

**A COMMISSION MEETING OF APRIL 15, 2013 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.

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

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

**APPROVAL OF MINUTES**

Commissioner Putnam made the motion to approve the minutes for April 1, 2013 as presented and Commissioner Hewitt seconded the motion. The motion passed unanimously.

**COURTESIES**

There were none.

**PROCLAMATIONS**

Chairman Gremaux read the following proclamation:

**A PROCLAMATION OF THE LEWISTOWN CITY COMMISSION DECLARING MAY, 2013 AS MEMORIAL POPPY MONTH IN RECOGNITION OF ALL CENTRAL MONTANA VETERANS**

Proclamation:

**Whereas**, the poppy is a memorial flower of sacred significance that has become a living symbol for American war dead. The immortalized red blossom gained its international acceptance by the memories of returning servicemen who remembered the wild poppies which covered the devastated battlefields of France and Flanders during WWI where their comrades had fought and died in defense of freedom.

**Whereas**, the poppy has become a symbol to perpetually remind us of, and to unfailingly teach coming generations, the value of the light of liberty, and of our debt to those who helped save it for us by paying the supreme sacrifice.

**Whereas**, the wearing of the memorial poppy is a fitting and effective way of keeping bright the memory of our veterans who gave their lives in the service of America;

**Whereas**, in 1921 the American Legion Auxiliary adopted the poppy as its memorial flower and encourages the wearing of the poppy by all citizens, especially on memorial day, and,

**Whereas**, the American Legion Auxiliary distributes memorial poppies that are made by disabled veterans to help veterans;

**It is hereby proclaimed** by the Lewistown City Commission that May, 2013 is declared to be Memorial Poppy Month in Lewistown and Central Montana and all citizens are urged to observe the month by wearing the memorial poppy of the American Legion Auxiliary in honor of our veterans who gave the ultimate sacrifice.

Dated this 15<sup>th</sup> day of April, 2012.

### **BOARD AND COMMISSION REPORTS**

Commissioner Putnam reported that she recently attended a Park and Recreation Board meeting and Mr. Bill Berg the new board member was there. Representatives from the newly formed organization “Friends of the Lewistown Pool” was there to discuss an upcoming fundraiser that will be held at the Civic Center on May 5<sup>th</sup>. The funds are to go to the renovation and improvements at the Lewistown Swimming Pool and to bring recognition to the needs of the pool.

Commissioner Turk reported that she recently attended a Library Board meeting. The board welcomed Cathy Moser to the board as the newest trustee. The Friends of the Library purchased a digital photo frame that is located at the front of the library and holds 600 historical pictures. The book sale last month raised \$600. The author dinner is May 8<sup>th</sup> as a fundraiser for the summer reading program. The library will have shortened hours this upcoming week for staff to attend the Montana Library Association conference.

### **CITY MANAGER REPORT**

City Manager Kevin Myhre reported on the following issues:

The City has been informed that it will take at least ten months for the Montana Department of Transportation (MDOT) to process the grant applications Community Transportation Enhancement Program (CTEP) Grants that were approved by the Commission for funding. With that in mind the City Manager has been working to put together a plan to make improvements to Miller Street and the driveway to the Trailhead Park area this year so that it will be ready for the pond, sidewalk, and landscaping improvements in 2014. The trails group is working to add the Veterans Auxiliary project into their drawings and plans to facilitate a single application for the CTEP funds. There will be improvements including picnic areas and trees put into the southern portion of the project this spring.

The City Manager has received approval from the Montana Department of Environmental Quality (MDEQ) for the proposed grease trap and sump pumping site at the airport. The site is on the south end of the airport. Septic haulers will need to get approval from DEQ and the airport manager to utilize the site.

Public Works hopes to advertise the bids to rebuild Earl Street in the end of April. It is one of the last FEMA projects to be completed. We have revised the construction documents several

times to make adjustments for future events. FEMA did not approve any mitigation funds in the project.

The City Manager contacted the owner of the Mini Mall building located at 301 W Broadway to request access to the basement so that he could look at the vaulted sidewalk with an engineer from JGA Architects. Mr. LaFountain refused to allow us access to the building and said that he does not want the sidewalk fixed; he just wants to sell the building. The City will be seeking access through the district court to accomplish an analysis of the sidewalk area.

Public Works has been working to keep both street sweepers functional. The newest street sweeper is approximately 15 years old and the oldest one is over 20 years old.

Snowy Mountain Development Corporation (SMDC) will be proceeding with the procurement of the consultant to study the feasibility of building a convention center in Lewistown. SMDC has been waiting for the committed funds to come in before authorizing the work to begin.

The Park Board has authorized the Fergus/Petroleum 4-H Program to utilize the East Fork Campground facility on June 14<sup>th</sup> and 15<sup>th</sup> for their annual 4-H Family cookout.

### **CONSENT AGENDA**

Commissioner Turk made the motion to approve the acknowledgement of the claims that have been paid from March 28, 2013 to April 10, 2013 for a total of \$78,009.88 and Commissioner Putnam seconded the motion. The motion passed unanimously.

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

1. Discussion and action on nominating and appointing a Commissioner at Large for the remainder of the unexpired term vacated by Larry Phillips

Commissioner Gremaux opened the floor for nominations. Commissioner Hewitt made the motion to nominate Alexzandra Dunnington. The motion died for lack of a second. Commissioner Putnam made the motion to nominate Rick Poss and Commissioner Berry seconded the motion. Mr. Myhre explained that this appointment is to finish this calendar year and anyone wishing to run for this position can do so this year for the election in November. Commissioner Gremaux asked for those in favor of Rick Poss. All voted in favor of Rick Poss being on the list of nominations. Commissioner Gremaux nominated Nik Scebba and the motion died for lack of a second. Commissioner Gremaux then stated that Mr. Rick Poss was the only one on the nomination list and asked for all those in favor of nominating Rick Poss to vote. The vote was unanimous. Mr. Myhre thanked all interested applicants for their interest and participating in the selection process. Mr. Myhre encouraged them to stay involved and encouraged them to consider put their name in again. City Clerk Nikki Brummond swore Rick Poss in as Commissioner At Large.

2. Discussion and action on Resolution No. 3811, a resolution requesting the secretary of Transportation to delay suspension of essential air service to Lewistown

Mr. Myhre explained that the City of Lewistown has been in the essential air service program for approximately 30 years. There has been good ridership and bad ridership over the years. Currently there is poor ridership and that has brought us to the point where the federal government subsidy per passenger is over \$2,000. Mr. Myhre stated that this has happened before, however the 2012 the federal legislature passed a law that if you subsidy goes over a \$1,000 then you are ineligible to receive any federal subsidy. Mr. Myhre explained that the City has received notice of pending termination of Essential Air Service eligibility of our community and we have 20 days to show cause why the City of Lewistown can have better ridership. Further discussion followed. Commissioner Gremaux explained that this resolution is stating the Commission is supporting the letter submitted by the City Manager. Commissioner Putnam made the motion to approve Resolution No. 3811, a resolution requesting the secretary of Transportation to delay suspension of essential air service to Lewistown and Commissioner Poss 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 approving pool fees for 2013 as recommend by the Park and Recreation Board

Mr. Myhre explained that the Park and Recreation Board met two weeks ago and voted to increase the pool fees and the last increase was 2007. Further discussion followed regarding the pool fees. Commissioner Turk made the motion to approve the pool fees for 2013 as recommended by the Park and Recreation Board 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.

### **CITIZENS' REQUESTS**

Mr. John Behl, 538 Sere day Street, addressed the Commission explaining that he purchased the property in question in 2011 and recently had it surveyed. Mr. Behl stated there is a dedicated alley that runs through his alley. Mr. Behl stated that if the people are going to drive thru the alley then he would like the City to take responsibility for the alley. Mr. Behl asked the Commission what they are going to do about this alley, are you going to abandon it, make it an alley or how are you going to solve this problem. Commissioner Berry asked Mr. Behl what he would like the Commission to do because it is an alley and very seldom do alleys get grated or plowed. Commissioner Berry asked if it would be more beneficial if it was abandoned or would like it improved. Mr. Behl would like to see something done, it would be better than it is right now. Further discussion followed. Commissioner Gremaux would recommend turning this over to the City Manager and Public Works to look at this to figure out what could possibly be done. Mr. Myhre explained that the City is not in a positon to develop the alley and Mr. Behl can make a request to the Commission to abandon the alley.

Mr. Paul Pavlak stated he has an interest in the Big Spring Park at the fish hatchery. Mr. Pavlak explained that he has lived here for 40 years and did not know that was a City park. When he was visiting the park this past summer and thought maybe he could help out. Mr. Pavlak talked to Mr. Morgenstern to determine what should be done with road and he suggested Mr. Pavlak go

to Casino Creek concrete for help. Casino Creek concrete agreed to donate the material. Mr. Pavlak informed Mr. Myhre that Casino Creek would donate the materials is the City would haul it. Mr. Myhre then contacted Mr. Pavlak that there was a misunderstanding on how much material was agreed on. Mr. Pavlek then explained that the material was not being laid done correctly and he went to the Public Works Director and told him they were doing it wrong. Mr. Pavlak further discussed the issues at the Big Spring Hatchery. Mr. Pavelak explained that he got someone to paint the garbage cans and got True Value to donate the paint. Mr. Pavlak stated that the City recently annexed a lot of his and the money he pays can be used to pay for can liners. Mr. Pavlak stated that he got a flag pole up there and it was installed by the American Legion and was notified that the flag must be light at night. Mr. Pavlek further explained that flag code and that is was not against the law to not have a light on the flag. Mr. Pavlak explained that he got two lumber yards to donate wood to make improvements to the bridge at the hatchery park. Mr. Pavlak tried to allow the Boys Scouts to trim the bushes and clean it up but he was informed that they could not do that because they did not have a license to trim trees. Commissioner Putnam stated that the garbage cans will be painted this spring and they will be a uniform color. Commissioner Putnam explained that there have been no denying that there has not been much done in improvements, but there are some guidelines that need to be followed when improvements are made. Commissioner Putnam stated that the attention that Mr. Pavlak has brought to the park is wonderful. If the flag pole needs to have a light then it will need to be done. Mr. Myhre explained that a flag flown at night should have a light is strictly flag etiquette and if the City chooses to fly a flag then we should follow flag etiquette. Mr. Myhre talked about the garbage cans, bridge improvements and road improvements.

### **COMMISSIONER'S MINUTE**

Commissioner Putnam thanked everyone in attendance.

### **ADOURNMENT**

Chairman Gremaux adjourned the meeting.

Dated this 15<sup>th</sup> day of April, 2013.

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Frank Gremaux, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk