

A COMMISSION MEETING OF MAY 6, 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, Doney, Gremaux, Hewitt, Poss, Putnam and Turk.

APPROVAL OF MINUTES

Commissioner Turk made the motion to approve the minutes for April 1, 2013 as amended and Commissioner Doney 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 HISTORIC PRESERVATION MONTH**

WHEREAS, historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and

WHEREAS, historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, “See! Save! Celebrate!” is the theme for National Preservation Month 2013, cosponsored by the Lewistown Historic Resources Commission and the National Trust for Historic Preservation

NOW, THEREFORE, the Lewistown City Commission does proclaim May 2013 as National Preservation Month, and call upon the people of Lewistown to join their fellow citizens across the United States in recognizing and participating in this special observance.

Dated this 6th day of May, 2013

BOARD AND COMMISSIONER REPORTS

Commissioner Putnam reported that the Friends of the Lewistown Pool had a Cinco de Mayo fundraiser on May 5th. It was very well attended, the dunk tank was the favorite attraction and they raised approximately \$4,000. Commissioner Putnam explained that she felt they brought a lot of attention to the needs of the pool. Commissioner Putnam reported that she attended the recent Park and Recreation Board meeting and the Snowy Mountain Muzzleloaders were in attendance to remind the board that they will be at the East Fork Reservoir June 28th thru June 30th for the Mountain Man Rendezvous. The Park and Recreation Board supported a resolution to keep the trails tobacco free. Commissioner Putnam reported that the Lewistown American Legion and Redbirds association were at the meeting and requested that the Park and Recreation Board support the lighting plan at the American Legion field. Commissioner Putnam stated that the Park and Recreation Board did endorse it and it is on the agenda for Commission approval tonight.

Commissioner Berry reported that she attended the Central Montana Foundation Board meeting and they gave \$2,000 to the Friends of the Pool to fund the architectural drawings. The board also gave Council on Aging some funding for a legal services clinic that they held. Snowy Mountain Industries came to the Board and asked for an extension on their grant for the building.

Commissioner Hewitt reported that she attended the Airport Board and they have been approved for the ARF truck. The Airport Board has not heard anything on the Essential Air Service. They renewed the Trap Club lease for ten year with a clause to cancel the lease if the area becomes commercial. Commissioner Hewitt reported there will be a special meeting on May 21st at 3 p.m. to work on leases.

CITY MANAGER REPORT

City Manager Kevin Myhre reported on the following issues:

The Lewistown Public Library was recently awarded the 2013 Excellent Library Service Award. The letter of award is included in the Commissioners packets.

A recent article in the News Argus discussed the changes proposed at the intersection of the 191 and the bypass west of town. The City Manager has contacted MDOT and requested a copy of the signage plan for the project. The City Manager reviewed the plan and feels that the current design will not create significant traffic reductions into the core business corridor. Mr. Stefan Streeter with MDOT has assured the City Manager that they will work with the community to address any issues.

Public Works has installed a new entrance sign at the cemetery. It is an archway sign that says 'Lewistown Cemetery'. Both of the new gates on the southwest and northwest entrances have been installed and crews have been working to remove dried grasses from the creek area.

A large number of trees have been planted adjacent to the Mill Ditch and the trail between the Yogo Inn and 1st Ave S. A drip-line watering system will be installed and two picnic areas have been located in the same area.

The City Manager met with a group from the county to plan for water and sewer upgrades to service the area of the fairgrounds. The group is working to identify funding options to proceed.

The friends of the Lewistown Pool are holding a fundraiser at the Civic Center on Sunday, May 5th from 5 to 7 to raise funds for the pool. There will be food, games and other entertainment.

The City Attorney and the City Manager attended a homeowners meeting on April 29th to answer questions about the proposed annexation of their subdivision. Roads, water, services and taxes were the main issues of discussion.

Mr. Myhre explained that the new police vehicle that was approved earlier this year has arrived. When the purchase was approved it was for a black sedan and they were able to get a white sedan.

Mr. Myhre stated that the next City Commission is Monday, May 20th which is the same night as the Historic Preservation awards banquet. He would like to know if the Commission would prefer to attend the banquet in lieu of a committee of the whole meeting. The Commission agreed.

CONSENT AGENDA

Commissioner Putnam asked that the claims be pulled out of the consent agenda.

REGULAR AGENDA - Resolutions, Ordinances & Other Action Items:

Commissioner Putnam asked about the claim to Morrison and Maierle regarding backup server for police and city. Mr. Myhre explained that as part of the audit concerns it was recommended that the City have an offsite back up for the City office and The Police Department. We have tried several backups in the past and they were not as stable or usable as the auditors would like to see, so we have chose to go this route.

Commissioner Putnam asked how many t-shirts were bought for \$1,700. Mr. Myhre stated that he is pretty sure it is for the Little Eagle Basketball program.

Commissioner Hewitt asked what the claim to Westwind Design is for. Mr. Myhre answered it is the company that assists with the City's website.

Commissioner Poss made the motion to approve the acknowledgement of the claims that have been paid from April 11, 2013 to April 30, 2013 in the amount of \$86,955.10 and Commissioner Doney seconded the motion. There being no further discussion the motion passed unanimously.

1. Discussion and action on a request from Kelly Schneider request for help with storm water drainage problems at her residence wall

Mr. Myhre explained that he and Planning Director Duane Ferdinand have met with Ms. Kelly Schneider regarding this issue. Ms. Schneider lives on Spring Street between the 11th and 12th Street on the north side of the street and the Frog Ponds are on the south side of the street. Ms. Schneider residence has two lots and on the back of the lot next to the alley there is a retaining wall. Mr. Myhre further explained that Ms. Schneider requested to be on the agenda to express her concerns to the Commission. Mr. Myhre stated that there are several issues and one being that the retaining wall has been there for many years and is starting to sluff over. The retaining wall is located on her property and because the buildup of water behind the retaining wall it is falling forward. Also, her garage is built into the hillside and the way the alley drains there is a little spot in the alley and then the water runs toward her garage as well. Mr. Myhre explained that Ms. Schneider is very concerned about the retaining wall and does not have the resources to fix it and looking for resources to fix the retaining wall. Ms. Schneider is looking to assistance on how to get the alley to drain, keep water off her retaining wall, drainage on Spring Street and assistance on the retaining wall that needs to be replaced or removed. Mr. Myhre stated he would like to have the Public Works Department look at the alley and if some type of grading could be done to help with the alley drainage. Ms. Schneider explained her concern of the mud that builds up on Spring Street during heavy rains. Ms. Schneider asked if something could be done with the trails and Spring Street and Water Street with the help of the corps of engineer students. Further discussion followed. Commissioner Putnam asked Ms. Schneider what she would like the City to do for her. Ms. Schneider stated that there needs to be something done with the drainage on Spring Street that there is a liability with the mud that results from heavy rains. Ms. Schneider also explained that she talked with a civil engineer and they suggested that a french drain through the middle of her property to give relief to the retaining wall. Commissioner Gremaux stated that Mr. Myhre is working on the issues and there does not appear to be easy solution to alleviate the problem of the deteriorating retaining wall. Commissioner Gremaux further stated that he feels that City has bent over backwards to try to regrade the alley and redirect water traffic from the retaining wall and do not know what else can be done with the City resources the City has. Commissioner Putnam explained that typically the City does not make improvements to personal property. Commissioner Poss made the motion that the City investigate and see if there is something can be done to the alley by grading it and to look at the storm drains on Spring Street 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.

2. Discussion and action on accepting the FEMA grant for \$347,000 for the purchase of a new fire truck and authorizing the City Manager to sign the grant agreement.

Mr. Myhre explained the Fire Chief has been working on trying to find a way to replace the older pumper truck that the City has for the past ten years. Mr. Myhre stated that after submitting

applications for several years the Fire Chief was successfully awarded a grant to replace the 37 year old City fire engine. Mr. Myhre explained that as part of the application process it was determined that the new truck would be approximately \$347,000 and the grant will fund up to \$329,650 of the cost and the City would be responsible for the 5% match of \$17,350. Mr. Myhre stated that his recommendation is to fund the \$17,350 out of next year's budget and ask that the Commission authorize him to sign the grant agreement. Mr. Myhre explained that the truck will probably cost closer to \$370,000 and he will ask the Fire Chief to submit an amendment to the grant to increase the funding of the truck, which would cause the City's match to be higher also. Commissioner Gremaux asked if there were parts of the truck that could be cut out. Fire Chief Jason Manley answered that some things could be left off, but he feels that it will be entirely possible to get an amendment for more funding. Commissioner Gremaux asked if there would be any money that could be recouped from the truck being replaced. Fire Chief Manley stated he is uncertain if that is a possibility but will look into it. Commissioner Poss made the motion to approve accepting the FEMA grant for \$347,000 for the purchase of a new fire truck and authorizing the City Manager to sign the grant agreement 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.

3. Discussion and action on approving the bid amount for the Water Reservoir East Lease

Mr. Myhre explained that we advertised to lease several pieces of property and all of them had a minimum bid assigned to each one. The Water Reservoir East Lease is 6.23 acres with a minimum bid of \$300. We did receive two bids one bid from William Bevis in the amount of \$150 and one from Scott Damby in the amount of \$312. The bid from Mr. Bevis was received on time and the one from Mr. Damby was received at the end of the day. Therefore, Mr. Myhre recommends the Commission award the Water Reservoir East lease to Mr. Scott Damby in the amount of \$312. Commissioner Turk made the motion to approve the bid from Scott Damby for the Water Reservoir East Lease in the amount of \$312 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.

4. Discussion and action on approving the bid amount for the Water Reservoir West Lease

Mr. Myhre explained that the Water Reservoir West Lease is 9.84 acres with a minimum bid of \$300. The City received only one bid from Mr. Scott Damby in the amount of \$333 and recommends the Commission approve this bid. Commissioner Doney made the motion to approve the bid from Scott Damby for the Water Reservoir East Lease in the amount of \$333 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 approving the bid for the Cemetery Pasture Lease

Mr. Myhre explained that behind the Save's building there is a parcel of land that is an undeveloped portion of the cemetery with water service available. The cemetery pasture lease is 12.23 acres with a minimum bid of \$700 and the City received two bids. One bid from Mr.

Kenneth Wilmore and one bid from William Routzahn in the amount of \$900 and recommend awarding the bid to Mr. William Routzahn. Commissioner Putnam made the motion to award the bid for the cemetery pasture lease to William Routzahn in the amount of \$900 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 those Commissioners voting in favor were: Berry, Doney, Gremaux, Hewitt, Poss and Putnam. Commissioner Turk abstained.

6. Discussion and action on approving the bid for the East Fork North Lease

Mr. Myhre explained that this piece of property is located right below the dam face and is 21 acres and water runs through it. Mr. Myhre stated that the City received three bids on this property with the highest bid from Lana Langford in the amount of \$1,295 and recommends awarding the lease to Lana Langford. Commissioner Doney made the motion to award the bid for the East Fork North Lease to Lana Langford in the amount of \$1,295 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.

7. Discussion and action on approving the bid for the East Fork East Lease

Mr. Myhre explained that the East Fork East lease is a jagged piece of property that is 42 acres located east of the Red Hill road. The City received two bids with the highest bid being \$650 from Gary Barta and recommends awarding the lease to him. Commissioner Doney made the motion to approve awarding the East Fork East lease to Gary Barta in the amount of \$650 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.

8. Discussion and action on approving the bid for the East Fork South Lease

Mr. Myhre explained that the East Fork South lease is 39.5 acres and located south of the reservoir. The City received two bids with the highest being \$830 from Rick Billadeau and recommend approving the lease for him. Commissioner Doney made the motion to approve awarding the East Fork South lease to Rick Billadeau in the amount of \$830 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.

9. Discussion and action on appointing Alexzandra Dunnington to the City County Planning Board/Zoning Commission

Mr. Myhre explained that there is currently a vacancy on the City County Planning Board/Zoning Board. Ms. Alexzandra Dunnington has expressed interest in serving on this board and as you know Ms. Dunnington did express interest in serving on the City Commission. Mr. Myhre recommends the City Commission to appoint City County Planning Board/Zoning Board. Commissioner Hewitt made the motion to appoint Ms. Alexzandra Dunnington to the

City County Planning Board/Zoning Commission and Commissioner Gremaux seconded the motion. Commissioner Gremaux asked for comments from the audience and Commission. There being none, the question was called for and those Commissioners voting in favor were: Berry, Doney, Gremaux, Hewitt, Poss and Putnam. Commissioner Turk abstained.

10. Discussion and action on setting street improvement priorities for 2013

Mr. Myhre explained that the City has made a lot of progress over the years in street improvements. The following is the street improvements recommendations for 2013: West Water from 4th to 5th, 7th Ave S from Main to Janeaux, Wendell from McKinley to Mount Pleasant, 7th Ave N including intersections at Boulevard and Broadway would be patches, Prospect from Main to Sereday would be patches, 2nd Ave S from Main to Janeaux, 4th Ave from Janeaux to Boulevard, Washington from 3rd to 4th and 10th Ave N from Broadway to Boulevard. Mr. Myhre also stated that 100 tons of hot mix will be purchased also.

Commissioner Hewitt made the motion to approve the 2013 Street plan as proposed by the Public Works Department and the city Manager 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.

11. Discussion and action authorizing the Red Bird Baseball Organization to install lights at the Red Bird field at Symmes Park

Mr. Myhre explained that a representative from the Redbird Baseball organization came to him and requested to be on the agenda for approval to install lights at the Redbird field. The field is located at Symmes Park with is considered a City park. There have been several improvements over the last several years. Mr. Myhre stated that they did contact all of the surrounding neighbors and did not receive any opposition. The Park and Recreation Board did approve installing the lights and would recommend approval by the City Commission. Commissioner Doney made the motion to authorize the Red Bird Baseball Organization to install lights at the Red Bird field at Symmes Park 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 selecting for a consultant to assist the City in the creation of an Urban Renewal Plan and a Tax Increment Financing District

Mr. Myhre explained that the City of Lewistown is the recipient of a Community Development Block Grant (CDBG) from the Montana Department of Commerce in the amount of \$15,000 for the purpose of providing partial funding for the implementation of an Urban Renewal Tax Increment Financing District (TFID). The creation of a TFID requires that certain tasks be completed including, among other things, the preparation of an Urban Renewal Plan with a TIF provision and an update of the City's Growth Policy to provide for the proposed Urban Renewal Plan. The total cost of the project is anticipated to be \$25,132, all for professional services. The funding will be as follows: CDBG - \$15,000, City Fund 2940 - \$5,132 (which is CDBG Program Income) and private funding - \$5,000 (from Lewistown Community Development Corporation

(LCDC). The City advertised for the availability of a consulting firm to assist the City in establishing the TIFD and received two responses. After rating the proposals, the City staff is recommending that a professional services agreement be entered into with Ms. Janet Cornish of Community Development Services of Montana. Ms. Cornish is recognized within the state as being an expert in establishing TIF districts. Ms. Cornish authored the Montana Tax Increment Financing Manual for the Governor's Office of Economic Development. Mr. Myhre stated that he would recommend the Commission authorize him to enter into a professional services agreement with Ms. Cornish firm. Commissioner Putnam made the motion to authorize entering into a Professional Services Agreement with Community Development Services of Montana to assist the City of Lewistown in establishing an Urban Renewal Tax Increment Financing District 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.

13. Discussion and action on appointing three members of the Commission to work on the City Manager's contract

Mr. Myhre explained that the City Manager contract expires the end of June and would like three Commissioners to work with him on his contract. Chairman Gremaux appointed Commissioners Doney, Poss and Turk to work with the City Manager on his contract.

CITIZENS' REQUESTS

Mr. Jack Behl explained that to the Commission that he is having a problem on Warr Street. Mr. Behl asked if it is permissible for people to dump on a public street. Mr. Behl asked the Commission's approval to cut an area near his property to have the water run differently. Mr. Behl asked who his Commissioners were. Ms. Brummond answered that Commissioner Berry and Commissioner Gremaux and Commissioner at Large is Mr. Poss. Mr. Myhre explained that the street that Mr. Behl is talking about is an undeveloped street. Mr. Behl said the streets are designated on the maps. Mr. Myhre agreed but they are plotted right of ways. Mr. Behl stated that he would like to move the dirt in order to get to his property. Mr. Myhre will talk with Code Enforcement to see what is there and what can be done, however, the City is not going to develop a street. Commissioner Doney stated that since this is not an item on the agenda he Commission cannot take action.

COMMISSIONER'S MINUTE

Commissioner Hewitt stated that she has never seen the growth policy for the City of Lewistown and would like to have one. Ms. Brummond stated that she will be sure to get her one.

ADJOURNMENT

Chairman Gremaux adjourned the meeting.

Dated this 6th day of May, 2013.

Frank Gremaux, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk