

**A COMMISSION MEETING OF SEPTEMBER 3, 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 July 15, 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 Berry reported that she recently attended a Central Montana Foundation (CMF) board meeting. Commissioner Berry reported that the Central Montana Youth Challenge came and asked for a grant to bring in a speaker to the High School to talk about abstinence. CMF approved the funding for the speaker. Commissioner Berry explained that the CMF Scholarship Committee was discussed and that committee was put in place in 1986 and the same members are serving on it and it unsure what exactly the scholarship committee does.

Commissioner Doney reported that she attended a Central Montana Health District (CMHD) meeting. The preliminary budget was approved with a 50 center per capita increase for each participating county. The increase for Fergus County is \$5,700. Commissioner Doney also reported that Garfield County is going to be part of the CMHD on a contract basis.

Commissioner Putnam reported that she attended a Park and Recreation meeting and the August 16<sup>th</sup> and 17<sup>th</sup> pool extravaganza was discussed. The tennis court fence at Kiwanis Park has been taken down and will be sold at the Police auction next spring. There appears to be some issues at D'Autremont Complex and the Park and Recreation Director will be working with Mr. Paul Stengel to work out the issues and come up with a good communication plan.

Commissioner Turk commented that she has been contacted by Mr. Kevin Kepler for the Friends of the Pool and they are looking for volunteers for the SOS booth at Chokecherry Festival. Mr. Myhre stated he

will schedule a meeting for the City's pool committee to determine how it will interact with the Friends of the Pool Committee.

Commissioner Hewitt stated that the Airport Board is meeting on Wednesday, September 4, 2013.

### **CITY MANAGER REPORT**

City Manager Kevin Myhre reported on the following issues:

While Century Construction was rolling the new pavement on Fourth Avenue North with a vibratory roller, a small piece of the sidewalk adjacent to the Masonic Building fell into the vaulted area of the building's basement. The vaulted area was visible through the hole. Public Works is working to make contact with the owner's representative and hoping that we can work with the owner to get the problem rectified.

Century Construction has completed approximately half of the paving contract. They should complete the remainder of the project by the end of the first week in September.

The Water Department has replaced five fire hydrants on the water system to improve the flows delivered or to remove out of service hydrants. One hydrant was upgraded at the Airport by the large hangar to improve the fire flows to allow the construction of a new building in that location. There are a total of six hydrants scheduled to be replaced this year.

The Ice Skating area has been prepared for hard surfacing and much of the landscaping around the perimeter has been completed.

### **CONSENT AGENDA**

There were none.

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

1. Discussion and action on concurring with a request for a public art project on traffic signal boxes (TSB) located in downtown Lewistown

Mr. Myhre explained that the public art project is being coordinated by the Lewistown Downtown Association in cooperation with the Public Art Committee. Mr. Myhre explained that there are preliminary plans underway to install public art on the traffic signal boxes (TSB) located in downtown Lewistown. There are three TSBs in downtown that are used to control the traffic signals on located on Main Street, at First Avenue, Third Avenue and Fourth Avenue. Ms. Joanne Berry explained that the plan is to use the signal boxes to showcase student art. Ms. Berry explained the committee for public art will be inviting 7<sup>th</sup> through 12<sup>th</sup> grade student artists residing in Central Montana, including Fergus, Judith Basin, Petroleum, Golden Valley and Wheatland Counties to participate. The theme is what draws people to the City of Lewistown. Ms. Berry reviewed what the submissions must include. Ms. Berry stated that this is a real art project for students and gives them a real opportunity to be seen and heard. Ms. Berry explained why the Commission should vote for this project and it will be a way to generate discussion, a way to get students and families involved, visual dimension to downtown, gives the students a connection to the community, can reflect common values and give a positive reflection of Lewistown's identity. Commissioner Hewitt asked if 2 or more students can submit one entry. Ms. Berry answered yes teams are encouraged and allowed. Commissioner Turk asked if the criteria can include that there be no reference to alcohol, smoking or tobacco. Ms. Berry answered yes. Ms. Berry stated that it is the intent to have a different picture on each box, but will only be starting with one box and see how it goes, this is a new process. Commissioner Gremaux asked who owns the TSBs. Mr. Myhre explained that the TSBs are the property of the Montana Department of Transportation (MDT). Mr. Myhre further explained that MDT does allow groups to use the signal boxes for this purpose if the

City concurs with the plan to do so and some type of contract would need to be put in place that would outline maintenance and responsibility. MDT is seeking concurrence from the City of Lewistown prior to authorizing the public art to be displayed on the TSBS. Further discussion followed. Commissioner Putnam asked how long the painting would last. Ms. Berry stated that it is a life lasting paint. Mr. Myhre commented that he would like a comment made on the application that the painting may only be left up for a minimum of two years. Ms. Berry answered yes. Commissioner Poss made the motion to approve concurring with a request for a public art project on the traffic signal boxes (TSB) located in downtown Lewistown 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.

## 2. Discussion and action on a citizen's request for a four way stop at the intersection of 7<sup>th</sup> and Watson

Mr. Myhre explained that the city was contacted recently by Ms. Stacey Benton, who lives in the area of 7<sup>th</sup> and Watson with a request to consider putting in a four way stop at 7<sup>th</sup> and Watson. Ms. Benton thanked the Commission for their time and stated that she lives at 304 7<sup>th</sup> Ave S. Ms. Benton stated that since the parking in front of the Calvert Hotel is diagonal parking it makes it difficult to safely cross 7<sup>th</sup> Ave S. Ms. Benton stated that the Lincoln Building is a designated bus stop for the school. Commissioner Hewitt asked if there is a designated crosswalk. Mr. Myhre answered no. Further discussion followed. Mr. Myhre explained that there is some difficulty with putting a stop sign on the corner of 7<sup>th</sup> and Watson because in order to have visibility a parking spot would have to be taken out, a tree by Ms. Benton's house would need to be removed and across the street. Mr. Myhre stated the main issue is visibility and maybe it would be good to contact the Department of Transportation to conduct a traffic study and get some suggestions for the area. Commissioner Berry asked why angle parking is allowed at the Calvert Hotel and nowhere else. Mr. Myhre answered that angle parking is allowed by Commission approval. The Commission did approve the angle parking at the Calvert Hotel. Mr. Myhre further explained that angle parking is only allowed in special conditions and can be approved by the Public Works Director. Commissioner Doney asked if Ms. Benton has asked her neighbors about the situation. Ms. Benton answered that it is a concern of the neighbors, but has not gone door to door for opinions. Commissioner Doney made the motion to table the citizen's request for a four way stop at the intersection of 7<sup>th</sup> and Watson with the request for more information and pending a traffic study 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 the submission of a 2013-2014 Montana Transportation Alternative Program grant application for City Loop Trail Paving Project

Mr. Jim Chalmers commented that the trail system is owned by the City of Lewistown and managed by the Trails Coordinating Committee which reports to the Park and Recreation Board. Mr. Chalmers stated that Mr. Myhre, Mr. Ferdinand and Mr. Daniels are on that board, but the majority of the trail work is done by volunteers. Mr. Chalmers explained that he is the Chairman of the Trails Committee and they meet every two weeks where they set priorities, write grants and deal with maintenance issues. Mr. Chalmers further explained that there is also a Friends of the Trails which is a 501C3 fundraising entity. Mr. Chalmers explained that the State has done away with the Community Transportation Enhancement Program and Safe Routes to Schools and put all the money into one pot called the Montana Transportation Alternative Program. Mr. Chalmers further explained that there is the opportunity to compete for then our share compared to the programs in the past. Mr. Chalmers reviewed the trail system. Mr. Chalmers stated that the application to applying for the ability to pave the trail from Main Street to Frank Day Park and from the Junior High to Main Street for an estimated project cost of \$248,390. Mr. Chalmers explained that there is a required local match of \$33,334 and the Friends of the Trail will provide \$24,000 and the City of Lewistown will provide \$9,334. It is determined that the City funding would come from venues from leases of surplus property that is leased. Commissioner Poss asked if the large match would deplete the Friends of the Trails fund. Mr. Chalmers answered no, that purpose of the fundraising it to spend the funds and this would be an incredible opportunity to spend the money on. Commissioner Poss commented that the trails system is the nicest addition to the City and is so well utilized by all sections of people. Commissioner Poss made the motion to approve the submission of a 2013-2014 Montana Transportation Alternative Program grant application for City Loop Trail Paving Project and Commissioner Doney second 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. Chalmers explained that the Trails committee has three big projects going on trail paving, Trailhead Park and the Machler project. Mr. Chalmers further explained the progress of the projects.

4. Discussion and action on approving the submission of a 2013-2014 Montana Transportation Alternative Program grant application for installation of ADA ramps on 7<sup>th</sup> Ave N

Mr. Myhre explained that this is the same grant system discussed in the previous item and the City would like to submit a grant application for the installation of ADA ramps on 7<sup>th</sup> Ave N. Currently, there is a twelve block portion of 7<sup>th</sup> Ave N that does not have ADA corners. Mr. Myhre further explained that in order to use federal funds on a road it has to meet ADA requirements. Public Works has put together an application for funding for the installation of ADA ramps on 7<sup>th</sup> Ave N. Mr. Myhre stated that if the City receives the funding it would be a State project. As a result then some pavement preservation funds can be used to overlay 7<sup>th</sup> Ave N. Commissioner Turk made the motion to approve the submission of a 2013-2014 Montana Transportation Alternative Program grant application for installation of ADA ramps on 7<sup>th</sup> Ave N 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.

5. Discussion and action on Resolution No. 3821, a resolution authorizing the City of Lewistown to submit a Treasure State Endowment Program Grant Application

Mr. Myhre explained that he has been working with the County, the Fair Board and Snowy Mountain Development Corporation (SMDC) on how to move forward with the water and sewer project for the area north of town and north part of town also known as buckskin flats. Mr. Myhre explained that the area behind Petro Depot currently has City water but does not have City sewer and the area from there out to the fairgrounds has City water through a three inch main and no City sewer. The fairgrounds does have 13 to 15 septic systems that have been put in over the years and are in all sorts of different conditions and work intermittently depending on usage. Mr. Myhre commented that in 2011 the City and County went together and did a preliminary engineering report on the wastewater systems in that area. In 1995 the City had the upgrade to that water system engineered and planned to be done with the new water line but both it and the airport were taken out of the project. Mr. Myhre stated that as a result it was designed to put a larger line out to the fairground and connect to the three inch line and make a loop to provide more water. Mr. Myhre explained that the area needs sewer, but in order to put in sewer the water would need to be improved also, by doing so would provide better fire protection which is limited at this time. Mr. Myhre stated that the group would like to apply for a grant with the Department of Commerce to meld the two reports together into one preliminary engineering report and then apply for a grant with the Treasure State Endowment Program TSEP which needs to be submit next legislative session. It will be a partnership with the County and SMDC is helping submit the grant. Commissioner Doney asked about the mill levy comment. Mr. Myhre explained that a mill levy may be necessary because the TSEP only grants up to \$750,000 and this project is estimated to be about \$1.5 to 1.8 million. Commissioner Poss made the motion to approve Resolution No. 3821, a resolution authorizing the City of Lewistown to submit a Treasure State Endowment Program Grant Application 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.

6. Discussion and action on the reappointment of Ryan Dick to an additional two-year term to the City County Planning Board /Lewistown Zoning Commission

Mr. Myhre explained that Mr. Ryan Dick was first appointed to the planning board/zoning commission on September 19, 2011 for a two-year term. The City County Planning Board/Lewistown Zoning Commission consists of nine members. Four of the members are appointed by Fergus County, four members are appointed by the Lewistown City Commission and one member is selected by the Fergus County Conservation District Board of Supervisors. The jurisdictional are of the planning board in Lewistown and the surrounding 4.5 mile planning area. The Zoning Commission has jurisdiction only within the incorporated boundaries of the City. Zoning Ordinance 11-13-1 requires the City County Planning Board to function as the Zoning Commission. Mr. Myhre explained that Mr. Dick has served as a valuable member of the City County Planning Board /Lewistown Zoning Commission and has indicated that he is willing to serve another term. Commissioner Poss made the motion to approve reappointing Ryan Dick to an additional two-year term to the City County Planning Board /Lewistown Zoning Commission 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.

7. Discussion and action on approving Resolution No. 3822, a resolution relating to adopting a preliminary budget and providing a date for public hearing and adopting thereof for the fiscal year beginning July 1, 2013 and ending June 30, 2014

Mr. Myhre explained that this Resolution is approving the preliminary budget and the budget can be changed prior to the final budget is necessary. Mr. Myhre explained that the final budget must be approved within 45 days of received the certified taxable value from the Department of Revue. This resolution gives the notice necessary to advertise the public hearing and approval of the final budget at the September 16<sup>th</sup> Commission meeting. Commissioner Hewitt made the motion to approve approving Resolution No. 3822, a resolution relating to adopting a preliminary budget and providing a date for public hearing and adopting thereof for the fiscal year beginning July 1, 2013 and ending June 30, 2014 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.

8. Discussion and action on approving Resolution No. 3823, a resolution stating the intention of the City Commission to amend the 2012-2013 Budget of the City of Lewistown

Mr. Myhre explained that at the end of the fiscal year, the budget needs to be amended for unexpected revenues and expenditures. This resolution states the intention to the City Commission to amend the budget and to advertise for the public hearing. Commissioner Putnam made the motion to approve Resolution No. 3823, a resolution stating the intention of the City Commission to amend the 2012-2013 Budget of 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.

### **CITIZENS' REQUESTS**

There were none.

### **COMMISSIONER'S MINUTE**

There were none.

### **ADJOURNMENT**

Chairman Gremaux adjourned the meeting.

Dated this 3<sup>rd</sup> day of September, 2013.

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Frank Gremaux, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk