

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON APRIL 1, 2024 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Chairman Terry called the meeting to order.

PLEDGE OF ALLEGIANCE

Chairman Terry asked everyone to stand and say the Pledge to the Flag.

ROLL CALL

Present were Commissioners: Buehler, Day, Hewitt, Hrubes, Spika and Terry. Commissioners Scotten attended virtually.

APPROVAL OF MINUTES

Chairman Terry stated that without objection and based on the corrections the March 4, 2024 and March 18, 2024 minutes are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Hewitt reported that the Airport Board will be meeting this Wednesday, April 3rd at 3 pm.

Commissioner Day reported that the Park and Recreation Board will also meet this Wednesday, April 3rd at 7 pm at the Civic Center.

Commissioner Buehler reported that the Library Board did meet, however, she was unable to attend. Commissioner Buehler explained that she has reviewed the minutes and the author dinner has been scheduled for May 8th at the Elks. The author will be Russel Rowland, who writes about Montana history. The board approved the hiring of a part time position and the Library will be closed April 17th through the 20th to attend Montana Library Association Conference. The Library will close at 1 pm on the 17th and resume normal hours on Tuesday, April 23rd.

Commissioner Terry reported that the Central Montana Foundation met on March 26th at 2 pm. The annual meeting will be May 28, 2024 at the Yogo Inn, those that are interested in attending need to let Carrie Mantooth know. Commissioner Terry commented that funds were approved for the junior class after prom party, and the Fergus Wrestling Club. The next meeting will be Tuesday, April 23rd.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

Beginning April 1st trailers can be parked on city streets. There are a couple of important items in the ordinance. First, camp trailers may be parked on city streets from April 1st – November 1st, as long as, vehicular traffic is not impeded. Second trailers still need to be moved every 5 days. There is a separate ordinance that allows short term camping on private property inside the city limits. This is only allowed by permits. Both these ordinances were passed in 2021.

Spring is a very busy season for the City each summer we try and hire approximately 60 seasonal employees. These employees help maintain our parks, trails, cemetery streets and running the pool. All city position openings are advertised with job service and on the City's website. Park and Recreation Director will be hosting another job fair on April 5th at the Civic Center from 5:30 pm to 6:30 pm. The first one was well attended.

The library is once again hosting an author dinner. Russell Rowland will be this year's featured author. This event is scheduled for May 8th at the Elks Club and dinner begins at 6 pm. If you are interested in attending, please contact the library for more information.

The planning commission held their inaugural meeting this last week. The primary purpose was to inform the members of their tasks and the timelines we hope to meet. The planning commission is planning on meeting the 1st and 3rd Wednesday of each month at 1 pm at the Council on Aging building. These meetings are open to the public and for more information please contact the planning office.

City staff are in the process of updating the planning information on the City's website. These updates include the information presented at the last open house and there is also a link to provide online feedback on the 2024 Lewistown plan.

Commissioner Terry asked the City Manager about the staffing in the public works department. City Manager Phelps answered that we are getting ready to open up the following positions: wastewater, street, cemetery and seasonal. The public works director position has not been closed and recently received some applications.

PUBLIC COMMENT

Mr. Jason Foucher addressed the Commission stating that he grew up in this town and it is not the same town as it was when he grew up. Mr. Foucher commented that more bonding with parents and kids needs to be happening. Commissioner Day commented that the Lewistown Downtown Association does have more family-oriented activities on their radar. Mr. Foucher expressed his frustration with the fact that there aren't any nets on any of the basketball hoops in the City parks. Mr. Foucher commented that he did go and buy basketball nets from the sport center and is working to get nets on the baskets in the parks. Mr. Foucher further commented that the basketball court near Frank Day park has been fixed up by a local kid in the community. Mr. Foucher also expressed frustration with the Civic Center and the lack of availability to use it for open gym. Mr. Foucher stated that he is asking what he can do to help. Commissioner Terry commented that she would encourage him to attend the Park and Recreation Board meeting.

CONSENT AGENDA

There is none.

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

1. Discussion and action on entering into a mutual aid agreement between Community, Counseling and Correctional Service Inc and the City of Lewistown and Fergus County

City Manager Phelps explained this is a mutual aid agreement between the Community, Counseling and Correctional Services, Inc, (CCC's) which operates Nexus, and the City of Lewistown and Fergus County. City Manager Phelps stated that this is an existing agreement and has been in place and is in need of updating and new signatures. The City agrees to provide law enforcement and has a cooperative relationship with security at the facility and provide fire protection. City Manager Phelps explained that she needed to bring this for approval to the Commission in order to sign it. City Manager Phelps commented that she will inform CCC's that the Central Montana Health District will not be providing the public health it will actually be the City County Health Board. Commissioner Day made the motion to approve entering into a mutual aid agreement between Community, Counseling and Correctional Service Inc and the City of Lewistown and Fergus County and Commissioner Hewitt seconded the motion. Commissioner Terry asked for comments from the audience and Commission. There being none, the question was called for and the City Clerk took a roll call vote with all being in favor of the motion.

2. Berg Lumber development proposal presentation by Rentovator LLC

Commissioner Terry explained that the City has received three proposals for development at Berg Lumber. City Manager Phelps explained to the Commission that you were given an evaluation form to help you make notes during the presentations. City Manager Phelps explained what the Commission is looking for with each presentation is the time line, community benefits, overall concept, purchase price, any concessions you expect from the City and any other information that may be helpful to the Commission. John with Rentovator addressed the Commission explaining that they are a new company, have been in business for 3 to 4 years and started in Fort Benton. John explained that they go into communities and invest in property, they consider it a life long investment and consider themselves part of the community, if the community goes down, they go down if the community make it they make it. John restated that the company has a 3-year track record in Fort Benton. John started by explaining the concept is 4 phases starting in the SW corner of the property building 200 units. John reported the company is working on building units behind the old hospital on Rosewood. It is hoped to get foundations in this year and buildings next year. John stated with that being said there won't be a lot of time to start anything on the Berg property this year. It would be estimated they would get 200 units done on Berg property in 2026, phase 2 would be the following year with 200 units and phase 3 would be condominiums. John stated they do plan on having the property annexed. John stated that past areas he has done there are not any roads just driveways and pathways, to keep it simple with drainage and snow removal. Commissioner Hewitt asked what the units would be. John answered it would be a mix and try to accommodate everybody. John stated they like to do 50% 1-bedroom units, 35% 2-bedroom units and remaining units would be 3 bedrooms. Commissioner Hewitt asked there would be any elevators. John answered no only do three story units so there are no elevators. If section 8 would be needed the one-bedroom units would be on the main floor. John stated they have never sold any property and build units to last. There is no plan for section 8 housing and only fall into their own guidelines and rent for 1% of cost to build. There was discussion regarding maintain the facilities and dedication of park land. John stated that out of the 18 acres there will be parcels that are not buildable because of the pits. John further stated that the pits and garbage dumps will need to be found and that is where they could consider sand boxes and parks. Commissioner Hewitt asked about Home Owners Association (HOA) and if that was for the condos. John answered yes, they run their own HOA.

3. Berg Lumber development proposal presentation by Bill Nebel

Mr. Bill Nebel addressed the Commission stating he is the owner of 406 Rock and 406 Development. Mr. Nebel stated he proposes purchasing the property for \$30,000, and will start by cleaning up the property and also cleaning up the 4 acres below the property that is owned by the City. Mr. Nebel explained that the reason for the \$30,000 offer is the property is a mess and has a lot of problems. This company is looking at doing 350 to 370 units, which are all two story with the exception of the ADA. Mr. Nebel commented that he is not sure if they will do all apartments or all condos and do affordable homes. Mr. Nebel talked about the maintenance of the area and the designs of the units. Commissioner Terry asked what his timeline is? Mr. Nebel answered they hope to have the first phase done by 2025, early 2026 which would be 4 buildings of 29 apiece. Commissioner Buehler commented there are manufactured and stick build homes and these are stick build. Mr. Nebel answered they are not manufactured homes and are stick build that will be brought in pieces to put it together on site. The houses are built in a factory. Mr. Nebel commented that he will come in and clean up the property and work with DEQ and the reason they can do it cheaper is because he owns a gravel pit just outside of Lewistown. Commissioner Hewitt asked if he would be putting in sidewalks and streets to the City's specifications. Mr. Nebel answered yes, and will be built to specs and landscaping will be done. Commissioner Buehler asked if he is asking the property to be annexed into the City as part of his proposal. Mr. Nebel answered yes, he needs it to be annexed into the City for high density. Commissioner Buehler stated that in the proposal you say you will clean up the property next to it and that is the property still owned by the City. Mr. Nebel answered yes, they plan on cleaning it up by taking out the concrete and resculpt the area, gravel the trail and put in riprap print keep anymore eroding out. Commissioner Buehler asked if it would be done in compliance of the property. Mr. Nebel answered yes. Mr. Nebel talked briefly about his company. Mr. Nebel summed up his presentation by stating that everything they do is high quality, it is the person's home with their own entrance. They want their property to look good. Commissioner Buehler asked if he had seen the geotechnical reports. Mr. Nebel answered that he has not seen the report but is aware of what is on the property and has talked with the engineer that did some of the geological work and his company can build on anything and the ground doesn't scare him.

3. Berg Lumber development proposal presentation by Homestead Ventures Group

Mr. Joel Almeida, Homestead Adventures Group, addressed the Commission stating his company is a 20-year organization and do a different type of building. Mr. Almeida explained that the buildings are not stick framed but are steel and patented insulation. Mr. Almeida stated they are proposing a 173-unit development, which is 90 multi-family units, and 83 single family homes two different options. Mr. Almeida explained that they try to develop a community, not high density and aim toward work force housing and retirement homes. Mr. Almeida stated they have done projects in Orange County California, Scottsdale Arizona and Las Vegas Nevada and looking forward to bring the factory to Montana. Mr. Almeida further stated they hope to have the community build by early 2026. Mr. Almeida discussed briefly how the house is built in the factory. Commissioner Hrubes asked what the rent would be for the homes. Mr. Almeida answered there will only be 90 units for rent and would rather have home ownership. Mr. Almeida commented that there is more pride in home ownership. Commissioner Terry confirmed with Mr. Almeida that he was aware of the property and the necessary clean up. Mr. Almeida answered yes. Commissioner Hewitt asked about the development will have streets and sidewalks up to City specs. Mr. Almeida answered yes, his company is used to working in California. Commissioner Day asked that the escalation addendum. City Manager Phelps answered that if there is a bidding war Homestead Ventures Group bid would go up to the bid listed on the escalation addendum. Commissioner Day asked if there are any risks attached to the developer purchasing the property, starting construction

and then the construction is halted and then the City is sitting on a situation where the timelines are not working. City Manager Phelps answered that if the City transfers the property the City loses the oversight layer and would recommend a development agreement. The development agreement to outline the contractual obligation for both parties. Commissioner Terry thanked everyone for their presentations and that all of them were very different.

4. Discussion and action on approving a proposal on the berg lumber development and allowing the City Manager to enter into an agreement and sign on behalf of the City

Commissioner Terry asked the Commission if they would like to work on this item in another meeting and if ready to make a decision tonight. City Clerk Nikki Brummond offered some suggestions. Commissioner Hrubes would like a week because he needs to talk to some people. It was determined that the Commission would meet on Monday, April 8, 2024 at 4 pm at the Council on Aging. Commissioner Buehler made motion to table this item until the meeting on April 8th and Commissioner Day seconded the motion. Commissioner Terry asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously. Commissioner Day asked if Planning Director Doug Osterman could give them an opinion on the proposals. Planning Director Osterman answered that he learned some things from the presentation and he will prepare some information for the Commission on how the proposals fit in advancing the future land use map.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Hewitt reported that someone at the Willows informed her that they have tied up a pick topper that was floating down the creek. Commissioner Hewitt stated that they would like the City to remove the topper.

Commissioner Day reported that she received a letter from Don and Luann Fortenberry regarding their road on 2nd Street. City Manager Phelps answered that she will get the information to the street department.

Commissioner Hrubes thanked all the presenters and that this is really big for Lewistown.

Commissioner Buehler reported that she has been contacted by a cyber security business that is working with municipalities and counties across the State to offer a no cost monitoring system. City Manager Phelps asked for the information to be passed on to her.

ADJOURNMENT

Chairman Terry adjourned the meeting.

Dated this 1st day of April, 2024.

KellyAnne Terry, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk