WHEREAS the Montana Land Use Planning Act as set forth in Montana Code Annotated Title 76, Chapter 25, requires continuous public participation be provided in the adoption, amendment, or update of a land use plan or implementing regulations.

WHEREAS the Montana Land Use Planning Act provides the broadest and most comprehensive level of collecting data, identifying and analyzing existing conditions and future opportunities and constraints, acknowledging and addressing the impacts of development on each jurisdiction, and providing for broad public participation, § 76-25-102(3)(a), Mont. Code Ann.

WHEREAS the Montana Land Use Planning Act serves as the basis for implementing specific land use regulations that are in substantial compliance with the local land use plan, § 76-25-102(3)(b), Mont. Code Ann.

WHEREAS the Montana Land Use Planning Act provides for local government approval of development proposals in substantial compliance with the land use plan, based on information, analysis, and public participation provided during the development and adoption of the land use plan and implementing regulations, § 76-25-102(3)(c), Mont. Code Ann.

WHEREAS the Montana Land Use Planning Act allows for streamlined administrative review decision making for site-specific development applications, § 76-25-102(3)(d), Mont. Code Ann.

Whereas the Montana Land Use Planning Act provides that local government shall provide continuous public participation when adopting, amending, or updating a land use plan or regulations pursuant to the Montana Land Use Planning Act. Public participation in the adoption, amendment, or update of a land use plan or implementing regulations must provide for, at a minimum:

- (i) dissemination of draft documents;
- (ii) an opportunity for written and verbal comments;
- (iii) public meetings after effective notice;
- (iv) electronic communication regarding the process, including online access to documents, updates, and comments; and
- (v) an analysis of and response to public comments.

§§ 76-25-106(1)(a) and (b), Mont. Code Ann.

WHEREAS the City of Lewistown implemented a public outreach plan by conducting public outreach workshops and public meetings as describe in the Public Participation Plan

WHEREAS on September 25, 2024, the Board of Fergus County Commissioners held a public hearing regarding the 2024 Lewistown Plan and upon motion, unanimously supported of the 2024 Lewistown Plan.

WHEREAS the Lewistown City Commission has duly considered the 2024 Lewistown Plan and public comment regarding the 2024 Lewistown Plan and find that adoption of the plan is in the best interests of the City of Lewistown and within the meaning of the Montana Land Planning Use Act; and

NOW, THEREFORE, BE IT RESOLVED, that the Lewistown City Commission hereby adopts the 2024 Lewistown Plan, as an official land use plan pursuant to the Montana Land Use Planning Act.

PASSED AND APPROVED by the Lewistown City Commission on the ____ day of _____ 2024.

KellyAnne Terry
Chair of the Commission

ATTEST:

Nikki Brummond, City Clerk



CONDITIONAL USE APPLICATION No. _____

CONDITIONAL USE PERMIT

The applicant listed below is applying for a conditional use permit. The intent of conditional use permits is to provide for specific uses, other than those specifically permitted in each district, which may be appropriate in the district under certain safeguards or conditions. She/he certifies that information contained in the application and attachments are valid. In addition to the application, the landowner must submit required exhibits, plans, and data as noted in Section 11-6-4 of the Lewistown Zoning Ordinance.

Owner: Broadway Apartments Development Venture, LLC

NAME OF APPLICANT/OWNER: Applicant: IMEG Consultants Corp., Matt Suek DATE: 7/29/2024

MAILING ADDRESS: PO Box 2203 Billings, MT 59103 BUSINESS PHONE: 406-896-0250

HOME PHONE: same as business #

PROPERTY LOCATION (PHYSICAL ADDRESS): 204 6th Ave North, Lewistown, MT 59457

LEGAL DESCRIPTION:

LOT # 11, 12, & E 20' of 10 BLOCK # 11 Stafford Addition (Lewistown) SUBDIVISION

ZONING DISTRICT: C2 (Central Business)

INTENT OF CONDITIONAL USE: Apartment Building with 18 units

TYPE OF STRUCTURE: ☒ EXISTING ☐ PROPOSED

WILL STRUCTURAL ALTERATIONS BE MADE TO EXISTING STRUCTURE?

☐ YES ☒ NO IF "YES", PLEASE ATTACH PLANS

ANY RESTRICTIVE COVENANTS APPLICABLE TO PROPERTY?

☐ YES ☒ NO IF "YES", PLEASE ATTACH COPY

STATEMENT OF UNDERSTANDING

I understand that the Lewistown Zoning Commission will review my application and make a recommendation to the City Commission. If the Commission approves my request, I must utilize the conditional use permit privileges within either the six (6) month or eighteen (18) month time periods noted in Section 11-6-10 of the Lewistown Zoning Ordinance, with the exception of extensions or the permit will automatically become void. The property covered by an approved conditional use permit will not be used for any purpose other than that authorized by the permit unless modified as provided in Section 11-6-11 of the Lewistown Zoning Ordinance. I certify that the information contained in this application and attachments are valid.

Pamela Hager
Signature

8/13/24
Date



CONDITIONAL USE APPLICATION No. _____

CONDITIONAL USE PERMIT APPROVAL CHECKLIST

TO BE COMPLETED BY THE APPLICANT

Hours business will be opened: n/a - proposed residential Days business will be opened: n/a

Estimate number of customers per day: n/a

Will goods/materials be delivered to house? _____YES _____☒NO

If yes, how often and by what means: n/a

Will this business create any type of odor or noise (i.e. equipment usage):

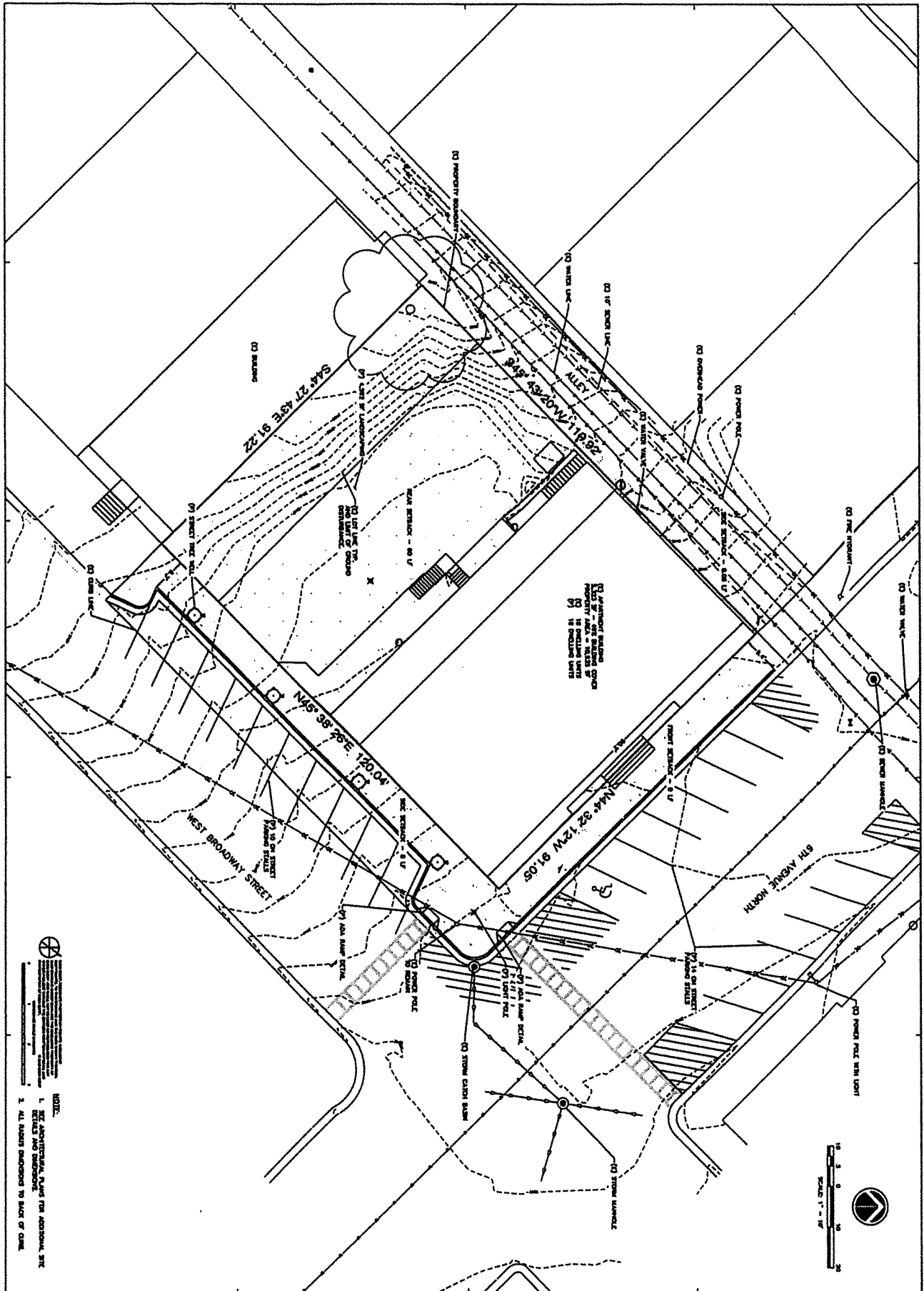
_____YES _____☒NO If yes, please explain: n/a

Are there any off-street parking spaces available? _____YES _____☒NO

If yes, how many: _____

Do you plan on putting a sign up advertising the business? _____YES _____☒NO

If yes, please provide a rough sketch below and refer to #5 on next page outlining Lewistown Sign Regulations.



1. SEE ARCHITECTURAL PLANS FOR ADDITIONAL SITE DETAILS AND DIMENSIONS.
 2. ALL NOTES SUBORDINATE TO BACK OF DRAWING.



HIGH PLAINS
ARCHITECTS

1000 WEST 10TH AVENUE
DENVER, COLORADO 80202
TEL: 303.733.1111
WWW.HIGHPLAINSARCHITECTS.COM

DESIGNED BY: J.E.L.
PROJECT NO.: 2000022
DATE: April 18, 2011
NOTES:

SITE PLAN
 BROADWAY APARTMENTS REMODEL
 204 6th Ave North, Lewistown, MT 59457



IMEG

LAND SURVEYING
ENGINEERING
CONSULTING

NOT FOR CONSTRUCTION



CONDITIONAL USE APPLICATION No. _____

(ADMINISTRATIVE ACTION)

DATE PAYMENT RECEIVED: 8/15/24

FEE PAID (\$100) ✓

PUBLIC HEARING DATES: 9/19 ZONING COMMISSION _____ CITY COMMISSION _____

LEWISTOWN ZONING COMMISSION RECOMMENDATION

_____ APPROVED PERMIT

X CONDITIONALLY
APPROVED PERMIT

_____ DENIED PERMIT

CONDITIONS:

Must meet other
city code provisions

REASON FOR DENIAL:

CITY COMMISSION DECISION

_____ APPROVED PERMIT

_____ CONDITIONALLY
APPROVED PERMIT

_____ DENIED PERMIT

CONDITIONS:

REASON FOR DENIAL:

Planning Department
City of Lewistown

Date



City of Lewistown
Planning Department

Application #

CUP 24-2

CONDITIONAL USE PERMIT APPLICATION
CITY OF LEWISTOWN

The applicant listed below is applying for a conditional use permit. The intent of conditional use permits is to provide for specific uses, other than those specifically permitted in each district, which may be appropriate in the district under certain safeguards or conditions. She/he certifies that information contained in the application and attachments are valid. In addition to the application, the landowner must submit required exhibits, plans, and data as noted in Section 11-6-4 of the Lewistown Zoning Ordinance.

NAME OF APPLICANT: Lewistown Art Center DATE: 7/9/2024

MAILING ADDRESS: 323 W Main St. BUSINESS PHONE: 406 464 4054

PROPERTY OWNER (IF OTHER THAN APPLICANT): Lewistown Art Center

MAILING ADDRESS: 323 W Main St. BUSINESS PHONE: 406 464 4054

HOME PHONE: Same

PROPERTY LOCATION:

LOT # 012 BLOCK # D-13 Geo Code - 08-2467-15-1-16-11-0060 SUBDIVISION
Lewistown Original townsite, S15, T15N, R18E, BLOCK D-13, LOT 01

ZONING DISTRICT CLASSIFICATION: C2

INTENT OF CONDITIONAL USE:

Application for a single ~~space~~ apartment in structure

TYPE OF STRUCTURE: X EXISTING _____ PROPOSED _____

WILL STRUCTURAL ALTERATIONS BE MADE ON EXISTING STRUCTURE?

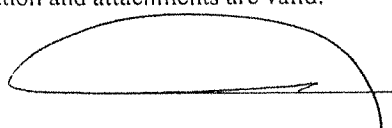
_____ YES X NO IF "YES", PLEASE ATTACH PLANS

ANY RESTRICTIVE COVENANTS APPLICABLE TO PROPERTY?

_____ YES X NO IF "YES", PLEASE ATTACH COPY

STATEMENT OF UNDERSTANDING

I understand that the Lewistown Zoning Commission will review my application and make a recommendation to the City Commission. If the Commission approves my request, I must utilize the conditional use permit privileges within either the six (6) month or eighteen (18) month time periods noted in Section 11-6-10 of the Lewistown Zoning Ordinance, excepting extensions or the permit will automatically become void. The property covered by an approved conditional use permit will not be used for any purpose other than that authorized by the permit unless modified as provided in Section 11-6-11 of the Lewistown Zoning Ordinance. I certify that the information contained in this application and attachments are valid.


Signature
Date 7/9/2024
Jacob Latray Vice-Chair
Board of Directors
(ADMINISTRATIVE ACTION)

DATE RECEIVED: 7-9-24 FEE PAID (\$ 100) ☒

PUBLIC HEARING DATE(S): 9-19-24

LEWISTOWN ZONING COMMISSION RECOMMENDATION:

☐ APPROVED PERMIT

☐ CONDITIONALLY
APPROVED PERMIT

☒ DENIED PERMIT

CONDITIONS:

REASON FOR DENIAL:

Not consistent
with businesses

CITY COMMISSION DECISION:

☐ APPROVED PERMIT

☐ CONDITIONALLY
APPROVED PERMIT

☐ DENIED PERMIT

CONDITIONS:

REASON FOR DENIAL:

Planning Director
City of Lewistown

Date

RESOLUTION NO. 4172

A RESOLUTION APPROVING AN APPLICATION FROM
CHANNEY BOWEN FOR TIF FUNDS MADE TO THE
LEWISTOWN TAX INCREMENT FINANCING DISTRICT
BOARD

WHEREAS, the Lewistown City Commission has adopted Ordinance No. 1748 – An Ordinance establishing the Lewistown Urban Renewal Area, creating the Lewistown Urban Renewal District and adopting the Lewistown Urban Renewal District Plan; and

WHEREAS, by Resolution number 3903 the City created an Urban Renewal Agency per 7-15-4232 Montana Codes Annotated (MCA), which was designated as the “Lewistown Improvement District Board” to engage in activities authorized in 7-15-4234 MCA and provide administrative functions; and

WHEREAS, the Commission re-designated the “Lewistown Improvement District Board” as the “Lewistown Tax Increment Financing District Board” by Resolution 3923; and,

WHEREAS, the Commission appointed a Lewistown Tax Increment Financing District Board (hereafter, the “TIF Board”) in order to manage the Lewistown Urban Renewal District created by Ordinance 1748; and,

WHEREAS, the TIF Board oversees the operation of the Lewistown Urban Renewal District, including public purpose activities; promotional activities; façade building conservation and loan programs; and administrative functions; and,

WHEREAS, the TIF Board exercises those powers authorized by law as specified in Resolution 3923; and,

WHEREAS, the TIF Board has developed the Lewistown TIF District (LTD) Program whereby qualified applicants may apply for TIF District Program Funds for assistance in redevelopment or rehabilitation of properties within the Urban Renewal District; and,

WHEREAS, through its LTD Program the TIF Board has received numerous applications for TIF District Program Funds, has reviewed the same and, has recommended approval of several applicants for those funds; and,

WHEREAS, the City Commission has retained final budgetary authority for TIF program activities.

NOW, THEREFORE, BE IT RESOLVED, that the Lewistown City Commission hereby approves the following applications for TIF District Program Funds as recommended by the TIF Board:

1. A grant of up to \$13,155.50, to the Chaney Bowen, for facade improvements to the property located at 210 W. Water Street, in Lewistown.

BE IT FURTHER RESOLVED, that prior to disbursement of any TIF funds, all applicants shall enter into such Development Agreements as established and approved by the TIF Board.

PASSED AND APPROVED this 7th day of October 2024.

KellyAnne Terry, Chairperson
Lewistown City Commission

Attest:

Nikki Brummond
City Financial Officer/Clerk

City of Lewistown
Application
Tax Increment Financing District (TIF)

Project Name: Water Street Triplex Date Submitted: _____

A) Applicant Information:

Name: Charney Bowen

Address: 1276 Tenni Rd

City/ST/Zip: Lewistown, MT, 59457

Telephone Number(s): 406 633 5479

Email: bawenhh@gmail.com

If the applicant is not an individual doing business under his/her own name, the applicant has the status indicated below and is organized or operating under the laws of:

- ☐ A Corporation
- ☐ A nonprofit or charitable institution or corporation
- ☐ A partnership known as _____
- ☐ Other (explain) _____

B) Project Information:

Building Address: 210 W Water

Legal Description: Lewistown tracts, S15, T15N, R18E, Tracts 185 and 186

Lot & Block Location: _____

Existing/Proposed Business: Tri plex - multi family rental

Business Description:

3 unit property built in 1912. Interior has recent updates but exterior is rough. Currently all 3 units are rented out.

Project Description

210 W Water street is a Triplex built in 1912, it is 2779 sq ft. There are 2-1 bedroom 1 bath units upstairs and the main level is 2 bed 2 bath. Laundry is in the basement. There is parking off the street and on the street. Flooring and bathrooms were updated in both units in 2023. Currently the siding material is wood siding with lots of peeling paint. There is some weather damage showing due to snow sitting up against it and moisture splashing against it.

My wife and I have owned this property since December of 2022 and have been working on it off and on since then. We want to provide a place for people to live that they can be happy to come home to and proud to bring others too. Currently it looks pretty rough on the exterior. We will be taking off all the current siding ourselves to save on the expenses and prep for the siding crew.

City of Lewistown
Application
Tax Increment Financing District (TIF)

Eligible Improvements Cost Worksheet Under TIF Program

List eligible items that pertain to the project that falls under TIF Program Policies (list beginning on page 1). If in doubt about an item's eligibility, include it, the board will review items and help determine eligibility. Please include formal contractor bids to establish costs. *There is no guarantee that additional costs beyond what is listed here will be covered.*

1.	LP Siding Material	\$ 14,580
2.	LP siding Install	\$ 11,340
3.		\$
4.		\$
5.		\$
6.		\$
7.		\$
8.		\$
9.		\$
10.		\$
11.		\$
12.		\$
13.		\$
14.	Permitting Fees <u>Lewistown Permit</u>	\$ 391
15.	Other Fees	\$
Total Lewistown TIF District Program Request		\$ 26,311

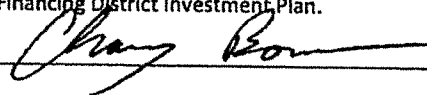
12 960

TIF District Program Award (to be filled out by TIF Administrator)

\$ 13,155.50

To the best of my knowledge and belief, the information provided in this application and in the attached documents is true and correct. The signature attests to my having read, understand and agree to all terms in the Lewistown Tax Increment Financing District Investment Plan.

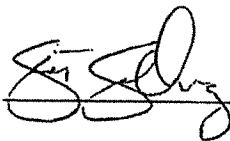
Signature of Applicant:



Date:

8/30/24

Signature of TIF Board Chair:



Date:

9-23-24

RESOLUTION NO. 4173

**A RESOLUTION ADOPTING THE 2024-2029
MONTANA CENTRAL REGION HAZARD MITIGATION
PLAN**

WHEREAS the City of Lewistown recognizes the threat that natural hazards pose to people and property within our community; and

WHEREAS undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

Whereas an adopted Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple Federal Emergency Management Agency pre- and post- disaster mitigation grant programs; and

WHEREAS the City of Lewistown resides within the Planning Area, and fully participated in the mitigation planning process to prepare this Hazard Mitigation Plan; and

WHEREAS the Montana Disaster & Emergency Services and Federal Emergency Management Agency, Region VIII officials have reviewed the 2024-2029 Montana Regional Hazard Mitigation Plan and approved it contingent upon this official adoption of the participating governing body; and

NOW, THEREFORE, BE IT RESOLVED, that the Lewistown City Commission hereby adopts the Montana Regional Hazard Mitigation Plan, as an official plan; and

BE IT FURTHER RESOLVED, the City of Lewistown will submit this Adoption Resolution to the Montana Disaster & Emergency Services and Federal Emergency Management Agency, Region VIII officials to enable the Plan's final approval.

PASSED AND APPROVED by the Lewistown City Commission on the 7th day of October 2024.

ATTEST:

KellyAnne Terry
Chair of the Commission

Nikki Brummond, City Clerk



CIVIL ENGINEERING / PLANNING / SURVEYING

TO: Holly Phelps
City Manager

FROM: Austin Wargo, PE
Design Team Leader

DATE: October 3, 2024

SUBJECT: Lewistown Headworks Replacement - 2024

Dear Holly,

Bids for the Lewistown Headworks Replacement - 2024 project were received and opened on October 2, 2024. We have reviewed those bids and are furnishing the accompanying Certified Bid Tabulations. We have also conducted an engineering check of the bids for conformance to the Contract Document requirements, including the following:

- Mathematical verification of the bid amounts, extensions, and totals. Any mathematical errors are shown or noted on the Bid Tabulations.
- Review of bid forms from the apparent low bidder for proper signature and acknowledgments. No irregularities were noted in the low bid.
- Low bidder included the required executed certifications included in the Official Bid Proposal.
- Review of bid bond from the low bidder. Bid bond appears proper and duly executed.
- Contractor background and experience:

Montana Contractor's license number was provided by the low bidder. It is our opinion that the low bidder is qualified and capable of completing the job. (No further background checks were conducted).

406.447.5000

3147 Saddle Dr. Helena, MT 59601

www.rpa-hln.com

HELENA / KALISPELL / BOZEMAN

Based on the foregoing, we recommend award of the construction contract to the following Contractors, contingent on review and/or concurrence from the City and funding agencies:

Dick Anderson Construction, Inc.

88 Bull Trout RD

Bozeman, MT 59718

Phone: (406) 388-4263

Email: cfrizzell@daconstruction.com

Montana Contractor's Registration #: 4391

Bid Amount Base Bid and Additive Alternate 1: \$3,654,000.00

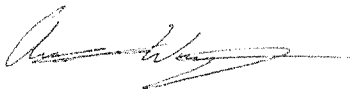
Also included is the following:

1. Copy of the Contractors submitted forms.
2. Certified Bid Tabulations.

Please feel free to contact me at (406) 447-5000 with any questions.

Sincerely,

ROBERT PECCIA AND ASSOCIATES



Austin Wargo, P.E.

Design Team Leader

Enclosures

CERTIFIED BID TABULATIONS
LEWISTOWN HEADWORKS REPLACEMENT - 2024 PHASE
LEWISTOWN, MT



Robert Peccia & Associates
HELENA, MONTANA
3147 Saddle Drive
KALISPELL, MONTANA
102 Cooperative Way, Suite 300
BOZEMAN, MONTANA
602 S. Ferguson Avenue, Suite 5



Austin Wargo, P.E.
Robert Peccia & Associates
10/2/2024

BASE BID				Dick Anderson Construction, Inc. Bozeman, MT				Jackson Contractor Group Missoula, MT				Batte Ridge Builders Belgrade, MT				Engineer's Estimate			
Item No.				Unit Price		Total Price		Unit Price		Total Price		Unit Price		Total Price		Unit Price		Total Price	
Description																			
BASE BID																			
1	1	LS	Modification, Bonding, & Submittals (May not exceed 5% of Total Bid)		\$157,000.00	\$	157,000.00		\$180,957.00	\$	180,957.00		\$215,000.00	\$	215,000.00	\$	143,990.00	\$	143,990.00
1	1	LS	Screening Building Improvements		\$600,000.00	\$	600,000.00		\$857,360.00	\$	857,360.00		\$871,000.00	\$	871,000.00	\$	945,000.00	\$	945,000.00
1	1	LS	Existing Grit Basin and Channel Demolition and Modifications		\$100,000.00	\$	100,000.00		\$265,338.00	\$	265,338.00		\$361,000.00	\$	361,000.00	\$	65,000.00	\$	65,000.00
1	1	LS	Grit Building Site Work		\$200,000.00	\$	200,000.00		\$500,896.00	\$	500,896.00		\$220,000.00	\$	220,000.00	\$	149,645.00	\$	149,645.00
1	1	LS	Grit Building Structural		\$1,221,000.00	\$	1,221,000.00		\$837,217.00	\$	837,217.00		\$1,424,000.00	\$	1,424,000.00	\$	779,080.00	\$	779,080.00
1	1	LS	Grit Building Mechanical		\$590,000.00	\$	590,000.00		\$483,172.00	\$	483,172.00		\$1,056,000.00	\$	1,056,000.00	\$	741,000.00	\$	741,000.00
1	1	LS	Grit Building Electrical		\$164,000.00	\$	164,000.00		\$168,060.00	\$	168,060.00		\$217,600.00	\$	217,600.00	\$	200,000.00	\$	200,000.00
TOTAL BASE BID					\$		3,222,000.00		\$		3,693,000.00		\$		4,384,600.00		\$		3,023,716.00
ADDITIVE ALTERNATE 1																			
A1-1	1	LS	Primary Lift Station Rehabilitation		\$432,000.00	\$	432,000.00		\$428,500.00	\$	428,500.00		\$446,000.00	\$	446,000.00	\$	397,950.00	\$	397,950.00
TOTAL ADDITIVE ALTERNATE 1					\$		432,000.00		\$		428,500.00		\$		446,000.00		\$		397,950.00
TOTAL BASE BID AND ADDITIVE ALTERNATE 1					\$		3,654,000.00		\$		4,121,500.00		\$		4,830,600.00		\$		3,421,665.00

The Engineer's review confirms that all bid tabulations shown above accurately reflect bids as publicly opened and read aloud at the Robert Peccia & Associates, 3147 Saddle Drive, Helena, MT, on October 2, 2024 at 1:00 PM.

BID PROPOSAL SIGNATURE FORM

BIDDER: *[Indicate correct name of bidding entity]*

DICK ANDERSON CONSTRUCTION, INC.

By:

[Signature]

[Printed name]

KYLE KASTELITZ

(If Bidder is a corporation, a limited liability company, a partnership, or a joint venture, attach evidence of authority to sign.)

Attest:

[Signature]

[Printed name]

Toni Aunberg

Title:

Project Assistant

Submittal Date:

10.02.24

Address for giving notices:

88 BULL TROUT RD.

BOZEMAN, MT 59718

Telephone Number:

406-586-0889

Fax Number:

406-388-4263

Contact Name and e-mail address:

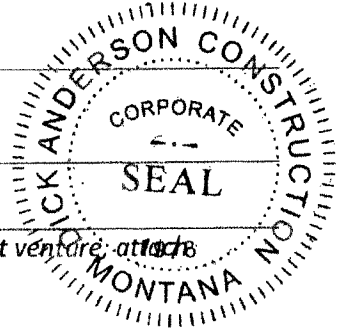
CORY FRIZZELL

406-570-8472

Bidder's License No.:

4391

(where applicable)





DICK ANDERSON CONSTRUCTION, INC.

Corporate Resolution by Directors

The Board of Directors of Dick Anderson Construction, Inc., organized and existing under the laws of the State of Montana, have authorized Kyle Kastelitz as a designated managing member to make, execute and approve on behalf of this Company, any and all contracts and other instruments which may be a part of or incident to such contracts, effective until otherwise ordered by the Board of Directors.

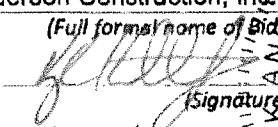
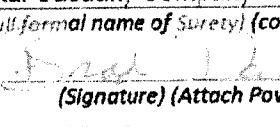
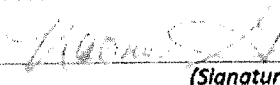
DATED: July 29, 2020

Richard Anderson, Chairman

Martin Schuma, President

Corey McGreevey, CFO

BID BOND (PENAL SUM FORM)

Bidder Name: Dick Anderson Construction, Inc. Address (principal place of business): 88 Bull Trout Rd Bozeman, MT 59718	Surety Name: Continental Casualty Company Address (principal place of business): 151 N. Franklin Street Chicago, IL 60606
Owner Name: City of Lewistown Address (principal place of business): 305 W Watson Street Lewistown, MT 59457	Bid Project (name and location): The Lewistown Headworks Replacement - 2024 Bid Due Date: October 2, 2024
Bond Penal Sum: 10% Ten Percent of Amount Bid Date of Bond: September 23, 2024	
Surety and Bidder, intending to be legally bound hereby, subject to the terms set forth in this Bid Bond, do each cause this Bid Bond to be duly executed by an authorized officer, agent, or representative.	
Bidder Dick Anderson Construction, Inc. (Full formal name of Bidder)	Surety Continental Casualty Company (Full formal name of Surety) (corporate seal)
By:  (Signature) Name: Kyle Kostalet (Printed or typed)	By:  (Signature) (Attach Power of Attorney) Name: Brandi Davis (Printed or typed)
Title: Vice President (Printed or typed)	Title: Attorney-in-Fact (Printed or typed)
Attest:  (Signature) Name: Kristi Hansen (Printed or typed)	Attest:  (Signature) Name: Naomi Gerber (Printed or typed)
Title: Admin. (Printed or typed)	Title: Witness (Printed or typed)
Notes: (1) Note: Addresses are to be used for giving any required notice. (2) Provide execution by any additional parties, such as joint venturers, if necessary.	

1. Bidder and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors, and assigns to pay to Owner upon default of Bidder the penal sum set forth on the face of this Bond. Payment of the penal sum is the extent of Bidder's and Surety's liability. Recovery of such penal sum under the terms of this Bond will be Owner's sole and exclusive remedy upon default of Bidder.
2. Default of Bidder occurs upon the failure of Bidder to deliver within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents.
3. This obligation will be null and void if:
 - 3.1. Owner accepts Bidder's Bid and Bidder delivers within the time required by the Bidding Documents (or any extension thereof agreed to in writing by Owner) the executed Agreement required by the Bidding Documents and any performance and payment bonds required by the Bidding Documents, or
 - 3.2. All Bids are rejected by Owner, or
 - 3.3. Owner fails to issue a Notice of Award to Bidder within the time specified in the Bidding Documents (or any extension thereof agreed to in writing by Bidder and, if applicable, consented to by Surety when required by Paragraph 5 hereof).
4. Payment under this Bond will be due and payable upon default of Bidder and within 30 calendar days after receipt by Bidder and Surety of written notice of default from Owner, which notice will be given with reasonable promptness, identifying this Bond and the Project and including a statement of the amount due.
5. Surety waives notice of any and all defenses based on or arising out of any time extension to issue Notice of Award agreed to in writing by Owner and Bidder, provided that the total time for issuing Notice of Award including extensions does not in the aggregate exceed 120 days from the Bid due date without Surety's written consent.
6. No suit or action will be commenced under this Bond prior to 30 calendar days after the notice of default required in Paragraph 4 above is received by Bidder and Surety, and in no case later than one year after the Bid due date.
7. Any suit or action under this Bond will be commenced only in a court of competent jurisdiction located in the state in which the Project is located.
8. Notices required hereunder must be in writing and sent to Bidder and Surety at their respective addresses shown on the face of this Bond. Such notices may be sent by personal delivery, commercial courier, or by United States Postal Service registered or certified mail, return receipt requested, postage pre-paid, and will be deemed to be effective upon receipt by the party concerned.
9. Surety shall cause to be attached to this Bond a current and effective Power of Attorney evidencing the authority of the officer, agent, or representative who executed this Bond on behalf of Surety to execute, seal, and deliver such Bond and bind the Surety thereby.
10. This Bond is intended to conform to all applicable statutory requirements. Any applicable requirement of any applicable statute that has been omitted from this Bond will be deemed to be included herein as if set forth at length. If any provision of this Bond conflicts with any applicable statute, then the provision of said statute governs and the remainder of this Bond that is not in conflict therewith continues in full force and effect.
11. The term "Bid" as used herein includes a Bid, offer, or proposal as applicable.

POWER OF ATTORNEY APPOINTING INDIVIDUAL ATTORNEY-IN-FACT

Know All Men By These Presents, That Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company (herein called "the CNA Companies"), are duly organized and existing insurance companies having their principal offices in the City of Chicago, and State of Illinois, and that they do by virtue of the signatures and seals herein affixed hereby make, constitute and appoint

Brandi Davis, Individually

of Missoula, MT their true and lawful Attorney(s)-in-Fact with full power and authority hereby conferred to sign, seal and execute for and on their behalf bonds, undertakings and other obligatory instruments of similar nature

- In Unlimited Amounts -

Surety Bond No: Bid Bond

Principal: Dick Anderson Construction, Inc.

Obligee: City of Lewistown

and to bind them thereby as fully and to the same extent as if such instruments were signed by a duly authorized officer of their insurance companies and all the acts of said Attorney, pursuant to the authority hereby given is hereby ratified and confirmed.

This Power of Attorney is made and executed pursuant to and by authority of the By-Laws and Resolutions, printed below, duly adopted, as indicated, by the Boards of Directors of the insurance companies.

In Witness Whereof, the CNA Companies have caused these presents to be signed by their Vice President and their corporate seals to be hereto affixed on this 9th day of January, 2024.



Continental Casualty Company
National Fire Insurance Company of Hartford
American Casualty Company of Reading, Pennsylvania

Larry Kasten

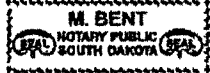
Vice President

State of South Dakota, County of Minnehaha, ss:

On this 9th day of January, 2024, before me personally came Larry Kasten to me known, who, being by me duly sworn, did depose and say: that he resides in the City of Sioux Falls, State of South Dakota; that he is a Vice President of Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company described in and which executed the above instrument; that he knows the seals of said insurance companies; that the seals affixed to the said instrument are such corporate seals; that they were so affixed pursuant to authority given by the Boards of Directors of said insurance companies and that he signed his name thereto pursuant to like authority, and acknowledges same to be the act and deed of said insurance companies.

My commission expires

March 2, 2026



M. Bent

Notary Public

CERTIFICATE

I, D. Johnson, Assistant Secretary of Continental Casualty Company, an Illinois insurance company, National Fire Insurance Company of Hartford, an Illinois insurance company, and American Casualty Company of Reading, Pennsylvania, a Pennsylvania insurance company do hereby certify that the Power of Attorney herein above set forth is still in force, and further certify that the By-Laws and Resolutions of the Board of Directors of the insurance companies printed below are still in force. In testimony whereof I have hereunto subscribed my name and affixed the seal of the said insurance companies this 23rd day of September, 2024.



Continental Casualty Company
National Fire Insurance Company of Hartford
American Casualty Company of Reading, Pennsylvania

D. Johnson

Assistant Secretary

Authorizing By-Laws and Resolutions

ADOPTED BY THE BOARD OF DIRECTORS OF EACH OF CONTINENTAL CASUALTY COMPANY, NATIONAL FIRE INSURANCE COMPANY OF HARTFORD, and AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA (as defined above, the "CNA Companies"):

This Power of Attorney is made and executed pursuant to and by authority of the following resolution duly adopted by the Board of Directors of each of the above CNA Companies at a meeting held on May 12, 1995:

"RESOLVED: That any Senior or Group Vice President may authorize an officer to sign specific documents, agreements and instruments on behalf of the Company provided that the name of such authorized officer and a description of the documents, agreements or instruments that such officer may sign will be provided in writing by the Senior or Group Vice President to the Secretary of the Company prior to such execution becoming effective."

This Power of Attorney is signed by Larry Kasten, Vice President, who has been authorized pursuant to the above resolution to execute power of attorneys on behalf of each of the CNA Companies.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of each of the above Companies by unanimous written consent dated the 25th day of April, 2012:

"Whereas, the bylaws of the Company or specific resolution of the Board of Directors has authorized various officers (the "Authorized Officers") to execute various policies, bonds, undertakings and other obligatory instruments of like nature; and

Whereas, from time to time, the signature of the Authorized Officers, in addition to being provided in original, hard copy format, may be provided via facsimile or otherwise in an electronic format (collectively, "Electronic Signatures"); Now therefore be it resolved: that the Electronic Signature of any Authorized Officer shall be valid and binding on the Company."

This Power of Attorney may be signed by digital signature and sealed by a digital or otherwise electronic-formatted corporate seal under and by the authority of the following Resolution adopted by the Board of Directors of each of the above CNA Companies by unanimous written consent dated the 27th day of April, 2022:

"RESOLVED: That it is in the best interest of the Company to periodically ratify and confirm any corporate documents signed by digital signatures and to ratify and confirm the use of a digital or otherwise electronic-formatted corporate seal, each to be considered the act and deed of the Company."

Go to www.cnasurety.com > Owner / Obligee Services > Valldate Bond Coverage, If you want to verify bond authenticity.

RESOLUTION NO. 4174

**A RESOLUTION STATING THE INTENTION OF THE CITY COMMISSION
TO AMEND THE 2024-2025 BUDGET OF THE CITY OF LEWISTOWN**

WHEREAS, the City Commission of the City of Lewistown has previously passed and adopted the 2024-2025 budget for the City of Lewistown; and,

WHEREAS, the City has received various revenues and incurred various costs that were not anticipated or provided for in the 2024-2025 budget;

NOW, THEREFORE, BE IT RESOLVED that the City Commission intends to amend its 2024-2025 annual budget, a copy of which amendment has been placed on file and is open to inspection at the Lewistown City Office, 305 W Watson, Lewistown, Montana, 59457 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, telephone 406-535-1760.

BE IT FURTHER RESOLVED that on the 21st day of October 2024 at 7:00 p.m. at the Central Montana Community Center, 307 W Watson, Lewistown, Montana, the City Commission will meet for the purpose of amending the 2024-2025 budget and that any taxpayer or resident may appear at the meeting and be heard for or against the proposed budget amendment. The City Clerk is directed to publish notice of this proposed action in accordance with law.

PASSED AND APPROVED THE 7th day of October 2024.

KellyAnne Terry, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk