

**A COMMISSION MEETING OF SEPTEMBER 4, 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, Gremaux, Hewitt, Phillips, Putnam and Turk. Commissioner Doney was absent.

**APPROVAL OF MINUTES**

There were none.

**COURTESIES**

There were none.

**PROCLAMATIONS**

There were none.

**BOARD AND COMMISSION REPORTS**

Commissioner Gremaux reported that the trim at the Library has been repainted. There have been a lot of positive comments regarding the paint.

Commissioner Berry reported that she recently attended the Central Montana Foundation Board meeting.

**CITY MANAGER REPORT**

City Manager Kevin Myhre reported on the following issues:

City staff worked with the NRCS Engineer to get the broken gate stem coupling fixed during the week of August 27<sup>th</sup> at East Fork Reservoir. The repair was completed by August 29<sup>th</sup> and the City is beginning to refill the reservoir. The FWP in-stream water right for East Fork Creek is 7.5 CFS and the engineer has estimated the flow through the reservoir to be 10-11 CFS. Additional flows over what is necessary to provide the in- stream water right will be used to start filling the pool. The reservoir will fill slowly until there is increased runoff in the drainage.

The result of the appraisal of the Berg Property estimated the value at \$275,000. The appraisal was completed by Thomas Appraisals.

The Trails Committee has continues to work on the plan for the trailhead on East Main Street. The majority of the funds to complete the project are secured through the Friends of the Trails, a FWP Recreational Trails Grant, a City CTEP grant, and the USFWP Bird Treaty Grant. Some additional donations will be needed to fully complete the project. The trails committee is working on the permitting necessary to complete the fish pond included in the design.

The City Manager is continuing to work with the County to upgrade the contract which compensates Fergus County for space and service in the County Attorney's Office. The City Manager is sure there will be an increase in the City's cost for the City Attorney's office but the actual amount is unknown at this time.

The City Manager will be attending a League of Cities and Towns Legislative Committee meeting on September 20<sup>th</sup> in Helena to discuss municipal issues in preparation of the 2013 Legislative Session. Please review the background report and let me know of any comments you may have regarding the issues identified by the League Director.

The annual League of Cities and Towns Conference will be held in Kalispell on October 3-5. If any Commissioners are interested in attending, please Finance Officer Nikki Brummond know as soon as possible so that travel arrangements can be made.

### **CONSENT AGENDA**

Commissioner Putnam made the motion to approve the acknowledgement of the claims that have been paid from August 16, 2012 to August 30, 2012 for a total of \$735,086.99 and Commissioner Hewitt seconded the motion.

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

1. Discussion and action on second 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 this is an ordinance that would allow citizens to build a fence out on public right of way as long as they follow certain conditions as outlined in the ordinance. Mr. Myhre commented that page five must include the \$5.00 penalty. Commissioner Turk made the motion to approve the second 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 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 Resolution No. 3792, redefining the boundaries of Street Maintenance District Number One in the City of Lewistown

Mr. Myhre explained that the City of Lewistown only has one Street Maintenance District and the boundaries are the exterior boundaries of the City of Lewistown. Mr. Myhre commented that it is basically the municipal City limits and each year as part of the budget process a resolution is passed to redefine the Street Maintenance boundaries to include any properties that were annexed in the prior year. Commissioner Phillips made the motion to approve Resolution No. 3792, a resolution redefining the boundaries of Street Maintenance District Number One in the City of Lewistown and Commissioner Berry 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. Public hearing on the cost of maintenance of Boulevard District No. 12 cost of maintenance reserve and administration for Lighting Districts and cost of maintenance in Street Maintenance District No. 1.

Chairman Gremaux opened the public hearing to hear comments on the cost of maintenance of Boulevard District No. 12 cost of maintenance reserve and administration for Lighting Districts and cost of maintenance in Street Maintenance District No. 1. Mr. Myhre explained that this is a public hearing for citizens to make comment or concerns regarding the maintenance of Boulevard District No. 12, Lighting Districts and Street Maintenance. It also allows us to notify the citizens of the cost of the assessments. Chairman Gremaux asked for comments for the audience. There being none, the public hearing was closed.

4. Discussion and action on Resolution No. 3793, a resolution of the City Commission of the City of Lewistown levying and assessing a special tax to cover the cost of maintenance of Boulevard District No. 12, in the City of Lewistown, Montana for the fiscal year beginning July 1, 2012 and ending June 30, 2013

Mr. Myhre explained that the cost of maintenance for Boulevard District No. 12 is \$575.70 which is spread across all property owners that are adjacent to those boulevards. Commissioner Phillips made the motion to approve Resolution No. 3793, a resolution of the City Commission of the City of Lewistown levying and assessing a special tax to cover the cost of maintenance of Boulevard District No. 12, in the City of Lewistown, Montana for the fiscal year beginning July 1, 2012 and ending June 30, 2013 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.

5. Discussion and action on Resolution No. 3794, a resolution of the City Commission of the City of Lewistown levying and assessing the cost of maintenance reserve, administration and supplying of electrical current for street lights within the City of Lewistown, to the properties within particular lighting districts

Mr. Myhre explained the cost of maintenance reserve, administration and supplying of electrical current for street lights within the City of Lewistown is estimated at \$113,416.52. This is spread out amount sixteen lighting districts and assessing the citizens that are included in the districts. Commissioner Turk made the motion to approve Resolution No. 3794, a resolution of the City Commission of the City of Lewistown levying and assessing the cost of maintenance reserve, administration and supplying of electrical current for street lights within the City of Lewistown, to the properties within particular lighting districts and Commissioner Phillips 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.

6. Discussion and action on Resolution No. 3795, a resolution estimating the cost of maintenance in Street Maintenance District No. 1, specifying the assessment option and levying assessment on properties for Street Maintenance

Mr. Myhre explained that the estimated cost of maintenance in Street Maintenance District No. 1 is \$719,333.83. The rate is \$.0235 per square foot of assessable area. Commissioner Hewitt made the motion to approve Resolution No. 3795, a resolution estimating the cost of maintenance in Street Maintenance District No. 1, specifying the assessment option and levying assessment on properties for Street Maintenance 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.

7. Public hearing on the 2012-2013 budget for the City of Lewistown

Chairman Gremaux opened the public hearing to hear comments on the 2012-2013 budget for the City of Lewistown. Mr. John Toohey commented that he thanked City Manager Kevin Myhre and Finance Officer Nikki Brummond for all the time and effort they put into the budget. Commissioner Gremaux agreed. Chairman Gremaux asked for additional comments from the audience. There being none, the public hearing was closed.

8. Discussion and action on Resolution No. 3796, a resolution relating to final budgets, budget authorities and annual appropriations for fiscal year beginning July 1, 2012 and ending June 30, 2013 for the City of Lewistown

Ms. Brummond stated that the expenses for fund 2260 need to be \$286,692 to balance the fund. Commissioner Turk made the motion to approve to Resolution No. 3796 a resolution relating to final budgets, budget authorities and annual appropriations for fiscal year beginning July 1, 2012 and ending June 30, 2013 for the City of Lewistown and amending fund 2260 expenses to be \$286,692 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.

9. Public hearing on the City of Lewistown increasing the mill levy in order to fund the increase in premium contributions for medical group benefits for City employees

Chairman Gremaux opened the public hearing to hear comments on the City of Lewistown increasing the mill levy in order to fund the increase in premium contributions for medical group benefits for City employees. Mr. Myhre explained that Resolution No. 3797 states that the cost of premiums for City employees have increased \$116,790.60 from July 1, 2000 to July 1, 2013, which represents approximately 19.67 mills. Chairman Gremaux asked for additional comments from the audience. There being none, the public hearing was closed.

10. Discussion and action on Resolution No. 3797, a resolution authorizing an increase in the City of Lewistown's mill levy in order to fund increases in premium contributions for medical group benefits for City employees and exempting the same from the mill levy calculation limitation provided for by law

Commissioner Putnam made the motion to approve Resolution No. 3797, a resolution authorizing an increase in the City of Lewistown's mill levy in order to fund increases in premium contributions for medical group benefits for City employees and exempting the same from the mill levy calculation limitation provided for by law and Commissioner Berry 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.

11. Discussion and action on Resolution No. 3798, a resolution providing for the annual tax levy mills for fiscal year beginning July 1, 2012 and ending June 30, 2013

Mr. Myhre explained that on Section F. the mill value of \$5,818 needs to be amended to read \$5,937. Mr. Myhre stated that the City Commission has determined that a \$1,270,390 tax levy requires a 213.94 mill levy, it has been determined that a \$47,275 tax levy requires a 7.96 mill levy and it has been determined that a \$116,790.60 tax levy requires a 19.67 mill levy to balance the appropriate funds. The City Commission hereby fixes the tax levy for fiscal year July 1, 2012 through June 30, 2013 at 241.57 mills. Commissioner Putnam made the motion to approve Resolution No. 3798, a resolution providing for the annual tax levy mills for fiscal year beginning July 1, 2012 and ending June 30, 2013 and amend Section

F to read \$5,937 per mill 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.

12. Discussion and action on authorizing the City Manager to enter into a grant agreement with the Disaster and Emergency Services grant programs for a Narrowband grant

Mr. Myhre explained that the United States Legislature passed a law requiring all agencies to using radio frequencies to move to a narrow band frequency by 2013. Mr. Myhre further explained that the City of Lewistown has some smaller units in our system that is called consulates and this grant will assist with the cost of making the equipment compliant.

Commissioner Phillips made the motion to authorize the City Manager to enter into a grant agreement with the Disaster and Emergency Services grant programs for a Narrowband grant and Commissioner Hewitt 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**

Commissioner Putnam commented that it is really sad that no more than two citizens are interested in the budget process.

### **ADJOURNMENT**

Chairman Gremaux adjoruend the meeting.

Dated this 4<sup>th</sup> day of September, 2012

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Frank Gremaux, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk