

A COMMISSION MEETING OF SEPTEMBER 19, 2016 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Chairman Byerly called the meeting to order.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present were Commissioners: Byerly, Gremaux, Hewitt, Poss and Turk. Commissioners Doney and Putnam were absent.

APPROVAL OF MINUTES

Commissioner Gremaux made the motion to approve the minutes as presented and Commissioner Turk seconded the motion. The motion passed unanimously.

COURTESIES

There were none.

PROCLAMATIONS

Vice Chairman Gremaux read the following proclamation:

**A PROCLAMATION OF THE LEWISTOWN CITY COMMISSION
DECLARING SEPTEMBER AS NATIONAL RECOVERY
MONTH**

WHEREAS, behavioral health is an essential part of health and one's overall wellness; and

WHEREAS, prevention of mental and/or substance use disorders works, treatment is effective, and people recover in our area and around the nation; and

WHEREAS, preventing and overcoming mental and/or substance use disorders is essential to achieving healthy lifestyles, both physically and emotionally; and

WHEREAS, we must encourage relatives and friends of people with mental and/or substance use disorders to implement preventive measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and

WHEREAS, to help more people achieve and sustain long-term recovery, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), the White House Office of National Drug Control Policy (ONDCP), and Torch and YPR invite all residents of *Lewistown* to participate in National Recovery Month and

NOW, THEREFORE, the Lewistown City Commission does hereby proclaim the month of September, 2016 as NATIONAL RECOVERY MONTH.

In Witness Whereof, I have hereunto set my hand this 19th day of September, in the year of our Lord two thousand sixteenth, and of the Independence of the United States of America the two-hundred and fortieth.

Dated this 19th day of September, 2016.

BOARD AND COMMISSION REPORTS

Commissioner Turk reported that there was a Library Board meeting last week, but was unable to attend.

Commissioner Hewitt reported that she attended the Airport Board meeting. Commissioner Hewitt stated there was discussion on a memorandum of understanding regarding the trail up keep and the City is going to work with the airport board. The airport is continuing to try to get the bus barn usable prior to winter. The airport budget was presented to the airport board at the Wednesday meeting and it was approved by the County Commissioners on Friday.

Commissioner Byerly reported that the Central Montana Health District board met last week. It appears that the restructuring of the office continues to pay off in savings and we are offering better services to the community.

Commissioner Byerly explained that during the committee of the whole the Interim City Manager agreement was discussed. Per the agreement an evaluation must be done on a quarterly basis. The evaluation will be at the next Commission meeting.

CITY MANAGER REPORT

Interim City Manager Holly Phelps reported on the following issues:

Interstate Engineering will be here next week to train City staff on the winterization of the pool. The contractor and subcontractors will be addressing items on the punch list as well.

The Water Department has begun chlorinating the water system. This is in response to some seasonal bacterial growth. The City also had coliform positive water samples in the area of the waterline break. They have been working with DEQ on the issue.

Fergus High School homecoming will be the week of September 23rd. The Golden Eagles face Park High at 7 pm and the parade will be held at 2 pm. A bonfire will be held on the evening of September 22nd.

On September 23rd Snowy Mountain Industries will be holding an open house. An invitation was included in your packet.

CONSENT AGENDA

Commissioner Hewitt made the motion to approve the consent agenda and Commissioner Poss seconded the motion. The motion passed unanimously. The Acknowledgement of the claims that have been paid from September 1, 2016 to September 14, 2016 for a total of \$61,998.56

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

1. Discussion on housing tax credit to do renovations at the Meadows

Ms. Phelps introduced Julie Stiteler from Homeword. Ms. Phelps explained that the City of Lewistown worked with Homeword on the Ouellette Apartments and Homeword has been hired by the Meadows and have submitted a tax credit grant. Ms. Stiteler explained that Homeword works with affordable housing all across the state. Ms. Stiteler stated that the current owners of the Meadows are based in Minnesota and would like the meadows to be maintained as affordable housing community. Ms. Stiteler commented that the meadows is a senior community and the other great thing is has rental subsidy. Ms. Stiteler explained that rental subside allows residents that earn minimum social security can live there and only pay their portion of the rent. Ms. Stiteler stated that is the current owner chose to sell to a for profit company that did not want to maintain that subsidy then the subsidy would be lost to the City of Lewistown and the State of Montana. Ms. Stiteler commented that Homeword is committed to providing safe, healthy, affordable housing using sustainable methods and promoting strong communities through housing counseling and education for those most in need. Ms. Stiteler stated that the Meadows was built in 1978 and has been well maintained and the resident are wonderful people. There are two types of tax credits in Montana one is 9% competitive tax credits and last year for those tax credits there were 21 applicants. Ms. Stiteler explained that they changed the application system and little and decided in August that only 10 applicants would be invited to move forward and the Meadows is one of those applicants. Ms. Stiteler stated that part of the application process is gathering community input. Input can include the neighbors, City or County Commission, general public or a facebook survey. Ms. Stiteler commented that is the main reason is for the community input and Homeword feels that affordable housing is beneficial for health communities and providing family affordable housing allows people who are only earning minimum wage a safe, healthy and affordable place to live. The improvements are key to help make things more energy efficient. Ms. Stiteler explained that letters of support can be anything regarding whether or not you support affordable housing, any necessary improvements and any comments one feels needs to be said. Commissioner Hewitt commented that everyone she knows that lives there loves it and part of it should include renovation inside. Commissioner Hewitt commented that carpet inside needs to be replaced and some of the showers have mold and that is just because it is old. Commissioner Poss commented that it is an excellent spot for seniors and fills a niche in the community and especially like that it is one level and just needs a little love. Commissioner Turk stated that she agrees with Commissioner Poss and is necessary for some seniors for transitions. Commissioner Byerly commented that there is a really need for quality affordable housing. Ms. Mary Frieze commented that there is very little housing in Lewistown that is on one level and one citizen has left because they were unable to find an affordable house with one level. Commissioner Gremaux commented that he thinks it is a great project and we need more like it. Mr. Clint Loomis commented that a few citizens of Lewistown have moved because of the lack of one level housing. Ms. Phelps commented that it is a great asset to the community and need to keep it going.

2. Discussion and action on authorizing the City Manager to sign a request for assistance from Snowy Mountain Development for a targeted brownsfield assessment on the Mill Building

Ms. Phelps explained that this is an application for a targeted brownsfield assessment that allows one to go in and assess the mill building for lead based paint, asbestos and other hazardous materials. All commercial projects are required to have an assessment prior to moving with a project. Snowy Mountain Development Corporation (SMDC) Ms. Karen Sweeney explained that the funding is from the Environmental Protection Agency (EPA). Ms. Sweeney further explained that SMDC will assist the City to apply for the funds and then EPA will use their contractor to complete the assessment. Ms. Sweeney stated that regardless of what is done with the building an assessment must be completed. Ms. Sweeney commented there would be no expense for the City if the EPA approves the application and SMDC will assist with the project. Mr. Loomis asked what a brownsfield assessment is. Ms. Sweeney answered that brownsfield is a piece of property that is known to have a contaminant or suspected to have a contaminant and can interfere with the future use of the property. Further discussion followed. Commissioner Byerly stated that regardless of what is going to be done with the Mill Building an assessment needs to be completed. Commissioner Poss made the motion to authorize the City Manager to sign a request for assistance from Snowy Mountain Development for a targeted brownsfield assessment on the Mill Building and Commissioner Gremaux seconded the motion. Commissioner Byerly asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

3. Discussion and action on authorizing the City Manager to sign an access consent form to conduct the targeted brownsfield assessment for the Mill Building located at 220 E Main

Ms. Phelps explained that this item is directly associated with the assessment and this allows SMDC, EPA or DEQ to be able to enter the property to complete the assessment. Commissioner Gremaux made the motion to authorize the City Manager to sign an access consent form to conduct the targeted brownsfield assessment for the Mill Building located at 220 E Main and Commissioner Poss seconded the motion. Commissioner Byerly asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

4. Discussion and action on Resolution No. 3921, a resolution supporting the development of Creekside Park and authorizing matching funds for planning grant

Commissioner Byerly read the resolution. Ms. Phelps explained that there are some conceptual drawings out there and the Friends of the Trail came up with idea about three years ago and it has not changed a whole lot. The concept is an outdoor area where the community can gather and the trails are tied into the concept. Commissioner Hewitt asked if this would be considered a City Park. Ms. Phelps answered that it will be located on City property. Ms. Sweeney explained that she is part of the Recharge Our Community Group which is partnering with the City and the Trails group on this project and it would be there intent to search to fund the project. SMDC has committed to assisting with writing grants and the ROC group is willing to do fundraising and it is not their expectation that the Community would be taxed for the project. Further discussion followed. Commissioner Poss made the motion to approve Resolution No. 3921, a resolution supporting the development of Creekside Park and authorizing matching funds for planning grant and Commissioner Gremaux seconded the motion. Commissioner Byerly asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

5. Discussion only related to the Creekside Park.

Commissioner Byerly explained that this item is the one that he is adding to the agenda. Commissioner Byerly stated that this is not an action item and he is asking the Commissioners to consider the information and if necessary it will be brought back before the Commission at the next meeting. Commissioner Byerly explained that a while back several members of the community and City staff toured the mill building and shortly after that a news article was done showing the support to keep the building and the strong reaction from those that did not support keeping the building. Commissioner Byerly further explained that he has been approached by many citizens regarding the City advocating keeping the mill building and yet the City does not have any plans and no direction from the Commission. Commissioner Byerly stated that he does not know what the City is going to do with the building. Commissioner Byerly read the following statement and would like the Commission to consider bringing this back at the next meeting in the form of a resolution. "We have had a number of people express concern that the City of Lewistown intends to keep and invest money in the old mill building on Main Street across from the Yogo Inn. The Lewistown City Commission, at this time, has not discussed and has no plans for investing in the existing building. We do have a strong interest in supporting whatever the community feels should be done with City land at that location, particularly the creekside park which has been proposed and whatever the trials committee proposes. Whatever needs to be done with that building to support those efforts – tearing it down, capping it as a pavilion or whatever makes the most sense – we want to support. When the time comes to decide the best use of or removal of that building, we look forward to hearing the opinion of the community." Mr. Jim Dullenty commented that Commissioner Byerly he has only met with people that know one side of the issue. Mr. Dullenty explained that the Lewistown Historic Resources Commission (LHRC) has raised \$5,000 to hire an architect/engineer to go in the building and determine if it is usable. Mr. Dullenty further explained then the LHRC will meet and determine what to do with the building. Further discussion followed. Mr. Dullenty commented that once the study is complete the LHRC will come to the City Commission with the results and if the building cannot be renovated and/or there is not good public use for it they will be favor of tearing it down. Mr. Frank Westhoff asked how many acres came with the purchase of the building. Ms. Phelps answered just the foot print. Mr. Westhoff commented that he attended the Commission where the purchase of the building was discussed and all sorts of ideas were discussed. Mr. Harvey Nyberg commented that he does not think anyone on the LHRC opposes the idea of the Creekside park concept. The LHRC is interested in preserving historic buildings when it makes sense that there are appropriate uses for them. Mr. Nyberg suggested that someone on the LHRC work with the other groups involved in the project. Commissioner Byerly agreed that is a great idea for all groups to work together. Commissioner Poss stated that this can be brought back as a resolution, but if you look in past minutes there is no discussion regarding the building.

5. Discussion and action on paying the remaining taxes on the LaFountain property located at 301 W Broadway and thus taking a lien on the property

Ms. Phelps explained that the City Commission has been working on this issue for quite some time. The City does have a tax lien certificate on the property and in order to be line for the tax sale the remaining delinquent taxes need to be paid and then the City could get a tax deed on the property as early as July 2017. Ms. Phelps stated the current delinquent taxes are \$996.88 and because we are a governmental agency there are no penalties and interest include. Commissioner Turk made the motion to pay the remaining taxes on the LaFountain property located at 301 W Broadway and thus taking a lien on the property and Commissioner Hewitt seconded the motion. Mr. Westhoff asked what the city would do with the building. Commissioner Byerly explained that it is hoped that the

City could help someone develop the property instead of letting it continue to deteriorate. Commissioner Byerly asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

6. Discussion and action on Resolution No. 3920, a resolution revising floodplain permit application fees

Ms. Phelps a resolution has been drafted as a result of a previous meeting with the Commission. The fee has been set at a \$100 fee for the floodplain permit and the ability to assess more if additional review is necessary. Commissioner Gremaux made the motion to approve Resolution No. 3920, a resolution revising floodplain permit application fees and Commissioner Hewitt seconded the motion. Commissioner Byerly asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

CITIZENS' REQUESTS

Mr. Frank Westhoff asked what could be done during the knapweed on the City property located near is property. Ms. Phelps answered that he can contact the Fergus County Weed District and they spray weeds in and outside the City. All City and County residents pay into the weed district.

COMMISSIONER'S MINTUE

There were none.

ADJOURNMENT

Chairman Byerly adjourned the meeting.

Dated this 3rd day of October 2016

Dave Byerly, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk