

A COMMISSION MEETING OF APRIL 1, 2013 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Vice Chairman Doney called the meeting to order.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present were Commissioners Berry, Doney, Hewitt, Putnam and Turk. Commissioner Gremaux was absent.

APPROVAL OF MINUTES

Commissioner Putnam made the motion to approve the minutes for March 18, 2013 as presented and Commissioner Hewitt seconded the motion. The motion passed unanimously.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Turk reported that she recently attended a City County Planning Board meeting. The Board separated the Bar 19 property into two lots and was recommended to the County Commissioners for approval.

Commissioner Hewitt reported that she attended a special Airport Board meeting. At that meeting the leases and lease rates were rescinded and some were revoked on and some are still being worked on.

CITY MANAGER REPORT

City Manager Kevin Myhre reported on the following issues:

The City Manager sent a letter to the interested Commissioner applicants with questions to be answered in writing and a limited amount to be answered in person at the April 15th meeting.

The Public Work Department worked with the County Road department to apply additional gravel to the Airport's frontage road servicing the lease properties along the highway. The County hauled the gravel in and the City bladed the road. The road was improved slightly but will continue to have problems with runoff since it is lowered than the adjacent areas. The work required to properly build up the road would be substantial. The road is not considered a City street because it is not a dedicated public right of way, it

was not built to City or County road specifications, and it has never been accepting by the City or the County as a publicly owned and maintained road.

Public Works is working to address the drainage issues in the alley behind the Bootjack Plaza. Currently the water runoff from the Bootjack buildings gutters flows into the yard of the owner across the alley causing flooding. Public Works is looking at grading options to surface drain the runoff away from the yard.

A group of City and County residents are starting a “Friends of the Lewistown Pool” group to assist in fundraising and informational efforts relating to the pool and the plans to upgrade the facility. The City Manager attended the first meeting and asked them to coordinate with the Park Board and the Park and Recreation Director.

The City Manager is continuing to provide outreach by speaking to local groups about building requirements, within the City and development issues. As the downtown struggles to fill empty stores, rumors, untruths and misrepresentations are rampant in public comments being expressed, printed and written. The City Manager also is working with staff to develop public information releases for our local media outlets.

At the Big Spring Picnic Area the two broken or deteriorated tabletops have been removed from the area and replacements are on order. Brush trimmings from the area have been removed and City staff is working to remove trees fallen by beaver in the area.

The city has received notification that the U.S. Department of Transportation has issued an ‘Order to Show Cause Proposing Termination of Essential Air Service Eligibility’ for the Lewistown and Miles City airports.

CONSENT AGENDA

Commissioner Putnam stated that she had questions about the claims and asked that they be moved from the consent agenda to the regular agenda.

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

Commissioner Putnam asked what the claim to Black Mountain Software for maintenance rate analysis was for? Finance Officer Nikki Brummond answered that it is the annual maintenance for the Utility Billing rate analysis software. Commissioner Putnam asked what why there was a claim to the Central Montana Education Center for a basic welding class? Mr. Myhre answered the one of the Public Works employees was interested in taking the class and the City will pay the tuition if it is a benefit to the City. Commissioner Putnam asked what the claim for a notary fee and bond for Tonya Garber to Lewistown Insurance was for. Mr. Myhre answered that the City tries to keep several notaries at the City in order to notarize documents and this is one of the people that is in the process of becoming a notary. Commissioner Putnam about the claim to the Montana Preservation Alliance for the MT history road show conference and Mr. Myhre answered it is a conference that Mr. Ferdinand will be attending. Commissioner Putnam asked why there was coffee purchased from Farmers Brothers and Food Services. Mr. Myhre answered that the Police Department purchases from Food Services and the other City departments purchase from Farmers Brothers. Commissioner Putnam made the motion to approve the acknowledgement of the claims that have been paid from March 14, 2013 to March 27, 2013 for a total of \$78,009.88 and Commissioner Turk seconded the motion. The motion passed unanimously.

1. Discussion and action on confirming the City Manager’s appointment to the Library Board of Trustees

Mr. Myhre stated that he would like to recommend Ms. Catharine Moser to serve on the Library Board of Trustees. Mr. Myhre explained that this is the second time she put in a letter of interest and thanked her for submitting her letter of interest again. Commissioner Turk made the motion to approve the City Manager's recommendation to appoint Ms. Catharine Moser to the Library Board of Trustees and Commissioner Hewitt seconded the motion. Commissioner Putnam asked what Mr. Myhre found compelling about Ms. Moser compared to the other interested citizens. Mr. Myhre answered that Ms. Moser is a heavy user of the library and would be the best fit at this time. 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 the City Manager's appointment to the Park and Recreation Board

Mr. Myhre stated that there are two board appointments tonight on the agenda and he is very happy that there are three interested citizens for both boards. Mr. Myhre explained that he can only appoint one and would like to recommend appointing Mr. William Berg to the Park and Recreation Board. Commissioner Putnam made the motion to approve the City Manager's recommendation to appoint Mr. William Berg to the Park and Recreation Board and Commissioner Berry 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 authorizing the Ice Skating Association to proceed with planning and fundraising for the improvements proposed on March 18th

Mr. Myhre explained that at the last Commission meeting several representatives from the Ice Skating Association came to the City Commission to explain their wish to install a concrete floor for the ice skating facility at Frank Day Park. It would be a concrete floor with refrigerated lines to have ice longer, and have a building for the zamboni. This request has been presented to the Park Board and the Park Board has recommended it to the City Commission for their approval. The Ice Skating Association would like approval for the proposal so that they can work on fundraising for the project. Commissioner Putnam made the motion to approve authorizing the Ice Skating Association to proceed with planning and fundraising for the improvements proposed 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 utility billing procedure for the Power Mercantile Building

Mr. Myhre explained that he has contacted with the three owners of the Power Mercantile Building. Typically in the City a building only has one meter and there meter would service the whole building with water and sewer. In the case of this building over time the building was sold off and the new utilities were put in serve the different businesses. Further discussion followed. Mr. Myhre explained that Mr. King was paying the utility bill and then when Mr. LaFountain purchased the mini mall he was then responsible for the bill. However, when the Mr. LaFountain closed his part of the building, he did not continue to pay the utility bill and in order for the water to remain on for Stockman's Casino and Reid's someone needed to pay the bill. So, in order to keep the water from being shut off the Stockman's took responsibility for the utility bill. Then in October of 2012 there was some type of leak in that building and 353,000 gallons of water through the meter. At that point the Stockman's brought in a plumber who disconnected the two taps off of that line that had serviced Reids and the Mini Mall. Mr. Myhre further explained that as a result of the leak there was a large bill in the amount of \$2,206.51 which has been paid; however, it was unpaid for sometime which is why the letter was sent by the City Manager. Mr. Myhre explained that he has asked the three property owners to work out this issue. Further discussion

followed. Mr. Myhre explained that currently the only service agreement in place is with Mr. King. Commissioner Berry asked if Mr. Gies wanted to donate that right of way to the City and put in the water line would it be feasible to give a financial break to help the situation. Further discussion followed. Commissioner Putnam stated that she would like to recommend to Mr. Gies that he has his own connection through his alley and some type of legal agreement stating that he has access to run off the other line. Commissioner Putnam made the motion to give Mr. Gies to sign a Utility Service Agreement and recommend to Mr. Gies to have his own direct connection through his alley and if unable to do so have a legal agreement giving him access to his water line and Commissioner Turk 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 and action on approving the surety bond for an electrical business license for ID Corp

Mr. Myhre explained that for businesses requiring a surety bond they must be brought before the City commission for approval. The businesses that need the surety bond are electricians, plumbers and gas fitters. All documents and requirements are in order and would recommend approval. Commissioner Turk made the motion to approve the surety bond for an electrical business license for ID Corp and Commissioner Berry 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.

6. Discussion and action on approving the 2013 crushing bid

Mr. Myhre explained that the City recycles much of the products that are removed from the streets, which includes asphalt and concrete. The crushed concrete and asphalt are used for road base and bedding material for pipes. Only one bid was received from Kodiak Concrete in the amount of \$62,000 which included mobilization. Commissioner Hewitt made the motion to approve awarding the 2013 crushing bid to Kodiak Concrete and Commissioner Berry seconded the motion. Commissioner Putnam asked if this was the same amount as prior years. Mr. Myhre explained that is it a little bit higher than last year. Mr. Myhre stated that we do have more to crush this year due to some of the concrete that was removed from Berg Lumber and have been reimbursed for that portion of the crushing. Commissioner Doney asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

7. Discussion and action on appointing a committee for the creation of a Lewistown license plate

Mr. Myhre explained that Commission Gremaux in the past has asked what the process would be to have a City of Lewistown license plate. Mr. Myhre explained that he would like to have public input on how this would be done. Mr. Myhre explained that Mr. Gremaux would be interested in serving on the committee. Commissioner Doney suggested that the Park Board could maybe direct where the funds could go. Commissioner Turk would like to table this item until the vacant position is filled. Commissioner Berry asked if it was determined where the funds raised would go towards. Commissioner Doney stated it should be community based and if only two Commissioners were interested in serving then a citizen could be appointed. Commissioner Doney asked how many cities have their own plates. Commissioner Berry stated she would be interested in serving on the committee depending on the time commitment. This item died for lack of a motion.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Putnam thanked Planning Director Duane Ferdinand, Public Works Director Roger Kruckenberg and Library Director KellyAnne Terry for attending the Commission meeting. She likes to see the department heads in attendance.

Commissioner Hewitt thanked the citizens for attending the meeting.

Commissioner Doney thanked everyone that had submitted a letter of interest for the Library Board and the Park and Recreation Board.

ADJOURNMENT

Vice Chairman Doney adjourned the meeting.

Dated this 1st day of April, 2013.

Gayle Doney, Commission Vice Chairman

ATTEST:

Nikki Brummond, City Clerk