

A COMMISSION MEETING OF NOVEMBER 7, 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, Poss, Putnam and Turk.

APPROVAL OF MINUTES

Commissioner Hewitt made the motion to approve the September 19, 2016 and October 17, 2016 minutes as presented and Commissioner Putnam seconded the motion. The motion passed unanimously.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Putnam reported that the Park and Recreation Board meeting will be November 9, 2016. Commissioner Putnam committed that she was unable to attend the Central Montana Foundation meeting in late October. Commissioner Putnam reported that the Montana Preservation Alliance that is working on the Broadway Apartments did come in and ask for some money to complete the project to shore up the outside of the building. Commissioner Putnam stated that she believes the foundation did give them some money.

Commissioner Hewitt reported that the Airport Board has a special meeting on October 20th. The Airport Board discussed their Capital Improvement Plan which includes updating runways. There was discussion on the bus barn and when the improvements would be completed. Commissioner Hewitt reported that the radio tower is 40 feet higher than was proposed. Commissioner Hewitt explained that they have a letter into the FCC, FAA and County Commissioners to cease and desist the tower. The tower will need to be moved or taken down and done correctly. Commissioner Hewitt explained that the reasoning is that when the medical flights come in from Billings they are unable to see the tower because it is not painted and not

enough light. Mr. Tony Brown came to the Airport Board and asked if he could put a billboard on airport property and Commissioner Hewitt explained that billboard are not allowed on airport property. Commissioner Hewitt stated that the main reason for the special meeting was to select an engineering firm for the airport. The airport board had developed a rating system and the board members were to read all of the proposals and rate them. There were four engineering companies that submitted proposals and Morrison and Maierle was the engineering firm chosen. Commissioner Hewitt reported that the regular Airport Board meeting was November 2nd. There was discussion held on a grass landing strip and the walking trial will be done in the spring.

CITY MANAGER REPORT

Interim City Manager Holly Phelps reported on the following issues:

Century Construction has begun to do parts of the City's paving work. This includes paving on Entrance Wunderlin, 2nd and 7th Avenue and Spring Street.

The Public Works Department has received their new sweeper. The sweeper was put to good use right away with sweeping leaves.

The Public Works Department is working with Casino Creek Concrete to widen Casino Creek Drive. The dirt work is slated to begin soon and the gravel that will be used on the project is part of the City's annual gravel bid.

The status of the annexation lawsuit is still unknown. The City's attorneys are working on preparing their response to the appellants brief and has until December 5, 2016 to file their response. There has been no indication on when the Supreme Court will rules on the case.

The scam filters on the City emails account have been looked at and more filters have been added. You may want to check your junk folder to make sure important emails are not accidentally being sent there.

Ms. Phelps reported that she and Commissioner Byerly attended the Big Spring Creek Watershed meeting today. The location of the soccer fields was discussed and they are working with the soccer to explore other options. Some of the options discussed was going to the Airport Board and seeing if they had a location available and the Berg property. It is hoped that they can work together to find a solution.

CONSENT AGENDA

Commissioner Doney 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 October 5, 2016 to October 31, 2016 for a total of \$307,542.88.

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Update on progress of Community Development Block Grant to rehabilitate housing for low to moderate income households presented by Snowy Mountain Development

Ms. Phelps explained that the City of Lewistown has received notice that we have received \$450,000 Community Development Block Grant (CDBG) funds to help rehabilitate low to moderate income housing. Ms. Kathie Bailey, Executive Director for Snowy Mountain Development Corporation (SMDC), explained that this project was started back in 2012 when the Lewistown Housing Authority and SMDC has discussion about housing needs within the community. Ms. Bailey commented that the City of Lewistown had done housing grants before and Lewistown does have an aged housing inventory and if we can improve the aged stock it will help the community. The CDBG housing program is a HUD program to assist low to moderate income individuals. Ms. Bailey explained that SMDC submitted an application on behalf of the City in 2012 and the State decided they were not going to fund any grants at that time. Ms. Bailey stated that a new program was available and SMDC submitted a grant application on behalf of the City in 2015 and received a notice of award this month. Ms. Bailey explained that what this means is that the City is eligible to apply for funds for rehabilitation projects. Only one house can be done at a time and it will be a slow process and the City is eligible for five years. Ms. Bailey expects that there will be some start up conditions especially since some of the documents are outdated. There was some discussion about the program income plan. Ms. Bailey explained that she will be coming back before the Commission to update the necessary documents and discuss a program income plan.

2. Discussion and action on terminating the City of Lewistown's phone system maintenance agreement with Industrial Communications and Electronics

Ms. Phelps explained that in 2012 the City of Lewistown entered into an agreement with Industrial Communications and Electronics for their phone system. The agreement was to install a new phone system throughout the City including dispatch, an antenna for Public Works, a server and voicemail. Ms. Phelps further explained that the system has not worked from day one and it has not been a stable system. The phones installed work but do not do what they were expected to do. The contract was provided to the Commissioners in their packet and it stated that any party can terminate in writing with thirty day notice. Ms. Phelps explained that she is asking the Commission to give the City Manager permission to terminate the contract because we do not feel they have fulfilled their portion of the contract with knowledge that there may be legal issues as a result of the contract termination. Ms. Phelps stated that the City feels they are willing to part ways and move forward to improve the phone system. Commissioner Putnam asked how the system will be maintain in the interim and Ms. Phelps answered that the City has been maintaining the system. Commissioner Hewitt made the motion to terminate the City of Lewistown's phone system maintenance agreement with Industrial Communications and Electronics and Commissioner Doney seconded the motion. Commissioner Byerly asked the audience and Commission for comments. There being none, the question was called for and the motion passed unanimously.

3. Discussion and action on authorizing the City Manager to sign a memorandum of understanding between the Montana Department of Transportation and the City of Lewistown to receive funding for the maintenance of the Kiwanis Park public rest area

Ms. Phelps explained that for several years the City of Lewistown has sponsored the funding for the maintenance of the public rest area. The Kiwanis Club maintains that rest area and by the City sponsoring the funding they are able to pass the funds through to Kiwanis Club to help with the expenses for maintaining the rest area. Ms. Phelps explained that MDOT did not think they would have any funding for 2016-2017 but was able to come up with the \$1,000 as outlined in the memorandum of understanding. Commissioner Gremaux made the motion to authorize the City Manager to sign a memorandum of understanding between the Montana Department of Transportation and the City of Lewistown to receive funding for the maintenance of the Kiwanis Park public rest area and Commissioner Doney seconded the motion. Commissioner Byerly asked the audience and Commission for comments. There being none, the question was called for and the motion passed unanimously.

4. Discussion and action on awarding the 2016-2017 snow hauling bids

Ms. Phelps explained that the Public Works Department advertised for snow hauling bids. The City received one bid from Griffith Contracting in the amount of \$90 per hour per truck and it was included in the Commissioner's packet. Ms. Phelps further explained that a second bid was received for the same amount from Do-All Construction but was received late. Ms. Phelps stated that she has worked with both companies and recommends awarding the bid to Griffith Construction. Commissioner Hewitt made the motion to award Griffith Construction the 2016-2017 snow hauling bid and Commissioner Turk seconded the motion. Commissioner Byerly asked the audience and Commission for comments. There being none, the question was called for and the motion passed unanimously.

5. Discussion and action on reappointing Anna Morris to the Fergus Conservation District Board of Supervisors

Ms. Phelps explained that the City has one representative from their jurisdiction that sits on the Fergus Conservation District Board of Supervisors. The last appointee for the City of Lewistown was Ms. Sharla Lalum and she moved outside the City limits and Ms. Anna Morris was appointed to fill the unexpired term. Ms. Phelps stated that the last time the City did advertise for anyone interested to serve on the board and received no response. Ms. Phelps stated that Ms. Morris has expressed an interest in continuing to serve. Commissioner Putnam made the motion to approve reappointing Ms. Anna Morris o to the Fergus Conservation District Board of Supervisors and Commissioner Doney seconded the motion. Commissioner Byerly asked the audience and Commission for comments. There being none, the question was called for and the motion passed unanimously.

CITIZENS' REQUESTS

Mr. Frank Westhoff wanted to thank whoever straightened up the dock at East Fork. Mr. Westhoff stated that the fishing access at Frog Ponds where the bench is located has a lot of

weeds and the plat form that was installed does not have a handrail. Commissioner Byerly asked if Ms. Phelps would look into this.

COMMISSIONER’S MINUTE

Commissioner Turk reported that they are slowly working on cleaning up the property on Dawes Street.

Commissioner Hewitt commented on the concern that the irrigation ditch in the area of Dawes Street runs 300,000 to 400,000 gallons through our sewer plant and does not pay for it. Ms. Phelps commented that it does not run into the sewer plant however, there may be some inflow and infiltration and may need some work. Ms. Phelps explained that the City has reached out to the Ditch Association to help run the ditch more efficiently and the water right does supersede the City’s.

ADJOURNMENT

Chairman Byerly adjourned the meeting.

Dated this 7th day of November, 2016

Dave Byerly, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk