

COMMITTEE OF THE WHOLE

DECEMBER 16, 2024

6:00 PM

1. Holiday open house

NOTICE FOR, AND AGENDA FOR, A MEETING OF THE CITY COMMISSION, CITY OF LEWISTOWN, DECEMBER 16, 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 – November 4, 2024, November 18, 2024 & December 4, 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 December 1, 2024 to December 12, 2024 for a total of \$141,059.52

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

1. Discussion and action on Resolution No. 4185, a resolution approving an application from Douglas and Loraine Day for the Emporium Building for additional TIF funds made to the Lewistown Tax Increment Financing District Board (**Action: approve, disapprove or amend Resolution No. 4185**) City Manager Holly Phelps
2. Discussion and action on Resolution No. 4186, a resolution appointed trustees to Lewistown Tourism Business Improvement District No. 1 (**Action: approve, disapprove or amend Resolution No. 4186**) City Manager Holly Phelps
3. Discussion and action on reappointing Mr. Scot Solberg to an additional four-year term on the Tax Increment Finance (TIF)/Targeted Economic Development District Board (TEDD) (**Action: approve, disapprove or amend reappointing Scot Solberg to serve four-year term**) City Manager Holly Phelps
4. Discussion and action on awarding the bid for the emergency generator and centralized battery backup unit (**Action: approve, disapprove or amend awarding the bid for the emergency generator and centralized battery backup unit**) 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. 4185

A RESOLUTION APPROVING AN APPLICATION FROM
DOUGLAS & LORAIN DAY 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. Loraine and Douglas Day DBA Your Montana Days, LLC, façade improvements, 301 W. Broadway St, \$4666.84 grant

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 16th day of December, 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: EMPORIUM Exterior Date Submitted: 11/8/2024

A) Applicant Information:

Name: Loraine and Douglas Day
Address: 1118 W. Water Street
City/ST/Zip: Lewistown, MT 59457
Telephone Number(s): 406.380.0818 OR 406.366.2008
Email: lorainemday@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 Your Montana Days LLC
☐ A nonprofit or charitable institution or corporation
☐ A partnership known as _____
☐ Other (explain) _____

B) Project Information:

Building Address: 301 W. Broadway St.
Legal Description: Lewistown ORIG Townsite, S15, T15 N, R16 E
Lot & Block Location: Block C-8, Lot 07-A, 4313 sq ft of Amended
PLAT of Lots 007 - 009
Existing/Proposed Business: _____
Business Description: Main Street Treats, School of Music at
the Emporium, and Community Small
Business Rentals.

Main Street Treats; indoor ice cream Est and Youth
Baking Studio

School of Music at the Emporium; Music instruction,
technology, and event space

Small Business Rentals; pop-up and retail space
for community rentals

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. Facade Broadway St. \$ _____
2. Facade 3rd Avenue combined w/above \$ 5000.92
3. Historic Glass Restoration 3rd Ave \$ 2,500.00
4. Glass replacement 3rd Ave \$ 1,200.00
5. Exterior Cleaning of Historic glass 3rd Ave \$ 450.00
6. Stairwell gate installed on 3rd Ave \$ 182.76
(small)
7. _____ \$ _____
8. _____ \$ _____
9. _____ \$ _____
10. _____ \$ _____
11. _____ \$ _____
12. _____ \$ _____
13. _____ \$ _____
14. Permitting Fees already recd \$ _____
15. Other Fees _____ \$ _____
- Total Lewistown TIF District Program Request** \$ 9,333.68

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

\$ 4666.84

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: _____

Logan M Day

Date: 11/8/24

Signature of TIF Board Chair: _____

Date: _____

To Whom This May Concern,
Lewistown TIF District,

November 7, 2024

The Historic Power Mercantile, known as the Emporium, is located on the corner of Broadway St. and Third Ave. It is designated as a historic building in our community and on the National Historic Registry. Since we acquired ownership in January of 2022, we have worked so that this building will be an asset and gathering place for our community. This work has included two years plus of clean up, demolition, architectural planning, and city permitting to prepare the building for proper restoration. The renovated Emporium will include space for Main Street Treats, School of Music at the Emporium, and rental space for existing community small businesses and incubation of new small businesses.

We are moving forward with exterior renovations in small phases to be able to properly budget our project and to help beautify our downtown area. This will increase business opportunities in our community. Our first phase will include facade work to correct dilapidated and weathered plywood siding, as well as excessive peeling paint. This phase will also include attention to replace broken and missing glass work, as well as cleaning exterior historic glass. It will also include installing a gate to the stairwell to ensure pedestrian public safety on Third Ave. Phase two will be done at a later stage. It will include outdoor signage and ADA accessibility on the Broadway St. entrance.

We are petitioning the TIF Board for assistance in our project of updating facade work, replacing broken glass, cleaning and restoring historic glass, as well as installing a safety gate for the lower level stairwell.

This project goes hand and hand with the long efforts of indoor restoration already seen inside the Emporium. It will be a great project for beautifying downtown and assisting businesses which many from our community enjoy. At a future date, we will continue exterior efforts with signage and ADA accessibility on Broadway. We hope you will consider this application for assistance. Photos are included and we welcome any opportunity to show you our project plans. Thank you for your consideration.

Loraine & Douglas Day

301 W Broadway St
Broadway Street & Third Ave.
Lewistown, Mt 59457
Historic Building Project
Renovation of Power Mercantile / Emporium

Submitted November 7, 2024

The following prices include labor and materials for the following scope of work;

Project #1

Restoration of facade on **Broadway St.** with existing panels \$5,000.92

Facade work will be done to correct dilapidated and weathered plywood siding, as well as painting select areas to correct excessive peeling paint. This project will also remove paint on all windows facing Broadway. For facade work there are 2 panels that measure 7 ft x 1.5 ft. and 7 panels that measure 5 ft x 1 ft. And 1 panel that is 1.5 ft x 1 ft. On the upper portion of plywood there are two 17.5 ft x 1.5 ft areas. And two 7.5 ft x 1.5 ft areas. (total of 132.50 Square feet)

Project #2

Restoration of facade on **Third Ave.** with existing panels \$ combined with project #1

Facade work will be done to correct dilapidated and weathered plywood siding, as well as painting select areas to correct excessive peeling paint. There are 10 panels that measure 6 ft x 2.5 ft. On the upper portion of plywood there is one area that measures 3.5 ft x 1.5 ft area. (total of 155.25 Square feet)

Project #3

Antique prism historic glass restoration on **Third Ave.** \$2,500

Years ago an air conditioning unit was installed on the exterior of Third ave. It replaced a 2.33 ft x 2.33 ft portion of historic purple glass window tiles along the street. Unfortunately, these historic tiles (49 4x4 square tiles) were removed with a large number being destroyed to allow for installation of the unit. The air conditioning unit later became inoperable and outdated, therefore it was removed. This has left the building with a large piece of styrofoam plugging up the hole on the exterior street side. For two years an effort has been made to locate similar glass for replacement and restoration. These glass tiles were recently secured in October of 2024. The cost to reinstall this glass is approximately \$2,500 (estimate) for labor, fitting, and installation.

Project #4

Glass Replacement on **Third Ave.** \$1,200

There is a large window on Third Ave needing to be replaced. It is broken and taped to not present a hazard. New glass and installation labor is estimated at \$1200. Central Lock and Security performed this on a window the same size on Broadway St. last spring that was replaced due to vandalism.

Project #5

Exterior Cleaning of antique prism historic glass on **Third Ave.** \$450.00

Labor to steam clean and remove debris on Third Ave. exterior purple glass windows. The interior was done and took 10 hours. We would like to hire labor to perform this project at \$30 per hour, allowing 12 to 15 hours totalling \$450.

Project #6

Stairwell gate installed on **Third Ave.** \$182.76

Purchase of commercial gate and post. Installation of gate and post can be done by owners.

Equipment Needed: Already owned and on hand from interior work being done. No additional equipment is needed for completion of the above projects.

Summary:

Project #1 and #2: \$5,000.92

Materials needed for 287.75 Square Feet

- Facade \$3,790.08 (21 boxes Evolve Stone at \$180.48 per box @ Blue Sky, Lewistown)
- Plywood \$225.00 (9 sheets of 4x8 needed at \$25.00 each)
- Weather Tarp \$82.46 (per 300 square ft)
- Rain Screen \$250.80 (2 rolls at \$125.40 a roll @ Blue Sky, Lewistown)
- Nails (facade) \$26.00
- Screws (plywood) \$47.48
- Cap Nails (tarp) \$56.34
- Cap Nails (rain screen) \$37.76
- Exterior Paint 2 Gallons \$125.00
- Labor Assistance \$360.00

Project #3: \$2,500

Project #4: \$1,200

Project #5: \$450

Project #6: \$182.76 (gate \$145.00 and \$37.76 post)

Amount requested for equipment rental / NA

Additional labor assistant needed - requesting 20 hours of assistance at 18.00 per hour \$360.00 included with Project #1 and #2.

Total Amount estimated for renovation project (materials only)- \$8,523.68

Amount for this exterior scope of work labor included - \$810.00

Total Project Cost \$9,333.68

RESOLUTION NO. 4186

A RESOLUTION APPOINTING TRUSTEES TO LEWISTOWN TOURISM BUSINESS IMPROVEMENT DISTRICT NO.1

WHEREAS, the Lewistown City Commission created Business Improvement District No.1 on December 3, 2012 by approving Resolution No. 3806, and Resolution 4112, passed on February 6, 2023 expanded the duration of the district for an additional 10 years.

WHEREAS, pursuant to Resolution 4111, passed on January 17, 2023, set the current Board of Trustees for Business Improvement District No. 1 and the bylaws amended on February 21, 2023 approved in Resolution 4115 allow for an additional trustee for hotels with more than 65 rooms;

WHEREAS, pursuant to MCA § 7-12-1121 and Resolution 4043, all subsequent Trustees shall be appointed to four (4) year terms, except that a vacancy occurring during a term will be filled for the unexpired term. An unexpired term shall be filled in the same manner as other vacancies. A member holds office until a successor has been appointed and qualified. Subsequent chairpersons shall serve one (1) year terms as chair and shall be selected by the Board.

WHEREAS, Vaibhav Gadade has been appointed as the trustee for the Trails End Motel, Amanda Lipke has been appointed as the trustee for the Super 8 Motel and Susanne Wigginton has been appointed as the trustee for the Yogo Inn and their term end January 31, 2025. It is the desire of their respective hotels to have them all serve any additional 4 year term.

NOW, THEREFORE, BE IT RESOLVED, by the City Commission of Lewistown, Montana, that Vaibhav Gadade, Amanda Lipke and KellyAnne Terry be reappointed to and additional 4 year term on the Business Improvement District No.1. The board shall hence consist of the following members:

<u>Trustee Name</u>	<u>Term</u>	<u>Begin Term</u>	<u>End Term</u>
Kristina Gapay	4 Years	March 21, 2023	March 21, 2027
Vaibhav Gadade	4 Years	Feb 1, 2025	Jan 31, 2029
Kate Cooler	4 Years	Feb 1, 2024	Jan 31, 2028
Amanda Lipke	4 Years	Feb 1, 2025	Jan 31, 2029
Susanne Wigginton	4 years	Feb 1, 2025	Jan 31, 2029
KellyAnne Terry	4 years	Feb 1, 2024	Jan 31, 2028

BE IT FURTHER RESOLVED, that the appointed Trustee shall have the powers and duties set out in Sections 7-12-1121 through 7-12-1133, M.C.A. and any other applicable laws, City ordinances or regulations.

APPROVED by the City Commission of the City of Lewistown, Montana this 16th day of December, 2024.

KellyAnne Terry
Chairman of the Commission

ATTEST:

Nikki Brummond, City Clerk

BID DOCUMENTS
City Hall Emergency Generator and Battery Backup

1.0 PROJECT IDENTIFICATION:

(Name of Project)

City Hall Emergency Generator and Battery Backup

(Location)

305 W. Watson Street, Lewistown, Montana

2.0 THIS BID SUBMITTED TO:

Lewistown City Office

(Organization)

305 W. Watson St

(Street; P.O. Box)

Lewistown, Montana

59457

(City) (State)

(Zip Code)

3.0 CONTRACT:

The undersigned BIDDER proposes and agrees if this Bid is accepted, to enter into an Agreement with OWNER in the form included in the Contract Documents, to perform and furnish all Work as specified or indicated in the Contract Documents for the Contract Prices and within the Contract Time indicated in this Bid and in accordance with the Scope of Work and Project Specifications.

4.0 BID TO REMAIN OPEN:

BIDDER accepts all of the terms and conditions of the Advertisement or Invitation to Bid, and Instruction to Bidders, including without limitation those dealing with the disposition of Bid Security. This Bid will remain subject to acceptance for sixty (60) days after the day of Bid opening. BIDDER will sign and submit the Agreement with the Bonds and other documents required by the Bidding Requirements within fifteen (45) days after the date of OWNER'S Notice of Award.

5.0 SUBMITTING THE BID:

In submitting this Bid, BIDDER represents, as more fully set forth in the *Agreement*, that:

5.1 BIDDER has examined copies of all Bidding Documents.

5.2 BIDDER has familiarized itself with the nature and extent of the Contract Documents, Work, site, locality, and all local conditions and Laws and Regulations that in any manner may affect cost, progress, performance or furnishing of the Work.

BID DOCUMENTS

City Hall Emergency Generator and Battery Backup

- 5.3 BIDDER has obtained and carefully studied (or assumes responsibility for obtaining and carefully studying) all such examinations, investigations, explorations, tests and which pertain to subsurface or physical conditions at the site or otherwise may affect the cost, progress, performance or furnishing of the Work as BIDDER considers necessary for the performance or furnishing of the Work at the Contract Price, within the Contract Time and in accordance with the other terms and conditions of the Contract Documents; and no additional examinations, investigation, explorations, tests, reports or similar information or data are or will be required by BIDDER for such purposes.
- 5.4 BIDDER has correlated the results of all such observations, examinations, investigations, explorations, tests, reports and studies with the terms and conditions of the Contract Documents.
- 5.5 BIDDER has given OWNER written notice of all conflicts, error or discrepancies that it has discovered in the Contract Documents and the written resolution thereof by OWNER is acceptable to BIDDER.
- 5.6 This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group,, association, organization or corporation; BIDDER has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; BIDDER has not solicited or induced any person, firm or corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER.
- 5.7 The BIDDER certifies that no official of the OWNER or any member of such officials' immediate family has direct or indirect interest in the pecuniary profits or Contracts of the BIDDER.
- 5.8 The sealed bids must be received by the City Clerk no later than December 12, 2024, at 1 pm. Bids will be opened and read aloud by the City Clerk at 1:05 pm on December 12, 2024 at the City Office located at 305 W Watson St Lewistown MT 59457.
- 5.9 There will be an optional pre-bid walk through on November 13th, 2024, at 10 am at the City Hall, 305 W. Watson, Lewistown Montana.

6.0 CONTRACT TIME:

BIDDER agrees that the Work will be substantially complete and ready for final payment in accordance with the General Conditions after date of Notice to Proceed.

Unless otherwise granted work will be completed within (120) calendar days **after** owner has notified bidder to proceed, estimated start date to be no sooner than January 1st, 2025, nor any later than June 30th, 2025.

BID DOCUMENTS

City Hall Emergency Generator and Battery Backup

7.0 BID REJECTION:

The OWNER reserves the right to reject any or all Bids.

BID DOCUMENTS

City Hall Emergency Generator and Battery Backup

These Items are the scope of the project and can be discussed further at the walk-through.

Scope of Work

- 1) Remove existing Caterpillar 100KW Natural gas Emergency Generator and purchase and install a New 150KW Natural Gas Emergency Generator at 305 W. Watson Lewistown Montana. (City Complex). The City of Lewistown will keep in possession the Caterpillar 100 KW generator.
- 2) Install one large UPS unit to replace the individual UPS units currently used to hold power on dispatch equipment while the emergency generator takes over the load in the event of a power outage to alleviate dispatch equipment from shutting down due to power loss.
- 3) Install a maintenance by-pass switch on UPS unit.
- 4) The work includes building, electrical, plumbing and mechanical work necessary to complete the project outlined below.

Project Specification

- 1) One 150KW Natural Gas Emergency Generator and all the necessary equipment to complete the installation.
- 2) One UPS Unit capable of 32,000 watts of power with a run time of 5 minutes. Expansible up to 40,000 watts.
- 3) UPS to feed 100 Amp electrical panel with Main Breaker (24 Circuit)
- 4) Relocate or Refeed branch circuits from all dispatch equipment to new 100 Amp panel.

BID DOCUMENTS
City Hall Emergency Generator and Battery Backup
BID FORM

PROJECT: *City Hall Emergency Generator and Battery Backup*

TO: City of Lewistown, 305 W. Watson Street, Lewistown MT 59457

BID FROM: _____

I have received and fully reviewed the Bid Documents for the City of Lewistown, City Complex Emergency Generator and Battery backup unit. I have also received **Addenda Numbers**. _____ **and** have included their provisions in my Bid. I have examined the documents and submit the following Bid for:

In submitting this Bid, I agree:

1. To hold my bid open sixty (60) consecutive calendar days.
2. To enter into and execute a Contract, if awarded on the basis of this Bid and to furnish all bonds if required, and insurance required by the bidding documents.
3. To accomplish the work in accordance with the bid Documents.

Bidder will perform Work as detailed and described in the Bid Documents, for the lump sum price of:

This bid must be submitted to City of Lewistown before the noted date and time in the bid documents. Please see the "Bid Package Descriptions" for Scope of Work and all the Project Specifications.

Respectfully Submitted:

Date: _____

By:

Contractor

Signature

Title

Email Address:

Business Address

BID DOCUMENTS

City Hall Emergency Generator and Battery Backup

Montana Public Contractor's License No.

City Hall Emergency Generator and Battery Backup

Base Bid includes Replacement of old Generator and installation of new Generator, Installation of Central Battery Backup and wiring to all dispatch equipment and the installation of a Maintenance Bypass Switch

(\$ _____)

Bidder will furnish Performance, Labor & Material Payment Bonds for 100% of the total Bid price.

“Addendum 1”

City of Lewistown Emergency Generator & Battery Backup Unit

Work Required:

1. Removal of current Caterpillar Generator, Transfer Switch and Annunciator Panel in Dispatch.
2. Installation of a 4” thick reinforced “House Keeping Pad” to level new Generator.
3. Installation of a New Cummins Brand 150 KW Natural Gas Generator (120/208 3Phase) with a Battery Charger and Block Heater for cold weather starting. The Generator must also be in a Weather Protective enclosure as it will be sitting outside in the elements.
4. Installation of a New Cummins Compatible Automatic Transfer Switch
5. Installation of a New Cummins Compatible Annunciator Panel in Dispatch with Audible alarm to Notify Dispatchers of any faults with the Generator.

Items to be Monitored at Generator and Annunciator Panel:

1. Failure to Start
 2. High Engine Temperature
 3. Low Oil Pressure
 4. Overspeed/Emergency Stop Operated
 5. Low Battery Voltage
 6. Low Coolant Temperature
 7. Not in Auto Mode
 8. APPR. High Engine Temperature
 9. APPR. Low Oil Pressure
 10. Battery Charger Failure
 11. Low Gas Pressure
 12. High Battery Voltage
 13. Lamp Test Reset Button
 14. Alarm Mute Button
6. Once ready, the initial start up and Commissioning of the Emergency Generator System must be conducted by a Certified Manufacturer (Cummins) Technician.



LEWISTOWN FIRE RESCUE

James Jensen
Fire Chief

305 W. Watson
Lewistown, MT 59457

Phone (406) 535-1780
Fax (406) 535-3052

Date: 12/12/2024

To: Holly Phelps
From: James Jensen
RE: City Complex Emergency Generator/Battery Backup Unit Project

Holly,

The following is a list of Contractors and there bid prices that submitted a bid to replace the Emergency Generator and Battery Back up unit at the City Complex.

Central Electric: \$221,830
Jacobson Electric: \$159,525
Advanced Electric: \$136,000
Peak Electric: \$128,825

Please let me know if you have any questions.

James Jensen
Fire Chief
Lewistown Fire Rescue
jjensen@ci.lewistown.mt.us