

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON JUNE 6, 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, Spika and Terry. Commissioner Scotten was absent.

APPROVAL OF MINUTES

Chairman Doney stated that without objection the May 16, 2022 minutes are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Terry reported that the Central Montana Foundation annual meeting was held on May 24, 2022. It was a very nice meeting and many were in attendance. Commissioner Terry explained that the Central Montana Foundation Board honored Frank Carroll as the Friend of the Foundation. Mr. Carrell is a major donor for the construction of the Petroleum County Community Center and has generously supported many other central Montana projects.

Commissioner Hewitt reported that the Airport Board met on June 1st. Airport Board has been asked by someone to lease land by the Lewistown sign for storage units. Commissioner Hewitt stated it was discussed and will be before the airport board at a later date for an approval. Commissioner Hewitt reported that the fence at the rental house needs to be replaced, the roof on the big hangar is done, the pilot lounge foundation will be painted, a new flag pole will be installed and these are all summer projects. Commissioner Hewitt explained that the Airport Board has been trying to get a turf or grass runway and FAA has written some new language that will allow for this as it can run along side one of the big runways. The Airport Board is in the process of raising hangar rates. The fly in is June 25, 2022.

Commissioner Doney reported that the Library Board met on May 26th. There are a lot of people signed up for the summer reading program. Commissioner Doney stated that the Library building committee is going to meet and look at option for the exterior of the Library. The Library is continuing to work with the City Manager to work on the memorandum of understanding (MOU) between the City and the Library.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following items:

The pool season was to start on Sunday, June 5th at 1 pm. However, was unable to do so and the weather didn't cooperate on Monday, so it is hoped to be open on Tuesday, June 7th. Season passes and swimming lesson sign up have gone well. Citizens can still purchase passes and sign up for lessons down at the swimming pool during regular hours.

The Summer Reading Program has begun and there has been a ton of participation in both the children and adult programs. The Library Director has been busy lining up additional programming for the summer.

The Park and Recreation Board recently completed their annual East Fork work night. The group worked to get the campground trimmed up and also finished prepping for the installation of two new picnic tables. The clean up included the removal of the old grills.

During the recent wind storm a part of the rubber roof at the Public Works shop tore off. It has since been patched, the replacement of the roof in the near future will need to be looked at during the budget process. No other properties were damaged.

The Lewistown Police Department and K-9 Officer Shark will receive the Spirit of Montana award. Governor Gianforte will be in Lewistown, Tuesday, June 7th at present the award. A short ceremony is planned to take place in the Police Department at 3:05 am.

As mentioned previously, the City Manager has met with representatives from the Library regarding the MOU. The group has worked to incorporate the recommendations from the State Library and Montana Municipal Interlocal Authority (MMIA) into the draft MOU. It is planned to have an MOU for the City Commission to approve at the June 20th meeting.

PUBIC COMMENT

There were none.

CONSENT AGENDA

Commissioner Terry made the motion to approve the consent agenda and Commissioner Hewitt seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgment of the claims that have been paid from May 14, 2022 to May 31, 2022 for a total of \$55,169.13

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Discussion and action on approving Resolution No. 4087, a resolution by the City of Lewistown Commission setting the fees of the Lewistown City court of record for electronic audio records

City Manager Phelps explained that this resolution was tabled at the last meeting. The change that was made was the last whereas now states that the fees charged will be deposited with the County.

Commissioner Terry made the motion to approve Resolution No. 4087, a resolution by the City of Lewistown Commission setting the fees of the Lewistown City court of record for electronic audio

records and Commissioner Hewitt seconded the motion. Commissioner Doney asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

2. Discussion and action on approving Resolution No. 4089, a resolution appointing successor trustee to Lewistown Tourism Business Improvement District No. 1

City Manager Phelps this is the most current resolution for the Tourism Business Improvement District trustees is before the Commission for approval. City Manager Phelps read the following “whereas, the trustee Delisha Patel sold the business and vacated her position as trustee and her current four-year appointment is now vacant, Vaibhav Gadade has been nominated by the board to serve the remainder of her appointment” Commissioner Hewitt made the motion to approve Resolution No. 4089, a resolution appointing successor trustee to Lewistown Tourism Business Improvement District No. 1 and Commissioner Hrubes seconded the motion. Commissioner Doney 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 approving a curb cut deviation for Kevin and Geri Rector for their property located at 202 Diamond Lane

City Manager Phelps explained that included in the Commissioners packet is a diagram of the referenced property as prepared by Mr. Kevin Rector. City Manager Phelps stated they are in the process of building a home on the corner of Golden Nugget and Diamond Lane in the Stonewood Farms subdivision. The lot is a 2.5 acre tract and they are requesting is two driveways one is 34 feet and the other is 30 feet. City Manager Phelps explained that this was discussed with other departments and there were no concerns. Commissioner Day made the motion to approve the curb cut deviation for Kevin and Geri Rector for their property located at 202 Diamond Lane and Commissioner Hewitt seconded the motion. Commissioner Doney 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 moving forward with the Urban Deer Management plan

City Manager Phelps explained that the City has been working on the urban deer situation for almost a year. City Manager Phelps further explained that a committee is place and one of the committee members did not run for reelection for there is a position on that committee if any Commissioner is interested. The committee has looked at a couple of different options to manage the deer population. The two options are a lottery type system for bow and arrow and the other option was a law enforcement style hunt. City Manager Phelps stated that in working with local Fish Wildlife and Park biologist were have received information of what is being done in White Sulphur. City Manager Phelps explained that the management plan from White Sulphur was included in the Commissioners packet. The plan is actually done for white tail and muley deer and they issue fifty permits annually. Further discussion followed. Commissioner Day made the motion to move forward with the Urban Deer Management plan and Commissioner Hewitt seconded the motion. Commissioner Doney asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

5. Discussion on the encroachments with in the City limits

City Manager Phelps stated that information regarding encroachments was included in the Commissioners packet. City Manager Phelps explained that she has received a request from John and

Cherie Neudick regarding an encroachment agreement on the property they own on the intersection of Erie and Entrance Ave. City Manager Phelps stated that adjacent property owners asked that the alley be abandoned and as a result the City did narrow up the street a little bit which is how the change was done from 17 feet to 7 feet. City Manager Phelps explained that City has a long history of encroachments. Various encroachments are in place for signs, utilities, right of ways and in some instances, there are building or structures on the public right of way. The plan is to have this item on the next agenda for discussion and action. At this time, we will discuss the item and see what comments the Neudicks have regarding the encroachment request. Commissioner Hrubes commented that he went and looked at the property in question and does not see what the issue is. Ms. Cherie Neudick addressed the Commission stating that the biggest issue is that they need the encroachment gone so that they can sell the property. Ms. Neudick explained that loan underwriting will not allow a house to be sold with any type of encroachment on the property. Commissioner Doney asked the City Manager to give some recommendations, because she knows in the past a lease has been done for encroachments. City Manager Phelps answered that is how a lot of them have been handled and done by fair market value or square footage. There was some discussion held and it was discussed that maybe the piece of property could be sold to the Neudicks. City Manager Phelps stated that it would be done so there is no cost on the City of Lewistown. Commissioner Doney asked Ms, Neudick to submit a request to the City Manager and then it will come before the Commission to move forward with the possibility of clearing up this issue.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

City Manager Phelps explained that included in the Commissioners packet was information regarding an open house on bridges sponsored by the Montana Department of Transportation.

ADJOURNMENT

Chairman Doney adjourned the meeting.

Dated this 6th day of June, 2022.

Gayle Doney, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk