

A REGULAR COMMISSION MEETING OF JULY 1, 2019 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Chairman Turk called the meeting to order.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present were Commissioners: Doney, Dunnington, Hewitt, Loomis, and Turk. Commissioners Byerly and Oldenburg were absent.

APPROVAL OF MINUTES

Commissioner Loomis made the motion to approve the June 17, 2019 minutes as corrected and Commissioner Hewitt seconded the motion. The motion passed unanimously.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Dunnington reported that she was unable to attend the City County Planning Board meeting and the item is on the agenda this evening for action by the Commission.

Commissioner Hewitt reported that the Airport Board will meet on July 3rd.

Commissioner Doney reported that the Ordinance Committee met on June 24th and reviewed the Cemetery ordinances.

Commissioner Doney reported that the Library Board will meet on July 18th.

Commissioner Loomis reported members of the Park and Recreation Board and others met up at East Fork and cleaned up the area. There has been some discussion regarding holding off charging until more upkeep was done. The signs are being put up in the area. City Manager Phelps reported that the Park and Recreation Department will need to look at capital improvements up in the East Fork area.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

At the last Commission meeting the removal of beavers at the Frog Ponds was discussed and the Park and Recreation Department is working with Fish Wildlife and Parks to explore options for the removal of beavers at the Frog Ponds. The Park and Recreation Department did remove 17 beavers from the area last year.

The City Manager continues to work with Top Star Properties on getting easements in place for the H Street water and sewer project. The developer plans on obtaining an additional 20 feet on the west side of H street so that both the water and sewer mains can be installed off the driving surface. After the construction, the City will be responsible for the mainline. It is important to get easements in place so that the City has access to operate and maintain the system. The easements need to be in place before the system is accepted by the City. Recently, there have been some questions regarding Mile Drive. Mile Drive is a private road easement located in the County and on the west side of the Town and Country building site. An example of the easement is attached and once the easements are signed by the property owners, they will come before the Commission for approval.

The Lewistown Sea Lions swim team will be holding their annual swim meet July 13th and 14th at the swimming pool. The pool will be closed much of that weekend. Camping for the swim meet will be allowed in and around Frank Day Park. The last storm took a couple of trees down at Frank Day Park and unfortunately, these were relatively health trees.

The City currently has a couple of positions open. The openings are for the Trails Coordinator, Police Officer and Part time Dispatcher.

The Fourth of July parade will be at 11 am and if you check the newspaper there is a full list of events for the day. Make it Happen also rescheduled their Summer Celebration for the fourth of July. The Police and Fire Departments have been out to the Fireworks stands and working with them to educate the public on the new ordinance.

Clean up of the old City Dump continues. Last winter samples were taken to explore the extent of the Penta contamination. Those samples indicated that additional soil will need to be removed and disposed of. Additional sampling will need to be explore how much additional soil needs to be removed. This is sampling is planned for the week of July 11th and the hope is that the soil could be removed late this summer.

PUBLIC COMMENT - on non-agenda items

There were none.

CONSENT AGENDA

Commissioner Loomis made the motion to approve the consent agenda and Commissioner Doney seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from June 13, 2019 to June 27, 2019 for a total of \$201,548.80

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

1. Public hearing to hear comments to amend the City of Lewistown Official Zoning Map for property being considered for an initial zoning designation as part of a petition for annexation from New Life Assembly of God Church Lot 1B of the New Life subdivision

Chairman Turk opened the public hearing to hear comments to amend the City of Lewistown Official Zoning Map for property being considered for an initial zoning designation as part of a petition for annexation from New Life Assembly of God Church Lot 1B of the New Life subdivision. City Manager Phelps explained that Lot 1A is located east of the ShopKo buildings and adjacent to the highway was annexed and zoned C – 3 back in 2010. The Commission approved the annexation of Lot 1B by petition and now it needs to be zoned. The City County Planning Board met and held a public hearing and received no negative feedback and recommended approval of C-3 Highway Commercial zoning which is

consistent with the zoning of the area. Mr. Richard Batterick asked where the if lot 1B was behind lot 1A. Commissioner Turk asked for comments from the audience and Commission. There being none, the public hearing was closed.

2. Discussion and action on approve the recommendation from the Zoning Commission to amend the City of Lewistown Official Zoning Map for property being considered for an initial zoning designation as part of a petition for annexation from New Life Assembly of God Church Lot 1B of the New Life subdivision

City Manager Phelps explained that is for zoning Lot 1B of the New Life subdivision located East of ShopKo and adjacent to Meadowlark Lane. This lot was recently annexed by petition by the City Commission. The City County Planning Board held a meeting and recommends approval a C-3 Highway Commercial Zoning. Commissioner Doney made the motion to approve the recommendation from the Zoning Commission to amend the City of Lewistown Official Zoning Map for property being considered for an initial zoning designation as part of a petition for annexation from New Life Assembly of God Church Lot 1B of the New Life subdivision and Commissioner Dunnington seconded the motion. Commissioner Hewitt asked if the Lot is in a floodplain? City Manager Phelps answered that the front lot does have its own floodplain. City Manager Phelps explained that certain criteria would need to be met if they chose to build in the floodplain. Commissioner Turk asked for comments from the audience and Commission. There were none and those voting in favor of the motion were Commissioners, Doney, Dunnington, Loomis and Turk. Commissioner Hewitt voted against and Commissioners Byerly and Oldenburg were absent.

3. Discussion and action on setting the street maintenance assessment for fiscal year 2019-2020

City Manager Phelps explained that included in the Commissioners packet is an excel spreadsheet showing the Street Maintenance Assessments over the last several years. City Manager Phelps briefly explained that spreadsheet making note that per the Street Maintenance resolution there is a cap of 15,000 square foot for a residential home. City Manager Phelps reported that there are three options before the Commission for the street maintenance assessment rate. The first option is to stay the same, second option is to decrease a tenth of a cent and the third option is to increase it a tenth of a cent. City Manager Phelps stated that there has been an increase in oil costs. City Manager Phelps further stated that the assessment funds the street department for the City of Lewistown which includes labor, equipment and repairs. Commissioner Doney made the motion to increase the rate one tenth of a cent to .033000 and Commissioner Turk seconded the motion. Commissioner Turk 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 awarding the 2019 Street Improvement Bid

City Manager Phelps explained that a few Commission meetings ago a presentation was done on how the City streets are evaluated and options to repair streets. As a result, the 2019 Street Improvement project was developed and then put out to bid. The City received one bid from Century Companies in the amount of \$944,923.00. City Manager Phelps explained that that City budgeted around \$600,000 for a street project and the Public Works Director Killham went to Century Companies and change ordered the bid to better fit the budget. Further discussion followed regarding the deducts. Commissioner Doney made the motion to approve the 2019 Street Improvement Bid to Century Companies in the amount of \$600,757.56 and Commissioner Loomis seconded the motion. Commissioner Turk asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

CITIZEN'S REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Doney commented that she would be okay with more electronic correspondence for the packets.

Commissioner Loomis commented that he talked to different people regarding the boulevards and the consensus was the beauty of the boulevards and were opposed to have them removed.

Commissioner Loomis commented that a citizen has expressed the frustration with the chlorination of the water. There are still citizens very concerned about the chlorination.

Commissioner Loomis reported that he heard a lot of fireworks and called the Police Department and was informed by the dispatcher that people need to call the Police Department right away in order to enforce the ordinance.

Commissioner Loomis reported that riding bikes on the sidewalk is very dangerous. City Manager Phelps reported that there are some stencils that can be painted on the sidewalks. Public Works Director Killham has located that stencils and has a worker this summer painting the curbs and will be getting those painted also.

ADJOURNMENT

Chairman Turk adjourned the meeting.

Dated this 1st day of July, 2019.

Patty Turk, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk