

**A COMMISSION MEETING OF JANUARY 6, 2014 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.**

**CALL TO ORDER**

City Clerk Nikki Brummond called the meeting to order.

**PLEDGE OF ALLEGIANCE**

City Clerk Nikki Brummond asked everyone to stand and say the Pledge to the Flag.

**OATH OF OFFICE**

City Clerk Nikki Brummond welcomed Judge Jack Shields to the meeting. Judge Jack Shields swore the following Commissioners into office: Frank Gremaux, Ward I; Patty Turk, Ward II; Beth Putnam, Ward III; and Rick Poss, Commissioner at Large.

**ROLL CALL**

Present were Commissioners Berry, Doney, Gremaux, Hewitt, Putnam, Poss and Turk.

**ELECTION OF CHAIRMAN AND VICE CHAIRMAN**

City Clerk Nikki Brummond asked for nominations for Chairman. Commissioner Putnam nominated Commissioner Gayle Doney for Chairman and Commissioner Berry nominated Commissioner Frank Gremaux for Chairman. City Clerk Nikki Brummond asked for anymore nominations, there being none; the nominations were closed. Those voting in favor of Commissioner Doney were Doney, Poss, Putnam and Turk. Those voting in favor of Commissioner Gremaux were Berry, Gremaux and Hewitt. Commissioner Doney accepted the role as chairman.

Chairman Doney asked for nominations for Vice Chairman. Commissioner Putnam nominated Commissioner Frank Gremaux for Vice Chairman. Chairman Doney asked for anymore nominations, there being none, the nominations were closed. Chairman Doney call for the vote and it was unanimous. Commissioner Frank Gremaux accepted the role as Vice Chairman.

**APPROVAL OF MINUTES**

Commissioner Berry made the motion to approve the minutes for December 16, 2013 and Commissioner Poss seconded the motion. The motion passed unanimously.

**COURTESIES**

There were none.

**PROCLAMATIONS**

There were none.

## **BOARD AND COMMISSIONER REPORTS**

Commissioner Putnam reported that she attended the ribbon cutting ceremony at the ice skating rink over the weekend. City Manager Kevin Myhre and Park and Recreation Director Jim Daniels were also there representing the City. Mr. Myhre commented that the ice skating association is continuing to look for a chiller for the ice skating rink.

Commissioner Doney reported that she attended the December 19<sup>th</sup> Central Montana Health District meeting. They accepted the resignation from the sanitarian and appointed an interim sanitarian. They are reviewing the sanitarian's job description and looking at the policies and procedures of the health district.

## **CITY MANAGER REPORT**

City Manager Kevin Myhre reported on the following issues:

The City Manager met with the County Commissioners on January 2, 2014 to discuss the bill for the City's contribution for the Central Montana Health District. The County had sent a bill to the City in November with the full amount of the County's' increase added to the amount that the City paid the previous year. The amount of the bill was \$12,793. A tentative agreement has been negotiated that the City would continue to pay 20% of the assessment which increased our payment from \$7,000 to \$8,110 which is the same percentage of increase that the county will have in 2014. The entire assessment for Fergus County's population in 2014 is \$40,551 up from \$34,758 the previous year. Commissioner Putnam asked what was the County's reason or rationale for sending the invoice to the City for that amount. Mr. Myhre answered that the County Commissioners were unaware that the invoice had been sent.

The City is preparing to make application to the Land and Water Conservation Fund Grant through the Montana State Parks Program for \$75,000 to assist in the costs of the upgrade at the Swimming Pool Facility. The process involves holding a 30 day comment period and holding a public hearing. The meeting will be held at the Park Board meeting on January 15<sup>th</sup> at 6:30 p.m. to take public comments on the project. Ms. Jennifer Pfau is working with the Friends of the Pool to write the grant. Mr. Myhre commented that the City did receive some funding from the Land and Water Conservation Fund in 1967 to help build the current pool.

The City Planner is working with the City Attorney to prepare an annexation petition for the properties involved in the Tax Increment Financing District. They are also working to prepare an annexation petition for the Berg Lumber Property that is in City ownership.

The County Commissioners are planning to interview and appoint members to the working committee for the planning phase of the recreation district during the month of January. They are hoping for close to 15 interested persons to choose the committee from. The county Commissioners plan to appoint a committee with a mixture of supporters and opposition to work on the issue.

The volunteer group working to fund repairs and maintenance needed at the missile structure has been awarded a grant for \$2,500 to assist in the repairs. They have also received funding from the Central Montana Foundation in the amount of \$1,500. The \$2,500 came from the Missileers.

## **CONSENT AGENDA**

Commissioner Gremaux made the motion to approve the acknowledgement of the claims that have been paid from December 12, 2013 to December 31, 2013 for a total of \$52,833.09 and Commissioner Hewitt seconded the motion. The motion passed unanimously.

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

1. Discussion and action on reappointing Commissioners to the following boards: Airport, Library, Park and Recreation, Central Montana Health District, City County Planning, Central Montana Foundation, Central Montana 911 and Snowy Mountain Development Corporation

Mr. Myhre explained that this is the list of Commission appointed boards; however, there are other boards the Commission sits on, which are important, but not Commission appointed. Those boards for example are Friends of the Pool or the Recycle Our Waste Lewistown. Each year at this time the Commission does these appointments. Further discussion followed.

Mr. Myhre reviewed the roles and responsibilities of the Snowy Mountain Development Corporation. Commissioner Berry commented that she is interested in this board and would like to attend some meetings this upcoming year. Commissioner Gremaux made the motion to appoint and reappoint Commissioners to the following boards: Commissioner Berry to the Central Montana Foundation, Commissioner Doney to the Central Montana Health District, Commissioner Gremaux to the Central Montana 911, Commissioner Hewitt to the Airport Board, Commissioner Poss to the City County Planning Board, Commissioner Putnam to the Park and Recreation Board, Commissioner Turk to the Library Board and City Manager Kevin Myhre to the Snowy Mountain Development Corporation 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.

2. Discussion and action on approving the amount of the City's contribution to Fergus County for Health District participation for fiscal year 2014. The amount is \$8,110 and equates to twenty percent of the total assessment received by Fergus County for membership in the Central Montana Health

Mr. Myhre explained that he met with the County Commissioners and negotiated a 20% increase from last year's contribution. Mr. Myhre stated that he feels this is a fair increase and would be beneficial to continue to remain in the health district. Mr. Myhre further explained that only \$7,000 was budgeted and by approving this item it will give the direction to proceed with a budget amendment for the contribution. Further discussion followed. Commissioner Turk made the motion to approve the amount of the City's contribution to Fergus County for Health District participation for fiscal year 2014 in the amount of \$8,110 as negotiated 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.

3. Discussion and action on confirming the City Manager's signature on a Reciprocal Access Agreement between the City of Lewistown and the Montana Department of Fish, Wildlife and Parks for a 20 foot wide area located on joint properties along Spring Creek by the Carroll Trail Fishing Access

Mr. Myhre explained this is a piece of property that is owned by the Bank of the Rockies that is between the old railroad corridor and the creek and located between the sewer plant and the Berg Lumber sight. Mr. Myhre stated that when the piece of property was first sold it was sold to an individual and there was a survey that depicted an easement but there is no record of such easement. Mr. Myhre explained that Fish Wildlife and Parks is in the process of purchasing the property and they want to have a legal easement in place to access the property. Further discussion followed. Commissioner Putnam made the

motion to confirm the City Manager's signature on a Reciprocal Access Agreement between the City of Lewistown and the Montana Department of Fish, Wildlife and Parks for a 20 foot wide area located on joint properties along Spring Creek by the Carroll Trail Fishing Access 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.

#### 4. Discussion and action on confirming William McLendon, Lynn Gies and Hal Conrad as City Manager reappointments to the Lewistown Board of Adjustment

Planning Director Duane Ferdinand explained that the Lewistown Board of Adjustment is a five member board whose members are appointed by the City Manager and confirmed by the City Commission. The members serve a term of three years. The duties of the board are to hear and decide appeals on decisions made by an administrative official in the interpretation and enforcement of the zoning ordinance and to authorize variances from the terms of the zoning ordinance. The following individuals William McLendon, Lynn Gies and Hal Conrad are long term members of the board. However, their terms are set to expire soon and reappointment is necessary for their continued service to the community as a board member. Commissioner Gremaux asked if there was a Commission representative on the Board of Adjustment. Mr. Ferdinand answered no, that because of the nature of the board and they are the finally ruling authority on an issue and the next step would be district court. Commissioner Gremaux commented that he disagrees with some of the aspects of the board and it appears that all variances are approved and it should come back before the Commission for final approval. Commissioner Gremaux would like to look at the City Code establishing the board of adjustments. Commissioner Turk asked Commissioner Gremaux has had any complaints with regards to the Board of Adjustment. Commissioner Gremaux answered yes. Mr. Myhre recommended that William McLendon, Lynn Gies and Hal Conrad be confirmed for an additional three year term to the Board of Adjustment. Commissioner Gremaux made the motion to approve confirming William McLendon, Lynn Gies and Hal Conrad as City Manager reappointments to the Lewistown Board of Adjustment and Commissioner Putnam 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 reappointing Adele Longfellow to the Lewistown Design Review Board

Mr. Ferdinand Ordinance No. 1655 created the Design Review Board. The ordinance provides for a volunteer board to be composed of four City residents plus the Planning Director, all with voting privileges. Lewistown Ordinance 2-2-4 establishes a term of three years for each member. The Design Review Board has the authority for design review for programs that by ordinance provide for such review. In the past, the board has only been active in design review for proposed signs that exceed thirty-two square feet in area. Commissioner Turk made the motion to approve reappointing Adele Longfellow to the Lewistown Design Review 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.

#### 6. Discussion and action on allowing City staff to submit the annual Certified Local Government Grant Application to the Montana State Historic Preservation Office and the authorization to enter into a grant agreement once the grant is approved

Mr. Myhre explained that the Lewistown Historic Preservation Office is funded partially by the Certified Local Government (Historic Preservation) Grant Application which is a \$5,225 grant and there are some matching funds that are provided by the City because of office space and equipment. Mr. Myhre recommends the Commission approve moving forward with the submission of the grant and enter into the agreement once the grant is approved. Commissioner Putnam made the motion to allow City staff to

submit the annual Certified Local Government Grant Application to the Montana State Historic Preservation Office and the authorization to enter into a grant agreement once the grant is approved 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.

**CITIZENS REQUESTS**

Mr. Steve Williams stated that is the redesign of the overpass is a hot topic and the biggest complaint he hears is the look of the area. Mr. Williams asked if the City Commission would work with the County Commissioners on a beautification project in that area.

**COMMISSIONER'S MINUTE**

There were none.

**ADJOURNMENT**

Chairman Doney adjourned the meeting.

Dated this 6<sup>th</sup> day of January, 2014.

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Gayle Doney, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk