

A COMMISSION MEETING OF AUGUST 20, 2012 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Chairman Gremaux called the meeting to order.

ROLL CALL

Present were Commissioners Berry, Doney, Gremaux, Hewitt, Phillips, Putnam and Turk.

APPROVAL OF MINUTES

Commissioner Turk made the motion to approve the minutes for July 16, 2012 as presented and Commissioner Doney seconded the motion. The motion passed unanimously.

COURTESIES

Chairman Gremaux presented Mr. Tom Moring a certificate of appreciation for his 30 years of service to the City of Lewistown. Mr. Moring was a Police Officer for the Police Department for 20 years and then he became the City Cemetery Caretaker for the past ten years.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Gremaux reported that he recently attended a Library Board meeting. The main topic was the approval of the new colors for the Library trim.

CITY MANAGER REPORT

City Manager Kevin Myhre reported on the following issues:

The East Fork Reservoir is draining and should be at a stream flow by the week of August 20th. Our crew hopes to be able to work in the gate system as soon as the area dries for access.

The swimming pool will close for the season on Sunday, August 26th. School starts later that week.

The Friends of the Library are paying to have a portion of the Library's exterior painted. Several different earth tones will be replacing the pink color that has been on the upper trim of the Library for the past several years. The railing will also be painted since it has faded to pink as well.

The City Manager has met with the Police Department administration to discuss the issue of parades rules and ways to enforce the City ordinance. The parade application documents are being reviewed to see if there are any changes that need to be made. The Police Department will be stressing the adherence to the ordinance for remainder of the parades this year.

The City Manager has tentatively agreed to increase the City's contribution to Fergus County for health district services to \$7,000. They have agreed to accept that amount.

The Fergus County Weed District has been spraying some areas in the City and on City properties. They have also been working with the Park and Recreation Department to facilitate spraying of noxious weeds. The Weed Coordinator is keeping track of the costs associated with the work to compare to revenues paid to the county by City taxpayers. The City Manager will be requesting a copy of the costs at the end of the season.

Local resident Paul Pavlak has been working to gather donations and resources to make some improvements at the Big Spring picnic facility adjacent to the fish hatchery. Mr. Pavlak is working with Park and Recreation Director Jim Daniels on improvements.

Public Works is ahead of schedule on the painting of school crossings and they should be finished when school starts at the end of August. Painting in other areas will continue into the fall.

CONSENT AGENDA

Commissioner Doney made the motion to approve the acknowledgement of the claims that have been paid from August 3, 2012 to August 15, 2012 for a total of \$231,582.20 and Commissioner Putnam seconded the motion. The motion passed unanimously.

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Discussion and action on confirming the City Manager's appointment to fill an expiring term on the Board of Adjustment

Mr. Myhre explained that Mr. Jim Byers was originally appointing to the Board of Adjustment on July 17, 2006. Mr. Byers was reappointed in 2009 for another three year term and has expressed his desire to remain an active member on the Board of Adjustments and would like to be reappointed to another term. Mr. Myhre explained that the Board of Adjustment is responsible to hear and decide on appeals from decisions made by an administrative official in the interpretation and enforcement of the zoning ordinance and to authorize variances from the terms of the zoning ordinance. Planning Director Duane Ferdinand commented that Mr. Byers is a good board member and a very active participant. Commissioner Putnam asked if this board vacancy was published. Mr. Ferdinand answered that yes the vacancy was published, but received no interest from the public. Commissioner Phillips made the motion to approve confirming the City Manager's appointment of Mr. Jim Byers to fill an expiring term on the Board of Adjustment and Commissioner Putnam seconded the motion. Commissioner Gremaux

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 first reading of Ordinance No. 1744, authorizing the Director of Public Works to issue temporary encroachment permits in limited circumstances for fences requested to be erected in the City right of way

Mr. Myhre explained that basically this ordinance allows a local citizen to build a fence off their property out onto public right of way if they meet certain provisions that are outlined in the ordinance. Currently, in City ordinance citizens are prohibited from building on public right of way. Mr. Myhre recommended that the application fee be set at \$50. Mr. Myhre stated that the all penalties will be \$5.00 per day. Further discussion followed. Mr. Myhre stated that the goal of this ordinance is to allow for fences to encroach but keep record and ensure they follow the provisions for the safety, welfare and health of the City. Commissioner Turk made the motion to approve the first reading of Ordinance No. 1744, an ordinance authorizing the Director of Public Works to issue temporary encroachment permits in limited circumstances for fences requested to be erected in the City right of way and Commissioner Doney seconded the motion. Commissioner Gremaux 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 Resolution No. 3790 amending the 2011-2012 budget of the City of Lewistown

Mr. Myhre explained that throughout the budget year there revenues and expenses that are not accounted for because of grants or unexpected situations. Mr. Myhre reviewed the different sections and the reasons for the amendments. Commissioner Phillips commented that Section 2 revenue does not equal the expenses by a dollar. Commissioner Doney made the motion to approve Resolution No. 3790, a resolution amending the 2011-2012 budget of the City of Lewistown with the \$1 correction on section 2 and Commissioner Putnam seconded the motion. Commissioner Gremaux 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 Resolution No. 3791 relating to adopting a preliminary budget and providing date for public hearing and adoption thereof for the fiscal year beginning July 1, 2012 and ending June 30, 2013

Mr. Myhre explained that a preliminary budget has been prepared and some changes may need to be made prior to approve the final budget. Mr. Myhre further explained that State law requires the City to pass a preliminary budget and set a date when the final budget will be approved. Mr. Myhre stated that the final budget will be approved on Tuesday, September 4, 2012 at 7 p.m. Commissioner Doney made the motion to approve Resolution No. 3791, a resolution relating to adopting a preliminary budget and providing date for public hearing and adoption thereof for the fiscal year beginning July 1, 2012 and ending June 30, 2013 and Commissioner Turk seconded the motion. Commissioner Gremaux asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

There were none.

ADJOURNMENT

Chairman Gremaux adjourned the meeting.

Dated this 20th day of August, 2012.

Frank Gremaux, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk