

**A COMMISSION MEETING OF OCTOBER 3, 2016 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.**

**CALL TO ORDER**

Chairman Byerly called the meeting to order.

**PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

Present were Commissioners: Byerly, Doney, Gremaux, Hewitt, Putnam and Turk.  
Commissioner Poss arrived late to the meeting.

**APPROVAL OF MINUTES**

There were none.

**COURTESIES**

There were none.

**PROCLAMATIONS**

There were none.

**BOARD AND COMMISSION REPORTS**

Commissioner Doney reported that the Local Government Study Commission met on Monday, September 26<sup>th</sup> and she was unaware of the meeting so was not in attendance, but they went over educational brochures. Commissioner Doney also reported that Mr. Dan Clark with the Local Government Center was at a Local Government Study Commission meeting on September 29<sup>th</sup>. The proposed charter and changes were discussed. Commissioner Doney explained that the layers of government were discussed at the meeting and the layer of government that would be added with the proposed changes.

Commissioner Byerly stated that he too attended the Local Government Study Commission meeting on September 29<sup>th</sup>. Commissioner Byerly commented that the proposal as Mr. Clark walked through it was not what the annexation folks thought it would be and it wasn't what he thought it would be. Commissioner Byerly explained that one of the confusing things was the role of the Commission, the role of the Mayor and the role of the Chief Administrative Officer (CAO) and where the majority of the discussion was focused. Commissioner Byerly further explained that Mr. Clark explained that the CAO would serve two masters, we would be adding a layer of bureaucracy with the Commission, the Mayor and a CAO there would be more expense

and more bureaucracy. Mr. Clark brought up on a couple of times the concern of the CAO serving two masters and according to Mr. Clark currently it is easier to fire the City manager now than it would be to fire the CAO. There was a lot of interesting discussion about the salary and how to attract someone with the qualifications to manage employees and a 10 million dollar budget. Commissioner Byerly summed it up that it was a very good informational meeting.

### **CITY MANAGER REPORT**

Interim City Manager Holly Phelps reported on the following issues:

There will be a Montana Dam and Canal Owners Conference in Missoula on Oct 18<sup>th</sup> & 19<sup>th</sup>. They will be discussing the repair that the City of Lewistown staff did on the outlet at Pike Creek Dam. During last year's video inspection a hole was discovered. The Water Department worked with NRCS and Belzona on a unique approach to repair the hole inside the 30 inch pipe. This method may be used by others in the future to provide a cost effective way to make repairs on their aging dams. This is the second time that Lewistown has taken innovative approaches to repair our dams, and these actions have been recognized at this conference. A big thanks to Mark Yerger for his expertise on these repairs.

DEQ continues to test the area around the old landfill of possible contaminants. Last year several test pits and monitoring wells were installed and additional work will be done this fall. The City has had to coordinate with adjacent landowners to work on their properties as well.

Montana League of Cities and Towns annual conference is this week October 5<sup>th</sup> to 7<sup>th</sup> in Missoula. The Finance Office, City Attorney and Interim City Manager will be in attendance.

The bookkeeper position for the City of Lewistown is still open.

### **CONSENT AGENDA**

Commissioner Gremaux made the motion to approve the consent agenda and Commissioner Putnam seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from September 15, 2016 to September 28, 2016 for a total of \$43,698.98.

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

#### 1. Airport annual report

Ms. Phelps introduced Mr. Jerry Moline, airport manager to present the annual report for the airport. Mr. Moline explained this is a good time to report that the budget for the airport has been approved. Mr. Moline explained that the Airport received around \$440,000 in grant money, \$256,531 net proceeds from the MDOT land purchase this includes what was given to Kiwanis and the appraisal and other income was approximately. Mr. Moline explained that they are projecting approximately \$421,500 for gross income. There are only two grants this year one is for the bus barn and the other is for what is called the master plan. Mr. Moline reported that the

farmer leases about 1,200 acres and the cost per acre has been increase over the years to \$31 per acre. The airport has worked out an agreement with the highway contractor to furnish approximately 2,500 yards of gravel and the county road department is going to haul and spread the gravel. Mr. Moline stated it would be nice to lease more frontage lots and also mentioned that the airport does not received a mill levies from the City or County. Mr. Moline explained that the airport with the help of a FAA grant purchased the bus barn. The airport is required to do a new master plan every 20 years. Mr. Moline stated that the airport has almost double the airplane activity in the last fourteen years. Also, the airport has gained three to four airplanes each year. Mr. Moline reported that the Berlin Airlift was her two times in September, there is a fly in the second Saturday each June and the airplane count varies from 45 this year to 100 last year. The City crew has been hauling and spreading sewage sludge on the airport farm land in September and the radio tower that was erected east of Fort Lewis Convenience store has been questioned by local pilots but it was Okayed by the FAA and County Planning Office. Discussion was held on the per acreage cost of the airport leases and the length of the lease.

## 2. Council on aging annual report

Ms. Phelps explained that this item will be on the next agenda. The director of the council on aging was unable to be here tonight.

## 3. Discussion and action on approving a curb cut variance for the property located at 203 4<sup>th</sup> Ave S, Mike's Detailing

Ms. Phelps explained that Mike and Alexandra Dunnington about replacing the curb, gutter and driveway at their business located at 203 4<sup>th</sup> Ave S. The applicable City codes were included in the Commissioners packet. Ms. Phelps explained that driveway widths for commercial property is 30 feet and for service stations is 40 feet. Ms. Phelps further explained that if an individual would like to deviate from these requirements they must receive permission from the City Commission and it will be granted it unusual conditions or where strict adherence would cause undue and extreme hardships. Ms. Dunnington stated that if they could get the financing and the contractor lined up they would probably do the whole area. Ms. Phelps explained that they have asked the City to assist with the right away which would be the sidewalk assistance policy. Ms. Phelps stated they are requesting an additional curb cut and would like as much as possible for the curb cut. Commissioner Putnam asked how much of a curb cut are they asking for. Ms. Dunnington stated they would like a 74 foot curb cut on 4<sup>th</sup> Ave S. Commissioner Gremaux made the motion to approve a 74 curb cut variance for property located at 203 4<sup>th</sup> Ave S and Commissioner Hewitt seconded the motion. Commissioner Byerly asked for comments from the audience and Commission. There being none, the question was called for and those voting in favor were Commissioners: Byerly, Doney, Gremaux, Hewitt, and Turk. Commissioner Poss arrived later in the meeting and Commissioner Putnam voted against. Commissioner Putnam explained that she feels it should be 50 feet instead of 74 feet and is concerned with the inconsistencies.

#### 4. Discussion and action on approving the purchase of an asphalt recycling dump box trailer

Ms. Phelps explained that this item is something the Public Works Department has explored for quite some time. Asphalt recycling is using old material and it can be waste asphalt, millings or chunks of asphalt and mix in rejuvenating oil. Heat up the material and then you have the necessary to patch. Ms. Phelps comments it would help take care of some of the digs in a timely manner. Commissioner Gremaux asked if we had a history on the use of the machine. Ms. Phelps answered yes, the City of Bozeman has the same unit and there are a handful of companies with this machine. Commissioner Gremaux stated that he cannot vote for it because he would like to see more information and Bozeman is the only city and can't we get more information from other cities. Commissioner Gremaux commented that when he worked for a paving company they tried it and it did not work. Ms. Phelps answered that she thinks the technology and oils have come a long way. Commissioner Byerly asked if there is a time limit on purchasing this item. Ms. Phelps answered the quotes are probably for sixty days. Commissioner Doney asked if the item was budget for. Commissioner Turk asked if the box would be used this fall. Ms. Phelps answered yes and currently we are at the mercy of Century to patch. Commissioner Gremaux made the motion to table the item until the next Commission meeting. The motion died for lack of a second. Further discussion followed. Commissioner Turk made the motion to approve the purchase of an asphalt recycling dump box trailer and Commissioner Putnam seconded the motion. Commissioner Byerly asked for comments from the audience and Commission. There being none, the question was called for and those voting in favor were Commissioners: Byerly, Doney, Hewitt, Putnam and Turk. Commissioner Poss arrived later in the meeting and Commissioner Gremaux voted against.

#### 5. Discussion and action on Resolution No. 3922, a resolution regarding support for developing the proposed Creekside Park

Commissioner Putnam made the motion to approve Resolution No. 3922, a resolution regarding support for developing the proposed Creekside Park and Commissioner Hewitt seconded the motion. Commissioner Byerly read the resolution. Commissioner Byerly asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

#### 6. Quarterly Interim City Manager Review – the meeting will be closed because the demands of individual privacy clearly exceed the merits of public disclosure in regards to the City Manager review.

Ms. Phelps asked everyone for attending the meeting but asked that the meeting be closed. Commissioner Byerly stated that the meeting will be closed because the demands of individual privacy clearly exceed the merits of public disclosure in regards to the City Manager review.

### **CITIZENS' REQUESTS**

Mr. Richard Battrick commented that he is concerned that his neighbor has moved his boat off the street but may be on his property. Commissioner Byerly commented that if it is on private property the City cannot do anything about it.

**COMMISSIONER’S MINUTE**

Commissioner Putnam stated that the Commission received a letter in their packet from Mr. Clay Dunlap, chairman of the Big Spring Watershed Council. Commissioner Putnam read the letter: The Big Spring Watershed Council is a forum of local citizens dedicated to promote cooperative resource management of the 255,000 acre Big Spring Creek Drainage. Toward this end, our members have played an integral part in the Machler Project, in improving facilities at the Fish Hatchery Park, in the periodic cleanup of the Spring Creek area, as well as being one of the lead agencies in the Brewery Flats clean up and restoration project. Therefore, it is with great concern that we learned about the possibility of developing soccer fields in the Brewery Flats area. At a meeting of the Big Spring Watershed Council on September 26, 2016, the Council voted unanimously to vigorously oppose any such development in the flats area. It is our opinion that this region should remain pristine for the use of walking on the lovely trails, bird watching, fishing and other current activities. Any development of the area, in our opinion, would substantially harm the existing uses.

**ADJOURNMENT**

Chairman Byerly adjourned the meeting.

Dated this 3<sup>rd</sup> day of October, 2016.

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Dave Byerly, Commission Chairman

ATTEST:

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Nikki Brummond, City Clerk