

**A COMMISSION MEETING OF FEBRUARY 6, 2017 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 asked everyone to stand and say the Pledge to the Flag.

**ROLL CALL**

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

**APPROVAL OF MINUTES**

Commissioner Poss made the motion to approve the January 17, 2107 minutes as presented and Commissioner Doney seconded the motion. Commissioner Putnam stated that under the Commissioner's minute it says that she was commenting and it should be commenting to the letter from Mrs. Woods. Also, all three comments made by Commissioner Putnam were separate. Commissioner Poss made the motion to approve the January 17, 2017 minutes as amended and Commissioner Doney seconded the motion. The motion passed unanimously.

**COURTESIES**

The City Commission recognized the contributions of Don Pfau to Lewistown and Central Montana.

**PROCLAMATIONS**

There were none.

**BOARD AND COMMISSION REPORTS**

Commissioner Doney reported that she met with Monte and Holly and have started reviewing the City Code and there are three first readings on the agenda tonight.

Commissioner Putnam reported that she attended the Park and Recreation Board. The Big Spring Skateboard Park did a presentation for the Park board and is on the agenda this evening.

Commissioner Putnam also reported that she attended the Central Montana Foundation. There was a request from the chamber for support for the firework display that was approved. The investment strategies were discussed. It was also discussed that CMF would maybe have to find some investment support with fiduciary support.

Commissioner Hewitt reported that that Airport board had a special meeting. The board discussed putting together a pamphlet for the consumers an aeronautical that would outline what can and can't be done. It was discussed with Nigel, the airports engineer. The frontage property was discussed also. The regular meeting was at 3 p.m. the airport board has received a grant to repaint runway 84. There were two power poles that were not referenced by Northwestern Energy. The size of the runway was also discussed.

### **CITY MANAGER REPORT**

Interim City Manager Holly Phelps reported on the following issues:

The City has received notification that the Meadows did not receive any allocations of tax credits for upgrading their Lewistown facility. Homeword is meeting with the owner to discuss some other option for the facility.

The City was notified that we did not receive funding for the Reclamation and Development Grant program that would have allowed for further testing at the old landfill which is also known as the Central Post and Treatment Company site. The City has applied for a cleanup grant for this site and we have not heard if the City will be awarded these funds.

The appellants reply brief for the annexation lawsuit has been filed and we are waiting for a ruling by the Montana Supreme Court.

The Arts and Entertainment district continues to make progress on their parklet and have also received a grant from the Central Montana Foundation for a banner project. The banner project will include new banners and brackets for the historic lights. The repainting of the benches for Main Street will start soon. The Public Works Department is working with the painter and will work to get them reinstalled after they are painted.

For a second year in a row Snowy Mountain Development Corporation and the City of Lewistown have partnered together to do a Building Code Educational Series. This year's focus will be on historic building renovations. It is a two day session and the date March 30<sup>th</sup> and 31<sup>st</sup>.

Olness and Associates will be here next week to conduct the annual audit for the City.

The Public Works Department have been dealing with a lot of water line breaks and freeze ups. However, the fix done on Spring Street seems to be working.

### **CONSENT AGENDA**

Commissioner Putnam made the motion to approve the consent agenda and Commissioner Doney second the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from 1/1/17 to 1/31/17 for a total of \$127,967.77.

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

### 1. Discussion and action on approving a location for the Big Spring Skate Park

Ms. Phelps introduced Mr. Jason Stephens, who will be giving a brief presentation the proposal for the Big Spring Skate Park. Mr. Stephens explained that the Big Spring Skate park project is being led by “Make It Happen Montana”, a local non-profit. The main objective is to build a permanent all concrete skate park here in Lewistown. The best proposed location is in Symmes park right behind the Chamber of Commerce. The preliminary budget for the project is \$300,000. Mr. Stephens commented that one major benefit to this location is that water is already available at the location is an additional bathroom would need to be added at some point in the future. Further discussion followed about the different skate parks in Montana. Mr. Stephens explained that they are working with Montana Pool Service, which was founded by Jeff Ament, of Pearl Jam, but is also from Big Sandy Montana. Mr. Ament has granted the project \$60,000 and will match any funds raised until June 1<sup>st</sup>. They have also contracted with Evergreen Skate parks out of Portland Oregon to do the construction. Commissioner Putnam commented that the group has made contact with the surrounding neighbors and would like to know the findings. Mr. Stephens reported that flyers were sent to the surrounding neighbors and all the feedback has been extremely positive and the no negative comments at this time. Mr. Craig Buehler, a member of the Park Board, commented that there was a lot of discussion at the last park board meeting and a lot of good information was presented. Make it happen will maintain the maintenance of the skate park surface. Mr. Stephens has contacted MMIA who is the insurance carrier for the City of Lewistown and what is in already in place is acceptable. Park and Recreation Director Jim Daniels commented that this will be a tremendous asset to the community. The City will enter into a MOU with the Make it happen group where the skate park would be located. Mr. Daniels stated there will not be any additional lights and the rules will be that same as the park. The Park Board was unanimous on the location of the skate park. Commissioner Putnam commented that this project has been proposed many times over the last few years and this is the first group that has put the project together and was able to put together the pros and cons. They also addressed the cons. Ms. Kathie Baily, Snowy Mountain Development Corporation, stated that she fully supports the project and hope the community gets behind the project. There will be the possibility of sponsoring future events. Mr. Bridgeford asked if there was a concrete company located closer. Mr. Stephens commented that is basically the closest company and it is a very specific and specialized to develop the skate park. Ms. Katie Spika commented that she is very impressed with the project and it will be a great benefit for the community. Mr. Luke Brandon explained that Mr. Jeff Amend and Evergreen Skate Park have a very close relationship with developing skate parks. Mr. Brett Thackery commented that he supports the project and location. Commissioner Putnam made the motion to approve Symmes Park as the location for the Big Spring Skate Park and Commissioner Doney 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.

2. Public hearing to obtain public comments regarding the City of Lewistown’s overall community development needs for economic development, housing and neighborhood revitalization and public facilities, including the needs of low and moderate income persons and the possibility of applying for a Montana Community Development Block Grant (CDBG)

Chairman Byerly opened the public hearing to obtain public comments regarding the City of Lewistown's overall community development needs for economic development, housing and neighborhood revitalization and public facilities, including the needs of low and moderate income persons and the possibility of applying for a Montana Community Development Block Grant (CDBG). Ms. Phelps explained that it was originally established by congress and started in 1974 and later revised in the 1980 for use in the rural areas. In Montana it falls under the Department of Commerce to award the grants. The goal of the program is to help empower local governments and communities to building capacity, resilience and the resources based to build strong and vibrant communities. Examples of what CDBG grants can do is: develop and preserve affordable housing, provide services, create jobs, help local governments plan for future growth and development, develop plans for projects and address community needs. Ms. Kathie Bailey, Executive Director of Snowy Mountain Development Corporation, explained that we have tapped into CDBG programs in a variety of ways over the last several years. There are three main funding programs and a fourth funding program is planning grants that can be used for any of the three categories. The three main categories are public infrastructure, economic development and housing. Ms. Bailey commented that currently the City has been approved for some grant funding for housing rehabilitation. Further discussion followed. Mr. Dustin Kalenik, staff architect of the Montana Preservation Alliance (MPA) who are the owners of the Broadway Building. Mr. Kalenik explained the purpose of this agenda item is a part of the CDBG grant. A number of public hearings must need to be held to meet the requirements of the grant. The portion of the public hearing is to talk about need. There is a need to do something with the Broadway, which is why MPA got involved and bought their first building and try to make it a contributing member of the community again. MPA believes very strongly that the redevelopment of historic buildings could be a strong economic development for them. MPA is committed to a very open design process and decision making process and does not have an agenda of what the building will develop and will be very open to the needs of the community and vetting it against what would be able to do with the building and benefit the community. Mr. Kalenik commented that he is very happy that the first building bought is in Lewistown. Mr. Kalenik further commented that CDBG is a very good program and can bring a lot of money into the community. Mr. Kalenik thanked the City of Lewistown and SMDC for being sponsors of this program. There are two grants involved with this program. There is no tax money being used for the project. Mr. Kalenik explained that the first part of the process is to find an architect and a strict federal procurement was followed. Only four of the best were interviewed and Mosaic Architect along with Prairie Wind architect was chosen and they were very qualified, had a great community outreach program and local presence. Mr. Kalenik briefly reviewed the other parts of the process. Mr. Kalenik explained that the MPA will be keeping the City Commission and citizens informed to what will be happening with this process. If this is approved tonight there will be meeting for citizens input during the week of March 6<sup>th</sup>. Commissioner Hewitt asked if the building would be reconstructed but no purpose. Mr. Kalenik answered that the building has been stabilized and won't deteriorate while they work on the plans for the future of the building. These grants that are being discussed this evening are specifically to be used for planning and no construction. Commissioner Byerly asked for any more comments from the audience. There being none, the public hearing was closed.

3. Discussion and action on entering into a Professional Services Contract between the City of Lewistown and Mosaic Architecture for the purpose of the Broadway Building preliminary

architectural report and Historic Preservation Report using grant funds under the Montana Community Development Block Grant Program

Ms. Phelps explained that this is contract between the City of Lewistown and Mosaic Architecture and includes the CDBG grant sponsored by the City and the Big Sky Trust Fund grant sponsored by SMDC. The CDBG funds will used for the completion of the preliminary architect report and the remaining funds will used for a portion of the historic preservation plan. There is some private and in-kind funding from the historic preservation to finalize the preparation of the documents and provide documentation for further grants. Mr. Ben Tintinger, president of Mosaic Architecture, commented that he is glad to be here and look forward to working with the community. Commissioner Doney made the motion to approve the entering into a Professional Services Contract between the City of Lewistown and Mosaic Architecture for the purpose of the Broadway Building preliminary architectural report and Historic Preservation Report using grant funds under the Montana Community Development Block Grant Program and Commissioner Putnam seconded the motion. Commissioner Byerly asked for comments from the audience and Commission. There being none, the question was called for and Commissioners voting in favor were: Byerly, Doney, Gremaux, Poss and Putnam. Commissioner Hewitt voted against and Commissioner Turk was absent.

4. Discussion and action on first reading of Ordinance No. 1753 an ordinance amending section 1-3-1 of the Lewistown City Code pertaining to the credit received against fines impose for jail time served

Ms. Phelps explained that the first meeting for the City Code review is starting an the beginning and going through two to three chapters at a time. It was suggested to get credit for the actual fees we incur. Commissioner Gremaux made the motion to approve the first reading of Ordinance No. 1753 an ordinance amending section 1-3-1 of the Lewistown City Code pertaining to the credit received against fines impose for jail time served 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.

5. Discussion and action on first reading of Ordinance No. 1754 an ordinance amending section 1-5-5 of the Lewistown City Code pertaining to the designation of the official ward district boundary map

Ms. Phelps explained that this is a clarification that states that the City Manager will sign the map and the City Clerk will attest the signature. Commissioner Putnam made the motion to approve the first reading of Ordinance No. 1754 an ordinance amending section 1-5-5 of the Lewistown City Code pertaining to the designation of the official ward district boundary map 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.

6. Discussion and action on first reading of Ordinance No. 1755 an ordinance amending Title 2, Chapter 3 of the Lewistown City Code pertaining to the Park and Recreation Board; specifying

members to be City residents; revising the start date for terms of appointment; and clarifying responsibilities

Ms. Phelps explained that the Park Board was the first board in the Code. Ms. Phelps commented that there was no mention of residency and since the parks are owned by the City and located in the City we felt the members should be City residents. Also it is proposed to have start dates as January 1<sup>st</sup> to do some training. Commissioner Putnam made the motion to approve the first reading of Ordinance No. 1755 an ordinance amending Title 2, Chapter 3 of the Lewistown City Code pertaining to the Park and Recreation Board; specifying members to be City residents; revising the start date for terms of appointment; and clarifying responsibilities 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.

7. Discussion and action on purchasing a vactor truck for the sewer department and proceeding with funding the purchase through intercap loans

Ms. Phelps explained that for quite some time the Public Works Department has looking to purchase a sewer vactor truck. Ms. Phelps recently we went out for bid for a good used or potentially new vactor truck. Ms. Phelps stated it doesn't need to be huge but does need to be able to be used for all sorts of digs and the ability to get into the alleys. Several units were demoed and the different options were provided in the packet outlining the pros and cons. The one the sewer department is looking at is the 2013 Camel 900 which would be purchased for Kois Brothers in Great Falls that would make it more convenient to get parts as needed. The City's current vendor is in Salt Lake City and makes it difficult to get parts and service in a timely manner. Ms. Phelps explained that the truck was discussed during the budget and would recommend applying for an intercap loan to fund the purchase of the truck. Commissioner Gremaux made the motion to purchase the 2012 Camel 900 and Commissioner Putnam 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.

8. Discussion and action on allowing City staff to submit the annual Certified Local Government Grant Application to the Montana State Historic Preservation Office and the authorization to enter into a grant agreement once the grant is approved

Ms. Phelps explained that this is a grant that the City applies for annually and is the funding for the Historic Preservation Office. Commissioner Putnam asked if the position was in anyway responsible for nominating a building owned by the City and the same building that the City sent a letter of opposition against putting it on the national register. Ms. Phelps commented that the position may have advocated for the nomination. Commissioner Poss made the motion to allow City staff to submit the annual Certified Local Government Grant Application to the Montana State Historic Preservation Office and the authorization to enter into a grant agreement once the grant is approved and Commissioner Putnam 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.

9. Discussion and action on approving the City Manager contract for March, 1 2017 to February 28, 2020

Commissioner Byerly explained that the Commission has been working on this item for quite some time now and Commissioner Gremaux was asked to meet with the City Manager to fill in the monetary blanks of the contract. Commissioner Gremaux explained that he met with the Interim City Manager and one change made was informal evaluation was changed to formal evaluation and the monetary blanks. This contract are the same numbers as the interim agreement and the date is March 1<sup>st</sup> which coincides with the ending of the interim contract. Commissioner Poss made the motion to approve the City Manager contract for March, 1 2017 to February 28, 2020 and Commissioner Putnam seconded the motion.

**CITIZENS' REQUESTS**

Library Director KellyAnne Terry reported that the Library funding bill is moving forward and Mr. Dan Bartel made a very inspiring plea for funding the local libraries in Montana.

**COMMISSIONER'S MINUTE**

Commissioner Doney commented that it has been discussed doing something to honoring citizens. Commissioner Doney would like set some criteria and get the information out to the community and then be able to recognize citizens on a regular basis. Commissioner Doney stated that Commissioner Turk would like to help and Commissioner Putnam volunteered to help also.

Commissioner Byerly commented that he has been attending the Airport Board meeting and some of the other meetings. Commissioner Byerly further commented that there is a lot of good work going on with the airport board. There is also a log of good work between the Airport Board, the City and the County.

**ADJOURNMENT**

Chairman Byerly adjourned the meeting.

Dated this 6<sup>th</sup> day of February, 2017.

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Dave Byerly, Commissioner Chairman

ATTEST:

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Nikki Brummond, City Clerk