

**A COMMISSION MEETING OF JUNE 17, 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 Doney made the motion to approve the minutes for June 3, 2013 as presented and Commissioner Putnam seconded the motion. The motion passed unanimously.

**COURTESIES**

There were none.

**PROCLAMATIONS**

Chairman Gremaux read the following proclamation:

**ARBOR DAY PROCLAMATION**

**WHEREAS**, natural areas, trees, and landscapes provide not only community beautification but also economic and environmental benefits; and

**WHEREAS**, trees provide many benefits to the community, including air purification, windbreaks, noise reduction, shade and energy savings; and

**WHEREAS**, planting trees and maintaining older trees provides an opportunity for community interaction, volunteerism, economic development, and environmental conservation; and

**WHEREAS**, our efforts to improve the environment benefit present and future generations; and

**WHEREAS**, Arbor Day in Montana is officially the last Friday in April;

**BE IT THEREFORE RESOLVED,**

I, Frank Gremaux, Commission Chairman of Lewistown, Montana, do hereby proclaim June 19, 2013, as Arbor Day in Lewistown, and encourage citizens to participate in appropriate activities and to take advantage of the benefits of the parks and other natural areas in our community.

## **BOARD AND COMMISSION REPORTS**

Commissioner Hewitt reported that she attended a special airport board meeting recently. The bids for the security fence were reviewed and approved. Effective July 15, 2013 there will no longer be essential air service for Lewistown. Commissioner Hewitt explained that the bids were received for the AARF truck and the one that better fits the needs of the airport is not the lower bidder and would like to be able to have the truck rebid. This is being reviewed by the City Attorney. The fly in was a huge success.

Commissioner Putnam reported that she attended the June Park and Recreation Board meeting. The Baptist Church has asked to use Symmes Park again this year the week of the 4<sup>th</sup> of July for their revival and the board approved this request.

Commissioner Berry attended her first Recycle Our Waste Lewistown weekend and will attend the meeting this Wednesday.

Commissioner Turk reported that she has a Library Board meeting on Thursday.

## **CITY MANAGER REPORT**

City Manager Kevin Myhre reported on the following issues:

The pool actually opened on June 13, 2013 after rebuilding the recirculation pump and motor. The new cover has been order. The pool will be open tomorrow after the pump has been replaced.

All f the reservoirs except East Fork have returned to their static levels. East Fork is the largest reservoir with the largest drainage and therefore takes longer to recede. The campground at East Fork is now accessible and the Central Montana 4H campout will be held there on June 14<sup>th</sup>. The muzzleloaders are still planning to utilize the facility for their annual rendezvous during the last week in June.

The airport has received bids for the AARF truck and is evaluating the bids. They have also received funds to change the security fence in a couple of locations and also to remodel a building to facilitate storage of the AARF truck. The City Manager has been working with County Commissioner Carl Seilstad and Essential Air Service (EAS) representative Curtis Hershberger as well as the City Attorney to consider the options for appealing the EAS decision and/or request a new designation with a separate carrier.

The bids have been received for the fire vehicle that will be funded under the FEMA grant. The lowest amount was over the amount currently approved by the FEMA and the Fire Chief is requesting an amended budget from FEMA to increase the funds from the grant. Once the Fire Chief has the final budget figures the bids will be brought before the Commission for award consideration.

The City departments have estimated that the response costs fo the City during the flooding will be less than the two mill threshold for declaring an emergency. The City may still be able to get some help from the state DES but have had no confirmations at this point.

The City Manager is hoping to reach a tentative agreement on the Fire Department's bargaining union agreement to be considered by the Commission at the first meeting in July. Most of the issues have been addressed and are making progress.

Lewistown Rental recently donated a John Deere tractor/riding lawn mower to the trails department. It is a very helpful and generous donation.

## **CONSENT AGENDA**

Acknowledgement of the claims that have been paid from May 29, 2013 to June 13, 2013 for a total of \$87,321.57.

Second reading of Ordinance No. 1745, an ordinance adopting a nonexclusive franchise agreement between the City of Lewistown and Mid-Rivers Telephone Cooperative, Inc., providing for conditions of use of public right of way and establishing a franchise fee

Commissioner Doney made the motion to pass the consent agenda and Commissioner Poss seconded the motion. The motion passed unanimously.

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

1. Discussion and action on Petition by Jack Behl to vacate the portion of alley between Warr Street and Bach Avenue connecting Joyland Road and Third Street, in the City of Lewistown, Montana

Mr. Myhre explained that the petitioner was not in the audience. The notices have been published and Public Works did make an attempt to notify the petitioner that this item was on the agenda for discussion and action. Mr. Myhre explained that he and City staff toured the area. The alley that is being requested to be abandoned runs between Third Street and Joyland Avenue and between Bach Street and Warr Street. The majority of the lots adjacent to the alley are owned by Mr. Behl and two of the lots are owned by Ms. Fannie Parker. The alley is undeveloped and there does not appear to be a need to develop this alley at this time. Mr. Myhre does not recommend opening this alley for travel by the general public. The petition for alley abandonment must be signed off on by the Public Works Department, Fire Department and Planning Department. Also, as part of the process the department must either approve or deny the request. Mr. Myhre further stated that this petition has been denied by the Public Works Department, Fire Department and the Planning Department. Further discussion followed. Ms. Fannie Parker commented that she would like the alley to remain as is and hope to make some changes to her property in the future. Commissioner Doney made the motion to disapprove the petition to vacate the portion of alley between Warr Street and Bach Avenue connecting Joyland Road and Third Street, in the City of Lewistown, Montana 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.

2. Discussion and action on approving Resolution No. 3818, a resolution vacating the portion of alley between Warr Street and Bach Avenue connecting Joyland Road and Third Street, in the City of Lewistown, Montana

Commissioner Gremaux explained that there is no need to approve Resolution No. 3818 because the petition was not approved.

3. Discussion and action on awarding the street improvement bids for 2013

Mr. Myhre explained that only one bid was received for the major projects. The chip seal and overlay will be bid at a different time. Mr. Myhre further explained that the bids came in where expected and there was an additive alternate put in and would like to approve the bid with the additive alternate. Commissioner Hewitt made the motion to approve awarding the street improvement bids for 2013 to Century construction 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 a bid to remodel the men's bathroom at the Civic Center

Mr. Myhre this project was discussed as part of the budget process last year. The project was put together and plans were developed in order to put out bids. Mr. Myhre explained that this project will be included in the 2014 budget because by the time the project starts it will be next fiscal year. Mr. Myhre stated that if you would like to remodel the women's bathroom that would be discussed this next budget year. Commissioner Turk made the motion to approve awarding the bid to remodel the men's bathroom at the Civic Center to Rick Hill Construction 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.

5. Discussion and action on appointing three Commissioners to a pool task force

Commissioner Turk made the motion to appoint Commissioner Gayle Doney, Commissioner Rick Poss and Commissioner Beth Putnam to a pool task force 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 the motion passed unanimously.

6. Discussion and action on approving Resolution 3814, a resolution approving the fiscal year 2014 work plan and budget for Tourism Business Improvement District #1

Commissioner Putnam made the motion to remove Resolution No. 3814 off the table and back on the agenda for action 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. Mr. Myhre explained that this is the work plan and budget for the first full year of the Tourism Business Improvement District. Mr. Myhre briefly explained that application process and what they will be looking to do in the fiscal year. This resolution authorizes the work plan and budget for fiscal year 2014. Commissioner Doney made the motion to approve Resolution 3814, a resolution approving the fiscal year 2014 work plan and budget for Tourism Business Improvement District #1 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.

7. Discussion and action on approving Resolution No. 3815, a resolution approving an assessment to defray the cost of the work plan and budget for Tourism Business Improvement District #1 for fiscal year 2014

Commissioner Putnam made the motion to remove Resolution No. 3815 off the table and back on the agenda for action 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. Mr. Myhre explained that this resolution authorizes the \$1 assessment for fiscal year 2014. Commissioner Putnam made the motion to approve Resolution No. 3815, a resolution approving an assessment to defray the cost of the work plan and budget for Tourism Business Improvement District #1 for fiscal year 2014 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. Richard Battrick asked about some services provided by the hospital. Mr. Myhre suggested that he talked to the hospital administration to answered his questions.

Mr. John Toohey asked if he could get some help with a skunk in his alley. Mr. Myhre suggested he work with the Animal Control Officer to coordinate how the situation should be handled.

### **COMMISSIONER'S MINUTE**

Commissioner Turk stated that she would like to discuss the "in good standing statement" in the Commissioner resolution for stipends. It was discussed that Mr. Myhre will get the information and then the Commission can build on it and determine how they would like to proceed. Commissioner Doney stated that she is sure that it is defined in statute.

### **ADJOURNMENT**

Chairman Gremaux adjourned the meeting.

Dated this 17<sup>th</sup> day of June, 2013.

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Frank Gremaux, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk