

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON FEBRUARY 7, 2022 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Chairman Doney called the meeting to order.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present were Commissioners: Day, Doney, Hewitt, Hrubes, Scotten, Spika and Terry.

APPROVAL OF MINUTES

Chairman Doney stated that without objection and based on the corrections the January 18, 2022 minutes are approved.

COURTESIES

There were none,

PROCLAMATIONS

Chairman Doney read the following proclamation:

Arbor Day Proclamation

WHEREAS, natural areas, trees, and landscapes provide not only community beautification but also economic and environmental benefits; and

WHEREAS, trees provide many benefits to the community, including air purification, windbreaks, noise reduction, shade and energy savings; and

WHEREAS, planting trees and maintaining older trees provides an opportunity for community interaction, volunteerism, economic development, and environmental conservation; and

WHEREAS, our efforts to improve the environmental benefit present and future generations; and

WHEREAS, Arbor Day in Montana is officially the last Friday in April;

BE IT THEREFORE RESOLVED, I, Gayle Doney, Commission Chairman of Lewistown, Montana, do hereby proclaim June 7th 2022, as Arbor Day in Lewistown, and encourage citizens to participate in appropriate activities and to take advantage of the benefits of the parks and other natural areas in our community.

BOARD AND COMMISSION REPORTS

Commissioner Scotten reported that Snowy Mountain Development Corporation board meeting will be next week on February 16th.

Commissioner Terry reported that the Central Montana Foundation met on January 27, 2022. Commissioner Terry commented that the following groups received grant money for Cub Scouts, Fergus County Disaster Relief Fund, Junior Class after prom party and Grass Range high school. The foundation will meet again on February 15, 2022.

Commissioner Hewitt reported that she attended the recent airport board meeting. Unfortunately, the airport manager fell on the ice the night before the meeting. As a result, there was not a lot of information available for the meeting. Commissioner Hewitt stated that a meeting was called to order and held. The airports engineer was present and discussed the upcoming projects and funding from the FAA.

Commissioner Day reported that the Park and Recreation Board met on February 2, 2022. There was a report presented by the Lewistown Area Cycling and Trails Association (LACTA). Mr. Brad McCardle gave the LACTA report stating that there is 4.5 miles of trail available for usage at East Fork for hiking, biking and snow shoeing. There is still an unfinished area, however 65% of the trail is complete and are hoping to provide trail access from the parking area. The vision is the trail to circle East Fork Recreation Area. There was a request for use of the Gateway Park for a tent revival from July 2nd to July 8th. This item will be on the March meeting agenda for action. Mr. Josh Uecker has created a progress summary of the trails and parks which includes a master plan maintenance summary. The summary includes photos, locations and reports. It was suggested that it be made available to the public through the Chamber, Kiosk at Creekside and the City website were a few suggestions. Commissioner Day stated that pool fees were reviewed again it is estimated that there may be a 20% increase in the budget next fiscal year due to the increase in minimum wage and utilities. Swimming lesson fees were increased \$5 in 2021 and season passes have remained the same since 2018. There was a report from the Lewistown Ice Skating Association stating the facility is being used full time, tournaments have been successful and they have strong volunteer base. The Civic Center is running a full schedule and there was a brief discussion on tree removal in the parks.

Commissioner Doney reported that the Library Board met on January 20th. The library financials were reviewed and new programming was discussed. The library has free ACT and SAT test preparation. The library is continuing with the humanities workshop and some scholarship workshops.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

While Lewistown has not seen a lot of snow, the changing conditions have kept Public Works very busy. In just the last week the Street Department has been out there plowing, sanding, doing maintenance on signs and storm drainage and when the weather has allowed even bladed streets. The Public Works department is prepared and ready for winter when ever it decides to show up.

A leak was discovered in the office restroom in the City office. One of the pipes had corroded in the wall. Maintenance staff has worked to clean up the mess and address the moisture. Staff is working to get the restroom back in service.

The 2022 Economic Outlook Seminar will return to Lewistown on March 15, 2022. The focus at this year's half day seminar is housing. Sky high housing costs are affecting communities everywhere and

affect everything from labor markets to public services. More information can be found at www.economicoutlookseminar.com

Spring is the time for sending staff to training. We will be having people going to get certified and also to get continuing education credits for their certification requirements. The City also has several employees testing for their CDL's prior to the new requirements going into effect.

City Manager Phelps stated that included in the Commissioners packet was a brief history on the clean up of the Berg Lumber property. A feasibility study has been done on the property and worked with the community to see what housing development would look like. In 2019, the City put property out asking for proposals from the public and received none. City Manager Phelps stated that one inquiry from a group was made wanting to do housing development. City Manager Phelps explained that the reason the project didn't move forward was the interested group wanted to do septic systems. This property has conditions that need to be met and deed restrictions.

The Police Department is continuing to work with Fish Wildlife & Parks on the urban deer population study. They are waiting to hear back from FWP regarding the deer population and count.

The Police Department has taken over the care of the animals at the pound. The Police Department is no longer working the SAFE or PALS to care for the animals taken to the pound.

PUBLIC COMMENT – non agenda items

Mr. Brandon Beriault addressed the Commission stating he wanted to make a brief comment on Berg Lumber. Chairman Doney stopped Mr. Beriault explaining that Berg Lumber was on the agenda and asked if he would save his comments to that agenda item. Mr. Beriault commented that he would like the water rate payers to be given an option to pay annually or quarterly for a discount. Mr. Beriault asked if the Commission would take this option under advisement. Mr. Beriault stated he would like to see the police trained better because Mr. Jim Daniels called the police on him at the swimming pool for not wearing a mask. Chairman Doney explained that as part of the agenda any employee issues need to be discussed with the City Manager. Mr. Beriault answered okay, but he thinks the police need to learn the difference between criminal and civil action. Chairman Doney stated again this needs to be discussed with the City Manager. Mr. Beriault continued to talk and Chairman Doney stated that employee issues can not be discussed in a public meeting and gaveled him to sit down. There was a slight disruption and Mr. Beriault was asked to sit down or the police would be called. Mr. Beriault continued to talk. Chairman Doney stated to Mr. Beriault if he did not sit down then he needed to vacate the premises. Chairman Doney asked Mr. Beriault three times to vacate the premises and if he did not leave, we would be asking someone to remove him from the premises. Mr. Beriault continued to talk. Chairman Doney stated the meeting will be on hold until he leaves the premises. Two Police Officer arrived at the meeting and worked to remove him from the premises. Chairman Doney recessed the meeting until 7:30 pm while Mr. Beriault vacated the premises. The officers were able to get him to leave the premises and the meeting resumed at 7:31 pm

CONSENT AGENDA

Commissioner Terry made the motion to approve the consent agenda and Commissioner Spika seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgment of the claims that have been paid from January 14, 2022 to January 31, 2022 for a total of \$66,034.98

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

1. Public hearing to hear comments on Crowley Flats, a low income rental housing project located on the two upper floors of 311 W Main.

Chairman Doney opened the public hearing to hear comments on Crowley Flats, a low income rental housing project located on the two upper floors of 311 W Main. City Manager Phelps stated that included in the Commissioner’s packet is the legal notice for the public hearing. City Manager Phelps explained that Crowley Flats, LLLP a Montana limited liability limited partnership has partnered with Homeward, Inc a Montana nonprofit corporation, specializing in preservation and development of homes people can afford. City Manager Phelps stated that Homeward has completed several projects in Lewistown and are projects for income and rent restricted multifamily rental homes. This particular project is for the development of housing on the upper two floors of the one health building on Main Street. City Manager Phelps stated the proposal is for sixteen units. Ms. Julie Stietler with Homeward was in attendance via zoom Ms. Stietler stated that this project does have low income housing tax credit financing, historic tax credit financing, historic home grant from the State of Montana, Department of Commerce Montana Housing, an affordable housing grant from the federal home loan bank of Des Moines and some private foundation grants. Ms. Stietler explained that they are working on phase II environmental site assessment in order to meet some requirements of HUD for the home grant. There are sixteen units and most of them are studio, one bedroom and two two bedroom apartments. An elevator will be installed in the building, which is being done by One Health. There will be fully accessible homes on the upper two floors. The homes will fully accessible for individuals with disabilities and all the homes will be equipped with vision and hearing disabilities. Ms. Stietler explained that the homes will be generally restricted to those individuals earning 60% or less of the area median income, which in Lewistown right now is around \$15 an hour. Chairman Doney asked if any public had any questions. Mr. Richard Battrick asked if there is a need for the low to moderate housing locally. Ms. Stietler answered that a market study was completed a year ago it showed a need for an additional 64 homes in Lewistown for households in the income range. Commissioner Day asked where or how do citizens apply for this housing. Ms. Stietler answered that they use a third party manager for their properties. The project is scheduled to be finished in early 2023. Commissioner Hewitt asked why only two two-bedroom homes were being built. Ms. Stietler answered that the building is ideally located for studios and one bedroom because it was cut up into little offices. Ms. Stietler went on to explained that as part of the funding is historic tax credits and as part of that they want you to retain the existing layout as much as possible. There will be ten dedicated parking spots for the apartments. Chairman Doney asked for comments from the audience and Commission. There being none, the public hearing was closed.

2. Discussion and action on approving the Interlocal Agreement establishing a City County Health Board

City Manager Phelps commented that this is the interlocal agreement which establishes the City County Health Board per statute. City Manager Phelps explained it will be a five member board and that each party, the City and County would appoint someone to serve at their pleasure exclusively and other three would be mutually agreed upon. City Manager Phelps commented that the board would be funded by the general fund of both the City and County, the employees would County employees and the County Attorney would serve as legal counsel for the board. This is a five year agreement. City Manager Phelps stated she wanted the Commission to see that in the agreement the City Commission would be the local governing body for the City and the Fergus County Commissioners would be the local governing body for the county. This would include any mandates and it part of state statute. Brief discussion was held on the legislative changes for the health boards. Commissioner Day made the motion to approve the Interlocal Agreement establishing a City County Health Board and add the word “written” to item #5 and

Commissioner Hewitt seconded the motion. Commissioner Doney asked for comments and questions from the audience and Commission. There being none, Commissioner Doney asked for the clerk to do a roll call vote. The motion was read and the roll call vote was done and the motion passed unanimously.

3. Discussion and action on approving the 2021-2022 School District No. 1 Agreement

City Manager Phelps stated that this is an agreement between the City of Lewistown and School District No. 1 for use of recreation facilities and equipment. City Manager Phelps explained that this agreement was put into place in the mid 1980's and in 2008 a few changes were made. One of the changes was adding a consumer price index annual increase which is what is included in the majority of the City's contracts. This agreement benefits both the City of Lewistown and the School District being able to share space, resources and equipment. Commissioner Hewitt made the motion to approve the 2021-2022 agreement between the City of Lewistown and School District No. One for use of recreation facilities and equipment and Commissioner Hrubes seconded the motion. Commissioner Doney asked for comments and questions from the audience and Commission. There being none, Commissioner Doney asked for the clerk to do a roll call vote. The motion was read and the roll call vote was done and the motion passed unanimously.

4. Discussion and action on approving an amendment to the City County Attorney agreement with regards to funding health insurance for the City Attorney

City Manager Phelps explained that this is just an amendment to the current City County Attorney agreement. The agreement is for rent for our City Attorney, supplies and administrative support. City Manager Phelps explained that the previous City Attorney did not participate in health insurance from the City or County, but when hiring a replacement, it was determined that health insurance would be offered. City Manager Phelps further explained that the City of Lewistown does not offer health insurance benefits to employees working thirty hours or less in a week, as a result we need to have this amendment added to the agreement so the City is compliant with their policies and procedures. City Manager Phelps commented that the amendment stipulates how the costs will be share and accounted for. City Manager Phelps noted that the City's health insurance is a less expensive and better coverage insurance and that is why we are the insurer. Commissioner Hewitt made the motion to approve an amendment to the City County Attorney agreement with regards to funding health insurance for the City Attorney and Commissioner Day seconded the motion. Commissioner Doney asked for comments and questions from the audience and Commission. There being none, Commissioner Doney asked for the clerk to do a roll call vote. The motion was read and the roll call vote was done and the motion passed unanimously.

5. Discussion and action on advertising for request for proposals for the development of the Berg Lumber property and authorizing the City Manager to move forward

City Manager Phelps commented that in April of 2019 the City did put out a request for proposal (RFP) for the Berg Lumber property for interested parties looking to develop the property for housing. The City did not receive any proposals; however, the City Manager has had several inquiries in the last couple of weeks and feel it is a great time to advertise the property. City Manager Phelps explained that the housing coalition is wanting to show their support for a housing development project like this. City Manager Phelps briefly explained what the RFP will be evaluated on. The following criteria was discussed: workforce housing, applicant's ability to perform, tax generation, timely completion, management and deed restriction. Commissioner Day asked if the City would maintain ownership. City Manager answered no it is hoped that the property would be transferred. Commissioner Day made the motion to approve advertising request for proposals for the development of the Berg Lumber property and authorizing the City Manager to move forward and Commissioner Terry seconded the motion.

Commissioner Doney asked for comments and questions from the audience and Commission. There being none, Commissioner Doney asked for the clerk to do a roll call vote. The motion was read and the roll call vote was done and the motion passed unanimously.

CITIZENS' REQUESTS

Mr. Ben Saunders of 1310 W Broadway commented that there was a lot of talk about chickens during the election. Mr. Saunders would like to request that the topic of chickens be discussed at a future meeting.

COMMISSIONER'S MINUTE

Commissioner Doney stated that we typically don't have situation like we had tonight and would like to thank everyone for their patience. Commissioner Doney thanked the City Attorney and City staff and commented that it is very clear in the citizen's participation that is on the agenda of how meetings will be conducted.

Commissioner Terry stated that Commissioner Doney did a great job and appreciate the back up from the staff.

Commissioner Hrubes commented that Commissioner Doney did a great job.

Commissioner Day asked how to get information on the Kiosk at Creekside. City Manager Phelps answered that we are still waiting for internet to get installed at the location and then contact Hidden MT to get information added to the kiosk.

ADJOURNMENT

Chairman Doney adjourned the meeting.

Dated this 7th day of February 2022.

Gayle Doney, Commission Chairperson

ATTEST:

Nikki Brummond, City Clerk