

**A COMMISSION MEETING OF JULY 17, 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 Byerly asked everyone to stand and say the Pledge to the Flag.

**ROLL CALL**

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

**APPROVAL OF MINUTES**

Commissioner Doney approved the minutes for July 3, 2017 as presented and Commissioner Turk seconded the motion. The motion passed unanimously.

**PROCLAMATIONS**

There were none.

**BOARD AND COMMISSION REPORTS**

Commissioner Hewitt reported on the Airport Board meeting she recently attended. The leases were discussed and the Airport board must be charging fair market value for the leased land. The Airport Board is working on the airport hangars. Fish Wildlife and Parks is working with the Airport Board to move them to a new place at the Airport. The runway painting will be completed by August or September at the latest. The Airport Board also heard a proposal of locating an air ambulance at the airport.

Commissioner Turk reported on the Library Board meeting she recently attended. Commissioner Turk reported that the Library Director will be attending a summer leadership institute. The summer reading program is going well and there is a lot of participation. This year's program has been easier on the staff. The Friends of the Library had a successful book sale in July.

**CITY MANAGER REPORT**

City Manager Holly Phelps reported on the following issues:

The MMIA, League of Cities and Towns and the Local Government Center still be holding their annual Regional training in Lewistown on August 7<sup>th</sup>. Topics will include an overview of the new Bridge and Road Safety and Accountability Act (gas tax) and its implementation. Liability

101 and Governance and Professional Development. The meeting is from 9 to 4 and lunch is provided. Please let us know if anyone would like to attend.

A ribbon cutting ceremony is planned for the Parklet project. It will be held, in conjunction with the Hot Summer Nights event to be held downtown on July 21<sup>st</sup> beginning at 4 pm. Several businesses will be open late and there will be music on Main Street. It is a new spin on crazy days.

Make It Happen is planning a Grand Opening for the Big Spring Skate Park on August 12<sup>th</sup>. There will be a ribbon cutting ceremony at the Skate Park and then Make It Happen will be hosting music and dancing on 2<sup>nd</sup> Ave later in the evening. The Park and Recreation Department continues to work with the Make It Happen group to address the finishing details.

As of midnight on July 14<sup>th</sup> Fergus County is under stage 1 fire restrictions. This does affect campfires at East Fork. It is extremely dry and it is important to be careful when recreating. Campfires are allowed in permanent concrete fire rings.

The State Swim meet will be held in Lewistown on August 5<sup>th</sup> and 6<sup>th</sup> and there will be a traditional bow shoot at East Fork the weekend of July 22<sup>nd</sup>.

Century will be in town beginning next week to do chip seals on several streets in town. The City wants to remind people when construction activities are occurring in the area to please be patient and when possible look for alternative routes. Public Works will notify property owners ahead of time and people can find out more information on the proposed schedule on the City's website.

The City Manager continues to work with the Police Department bargaining union and hopes to have a contract proposal on the next Commission meeting.

### **CONSENT AGENDA**

Commissioner Hewitt made the motion to approve the consent agenda and Commissioner Doney seconded it. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from June 29, 2017 to July 12, 2017 for a total of \$159,147.38.

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

1. Discussion and action on approving the Berg feasibility study

Ms. Phelps explained that several members of the ROC housing group were in the audience and they were able obtain a Big Sky Trust grant and were then able to hire a consultant to prepare the feasibility study. Mr. Greg Benjamin with Stahly Engineering presented a summary of the feasibility study. Mr. Benjamin explained that the real goal of this presentation is a communication step and the action tonight is not a commitment of anything specific with the property itself but specifically the action is a communication step to make sure that what the group has done is in occurrence with the Commission and the group is on the right track. Mr.

Benjamin further explained that the main goal of the entire project was to fill a gap of the need for workforce housing in a range of \$150,000 to \$250,000. Further discussion followed on the different phase of the study. Ms. Phelps explained that this property was given to the City and was an old lumber mill site that required extensive clean up and was done through brownsfield project. It is now been cleared to residential standards and is able to be put to use for a project as discussed. Ms. Phelps further explained that in order for the City to get the cleanup done the City had to take a loan out with Snowy Mountain Development and due in the near future. Ms. Phelps stated that is why the City has partnered with Snowy Mountain Development to work on redeveloping the property and is required to get a no further action statement by DEQ. Commissioner Poss thanked the group for all of the work and then made the motion to approve the Berg feasibility study as presented and Commissioner Turk 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. Council on Aging annual report

Ms. Phelps introduced Ms. Stacy Auck the Executive Director with the Council on Aging. Ms. Auck stated that there is approximately \$27,300 in the roof fund. Ms. Auck stated that the lease ends in 2020 and we will need to look at the lease since it has been in place for 25 years. Ms. Auck stated that they had received a grant for the heating/cooling system and they are all installed and working. Ms. Auck explained that this is a non profit organization and do apply for grants through the Area II Agency and apply for grant funding through the Montana Department of Transportation for the shuttle. The other funding is dependent on the fund raisers and project funding like the grubstakes. The Treasure Depot is a great fund raiser also. Ms. Auck encouraged the City Commissioners to review the lease that was included in the packet and will have to discuss it in the near future.

## 3. Discussion and action on approving Resolution No. 3934, a resolution approving applications for TIF funds made to the Lewistown Tax Increment Financing District Board

Ms. Phelps explained that Tax Increment Finance Board received three applications for funding and approved three projects at their July meeting. Ms. Phelps further explained that Ms. Lisa Wright applied for a \$10,000 grant to do some masonry work on the Power Mercantile building. Dale and Michelle Hartman applied for a grant to fix up the façade at 213 and 215 W Main. It is a 50/50 match grant and they were approved for \$4,800 in funding. Creekside Market Place and Pavilion applied for a \$10,000 grant and were awarded that grant amount. Ms. Phelps explained that the TIF district received approximately \$57,000 in funding last year and \$47,000 in funding this year. Commissioner Doney made the motion to approve Resolution No. 3934, a resolution approving applications for TIF funds made to the Lewistown Tax Increment Financing District Board 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.

## 4. Discussion and action on approving the proposed angle parking for 3<sup>rd</sup> Ave N

Ms. Phelps explained that Ms. Lisa Wright brought a proposal to change the parking for the 100 block of 3<sup>rd</sup> Ave N to angle parking on just the west side of the block. First Bank has provided a letter of support for the change in parking. Ms. Phelps explained that she has discussed this with Public Works and their concern was snow removal and Ms. Phelps that can be worked on. Commissioner Turk made the motion to approve the proposed angle parking for the 100 Block of 3<sup>rd</sup> Ave N on the west side only 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.

#### 5. Discussion and action approving the final design concept for the Creekside Marketplace and Pavilion

Ms. Phelps explained that the final design concept was included in your packets. This design concept was presented to the Park and Recreation Board and their July meeting and they did approve this concept. Ms. Karen Sweeney addressed the Commission stating that she has discussed this before at Commission meetings and it was approved by the Park and Recreation Board and hope the City Commission would approve it tonight also. Ms. Sweeney stated that a public input meeting for this project was held on June 26<sup>th</sup> and topics discussed was the traffic flow into the parking lot, pet issues, signage, and ways to show the history or the area. Ms. Sweeney briefly explained a couple of changes to the design. Ms. Sweeney stated that the estimated cost is 1.4 to 1.5 million and it is hoped the save costs with donated services and maybe some donated equipment. The initial sight survey has been completed and pleased to report that the building locations are not located in a floodplain. The group does not have final designs for the stage or the restroom facilities and if the Commission chooses the final designs can be brought to the Commission for final approval. Ms. Sweeney stated that is all of her presentation and would ask the commission to approve the concept as presented. Commission Doney expressed how much she likes the idea and is hoping to bring families back to Lewistown. Commissioner Doney made the motion to approve the final design concept for the Creekside Marketplace and Pavilion 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.

#### 6. Presentation of the Library Annual Report

Library Director KellyAnne Terry presented the Commission with a super fun fact sheet. Ms. Terry reviewed the following: there are 4,732 library card holders and it is hard to determine the actual number of patrons because many people come in to read the newspaper or use the computers and they are not actual library card holders. There are 82,000 items in the library and of those 66,291 were circulated in the 2016-2017 year. The average monthly usage is around 5,538 and is more in the summer. The Friends of the Library just purchased new computers for the staff and public. The average monthly interlibrary loan circulation is 22 items. The annual circulation for the Montana Library2Go annual circulation is 9,760. There are 1,284 elementary students and 150 high school students that visit annually. There are 1,088 visitors annually for the story time and the monthly website visitors is 1,532. Ms. Terry commented on the programming the Library did this past year and is free and open to the public. Family Summer Reading Program, Music from the Back Porch by Lauren Pelon, there were two humanities

speakers, Montana Repertory Theatre, Roman Culture Night and a concert on the history of women in music. The Library has partnerships with the following groups: Humanities Montana, Montana Preservation Alliance, City of Lewistown, Snowy Mountain Development Corporation, Lewistown Art Center, Central Montana Foundation, Lewistown School District, Moore School, Superintendent of Schools for four Hutturite Colonies, Friends of the Lewistown Public Library, Central Montana Genealogy Society, Eagles Manor, Caslen Living Center, Valle Vista, State Home, CMMC and many out of town and in town nonprofits through the upstairs meeting room. Ms. Terry stated that she did not have a Chili Bowl Fundraiser this year due to being short staffed and did have a very successful Author diner fundraiser in May. Ms. Terry explained that the repairs of the exterior of the building are planned for in the budget.

#### 7. Discussion and action on the City's contribution to the Library for fiscal year 2017-2018

Ms. Terry explained the proposed expenditure budget, one change is that the grant she was receiving for the telephone has been terminated. There was also some vacancy savings due to the difficulty of hiring staff and employees quitting. Ms. Terry reviewed the revenues and the donations is a guess because you do not know who will donate or not in any given year. Ms. Terry explained that the entire amount of the cash for the building maintenance fund has been budgeted for the repair of the exterior of the building. Ms. Terry is asking again if the City commission will give \$5,000 toward that fund if the Library matches it with \$5,000. Ms. Terry stated that she is asking for the exact amount that was received last year from the City of Lewistown which is \$207,048 plus \$5,000. Commissioner Poss thanked Ms. Terry for the budget and that she did a nice job with the budget this year. Commissioner Byerly agreed with Commissioner Poss and that Ms. Terry has done a great job with her budget and addressed the concerns the commission has had in the past. Commissioner Poss made the motion to approve the City's contribution of \$207,048 to the Library and \$5,000 contribution to the depreciation fund if matched by the Library for fiscal year 2017-2018 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.

#### 8. Public hearing to hear comments on Resolution No. 3932, a resolution approving the fiscal year 2018 work plan and budget for Tourism Business Improvement District #1

Ms. Phelps explained that the Tourism Business Improvement District is a group of the local hoteliers that charge a \$1.00 tax each night on the rented rooms. The money collected is used help with tourism within the City of Lewistown. Chairman Byerly opened the public hearing to hear comments on Resolution No. 3932, a resolution approving the fiscal year 2018 work plan and budget for Tourism Business Improvement District #1. All funds are controlled by the TBID board that is made up of the local hoteliers. Commissioner Byerly asked for comments from the audience there being none, the public hearing was closed.

#### 9. Discussion and action on approving Resolution No. 3932, a resolution approving the fiscal year 2018 work plan and budget for Tourism Business Improvement District #1

Commissioner Doney made the motion to approve Resolution No. 3932, a resolution approving the fiscal year 2018 work plan and budget for Tourism Business Improvement District #1 and

Commissioner Turk 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.

10. Discussion and action on approving Resolution No. 3933, a resolution approving an assessment to defray the cost of the work plan and budget for Tourism Business Improvement District #1 for fiscal year 2018

Ms. Phelps explained that the TBID must have the assessment approved each year as part of the City's budget process. Commissioner Doney made the motion to approve Resolution No. 3933, a resolution approving an assessment to defray the cost of the work plan and budget for Tourism Business Improvement District #1 for fiscal year 2018 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.

11. Discussion and action on awarding the Riverdale Sewer Project

Ms. Phelps explained that the City along with Robert Peccia had a bid opening. They received four bids, two of the bids were close to the engineer's estimate, which is good and included in the packet is a recommendation from the engineer. The engineer has reviewed all of the bids, spoke with the low bidder and is recommending Do-All Construction as the contractor. Commissioner Doney made the motion to approve awarding the contract to Do-All Construction for a not to exceed total price of \$543,301.20 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.

12. Discussion and action on confirming the revocation of the business license for DishOne Satellite

Ms. Phelps explained that this company came into Lewistown, got a business license to sell door to door Dish Network services. The Police Department begin receiving complaints immediately. They originally stated they would be here for a week but came back for a second time and the complaints and concerns were worse. The Police Department tried to locate the company and the majority of the numbers were not valid so it has been decided to revoke their license and would like final approval from the commission. Commissioner Poss made the motion to confirm the revocation of the business license for DishOne Satellite 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**

Ms. Susan Barta asked if there will be some signs at the skate park requiring helmets, safety gear and rules. Ms. Phelps answered that yes, the City is continuing to work on a rules board to outline the hours and rules.

**COMMISSIONER’S MINUTE**

Commissioner Byerly commented that he has been talking with the City Manager and it is time for her semiannual evaluation. Commissioner Byerly explained that there will be an evaluation instrument and it is planned for one of the August meetings.

Commissioner Doney commented that there are people living at East Fork and somehow there needs to be a presence out there.

Commissioner Hewitt commented that it has not been mowed. Ms. Phleps answered that the City does not typically mow it but does take care of the garbage and bathrooms.

Commissioner Poss commented on his concern with Ackley Lake being closed. Ms. Phelps answered that she has started on the letter and will get it out this week.

**ADJOURNMENT**

Chairman Byerly adjourned the meeting.

Dated this 17<sup>th</sup> day of July 2017.

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Dave Byerly, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk