

**A COMMISSION MEETING OF JANUARY 17, 2017 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 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 Putnam made the motion to approve the minutes as presented and Commissioner Doney seconded the motion. The motion passed unanimously.

**COURTESIES**

There were none.

**PROCLAMATIONS**

There were none.

**BOARD AND COMMISSION REPORTS**

Commissioner Turk reported on the Library Board meeting and Ms. Jean Collins the new trustee attended the meeting. The Library Assistant II position has been filled and they are advertising for the Library Assistant I position.

Commissioner Putnam reported on the Park and Recreation Board meeting. They are still looking for workers for the roller skating at the Civic Center. There was an open air ice hockey tournament in Lewistown last weekend and it was a great turnout and lots of good comments on Lewistown. The trails are being maintained but also not grooming too much so they can be used for cross country skiing.

Commissioner Hewitt reported on the Airport Board meeting. There has been some vehicle maintenance being done and work continues on the bus barn. There will be another study done on the radio tower. The board is working on a land use pamphlet to give out so that people know what can be done on airport property.

## **CITY MANAGER REPORT**

Interim City Manager Holly Phelps reported on the following issues:

The Park and Recreation Director and City Manager met recently with Mr. Jason Stephens to discuss the potential of a skate park. The group is in the process of developing a plan and contacting adjacent property owners. The group is currently looking at two potential locations, one at Symmes Park and the other is in the area behind Intermountain Distributing. At this time they are planning to present proposal at the February 1<sup>st</sup> Park Board meeting. This meeting will be held at the Civic Center and begin at 7 pm.

The Gamble Robinson Company Warehouse (Mill Building) building has applied for nomination to the National Register of Historic Places. The local jurisdiction had the opportunity to comment on this application. The city Manager sent a letter on behalf of the City opposing the nomination. The resolutions passed by the City Commission supporting the development in the Creekside Park area regardless of the fate of the Gamble Robinson Company Warehouse were included in the packet. Commissioner Byerly asked who applied for the nomination of the Mill Building. Planning Director Duane Ferdinand answered that the Save the Barns committee applied for it and also nominated the draft horse barn building. Mr. Ferdinand explained that private money was used for the nomination. Commissioner Doney asked if funding was required for the draft horse barn nomination. Mr. Ferdinand explained that there is a pass thru account at the Central Montana Foundation called the Historic Lewistown Accord.

City staff has been working with Westwind Web Solution to update our website. The changes include adding a calendar page that will allow citizens to look one place and find out the time. Location and agenda for all the various City meetings. There will also be a way that people can sign up to receive emails from the City. This will allow us to send agenda and newsletters to those people that want this information. These changes will also make our websites more user friendly and will also allow people to view it from their mobile devices.

A list of bills being introduced at this year's Legislature were included in the packets. The Montana League of Cities and Towns is also keeping us up to date on many of these bills and how they will affect cities and towns. The website is very easy to use and you can see the draft legislation, who is carrying what bills, how Legislators are voting and even listen or watch various sessions live. If any of you are interest in learning more on legislature please get ahold of the City Manager and we can go over this.

As a reminder the City will be holding a Community Development Block Grant program public hearing February 6, 2017 at 7 pm during the regular Commission meeting. This is an opportunity for the public to comment on what they feel are the needs of the community.

## **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 12/29/16 to 12/31/16 for a total of \$90,511.96.

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

1. Discussion and action on reappointing Toni Gies and Adele Longfellow to Lewistown’s Design Review Board

Ms. Phelps stated that all citizens being nominated or reappointed were notified of the meeting and asked to attend. The Design Review board has the authority for design review for action that by ordinance provide for such review. Both citizens have agreed to serve a three year term if reappointed. Commissioner Turk made the motion to reappoint Toni Gies and Adele Longfellow to Lewistown’s Design Review Board 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 the motion passed unanimously.

2. Discussion and action on reappointing Carol Woolsey to an additional two year term as a City representative to the City County Planning Board/Lewistown Zoning Commission

Ms. Phelps explained that this is a reappointment to the City County Planning Board/Lewistown Zoning Commission. This is a two year reappointment and Ms. Woolsey’s second term. Commissioner Poss made the motion to reappointing Carol Woolsey to an additional two year term as a City representative to the City County Planning Board/Lewistown Zoning Commission 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 the motion passed unanimously.

3. Discussion and action on confirming Lynn Gies and Bill McLendon as City Manager reappointments to the Lewistown Board of Adjustment

Ms. Phelps explained that these are three year terms. Mr. McLendon has served on the Board of Adjustment since 2005 and Ms. Gies has served since 1998. These are both long term board members. Commissioner Poss made the motion to confirm Lynn Gies and Bill McLendon as City Manager reappointments to the Lewistown Board of Adjustment and Commissioner Turk seconded the motion. Commissioner Byerly 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 appointing Chris Cooler to a vacancy on the Tax Increment Financing Board

Ms. Phelps explained that last year the Tax Increment Financing (TIF) Board was established. The City went through the process of asking for applications and then appointed the members to staggering terms. Mr. Gregory Clark was appointed to a four year term and has resigned because he made a career position to go back to New York City for a job. Ms. Phelps would like to appoint Ms. Chris Cooler to the TIF board and the reason is she was the other one that had submitted an application of interest. Mr. Charlie Pfau was in attendance and is the Vice

Chairman of the TIF Board and commented that the board is in agreement with the appointment. Commissioner Poss made the motion to appoint Chris Cooler to a vacancy on the Tax Increment Financing Board and Commissioner Turk seconded the motion. Commissioner Byerly 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 approving Resolution No. 3926, a resolution to support for the City and Citizens of Whitefish

Commissioner Doney explained that she worked with the City Attorney to draft this resolution and as a community we would like to support our sister City of Whitefish. Commissioner Doney further commented that we are all aware of the hate and discontent in Whitefish and would ask that the City Commission approve this in support of Whitefish. Commissioner Poss made the motion to approve Resolution No. 3926, a resolution to support for the City and Citizens of Whitefish and Commissioner Putnam seconded the motion. Chairman Byerly read the following resolution.

**RESOLUTION OF SUPPORT  
FOR THE CITY AND CITIZENS OF WHITEFISH, MONTANA**

**WHEREAS**, recent events in our sister city of Whitefish, Montana, remind us that the plagues of anti-Semitism, ethnic and racial hatred remain a stain on an otherwise decent society; and,

**WHEREAS**, it is the province of good government to speak out against such evils, and to remind those most vulnerable that their lives and interests are especially protected; as President George Washington wrote to the Hebrew Congregation in Newport, Rhode Island, in 1790:

*"It is now no more that toleration is spoken of as if it were the indulgence of one class of people that another enjoyed the exercise of their inherent natural rights, for, happily, the Government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that they who live under its protection should demean themselves as good citizens in giving it on all occasions their effectual support."*

and,

**WHEREAS**, these same dark forces are a mockery to the memory of, and sacrifices made by, our World War II veterans, living and dead, who gave their all so that the twin evils of Nazism and fascism might never again hold a free reign in this world.

**THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEWISTOWN:**

That we join our Montana Congressional Delegation, elected state leaders, the Whitefish City Council, our Jewish neighbors, representatives of the broader faith community, and all citizens in denouncing hatred, bigotry and threats of intimidation against religious liberty from extremists of all kinds, whether from the left or right and that we express our solidarity with anyone

who struggles to free this world of ideas, conduct and actions that undermine a free, open and virtuous society.

Commissioner Byerly asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

### **CITIZENS' REQUESTS**

Ms. Terry Pepper Daniels commended the Commission for passing the resolution. Ms. Pepper Daniels asked if there is a City policy regarding posting of announcements for the different City departments. Ms. Pepper Daniels explained that she did get the meeting minutes she requested regarding the Park and Recreation Board because the minutes were not readily available. Ms. Pepper Daniels further commented that she requested all the minutes but was offended because she only got the minutes regarding the soccer fields. Ms. Phelps answered that she had requested those minutes and was sure to send those on and continuing to gather the minutes that she requested. Ms. Pepper Daniels commented that she does not see that the agenda for the Park and Recreation Board being posted 48 hour prior to the meeting. Discussion was held on information posted at the Library and Civic Center regarding soccer fields.

Mr. Ed Schwartz read a paragraph from the recent newspaper article regarding soccer fields at Brewery Flats. Mr. Schwartz commented that there is a stream bed and not a ditch. Ms. Phelps explained that any work would have to be permitted and there are strict laws regarding wetlands.

### **COMMISSIONER'S MINUTE**

Commissioner Putnam commented that a lot of people have worked on Brewery Flats to restore it but it was restored from a horrible state and its present state it is nice and beautiful.

Commissioner Putnam stated that she is not convinced that the original restoration group only intended it to be used for walking or nature. Commissioner Putnam commented on the free land comment and all of the groups have asked for City land for example the ice skating group, the roller skating group and baseball association. Commissioner Putnam was very surprised on the historical nomination of the mill building and does not think any City employees should participate in a historical nomination. Commissioner Putnam made comment that the one thing that is very important that this form of government won by 8 votes and we cannot allow the Chairman of the commission to act like a mayor.

Commissioner Byerly commented that at the last City Commission meeting it was decided that the soccer fields issue has been delayed until late spring. Some of the City Commissioner would like to be able to out to the location and walk the area without any snow. Commissioner Byerly explained that after the last Commission meeting we were asked to account for the boards and how they are operating under the open meeting laws. Commissioner Byerly stated that we did get some information from the City Attorney and maybe we should look at it more closely.

Commissioner Poss thanked Ms. Mary Woods for her letter.

Commissioner Turk addressed the letter form 24 Fitness. There was an article in the newspaper regarding the snow plowing for Main Street and the Department of Transportation is plowing to the street edges. The letter does contain some misinformation. The change in plowing has caused some parking issues.

Commissioner Doney thanked Ms. Mary Woods for her letter. Commissioner Doney explained that she is familiar with the Brewery Flats area but does want to go and walk the area when there is no snow. Ms. Wood does not want Brewery Flats to become another City park and just keep it a natural park. Commissioner Doney commented that regarding the mayor comment and after serving on the Study Commission for three years a mayor does dictate employees and does not feel any of the Chairman have acted like a mayor.

**ADJOURNMENT**

Chairman Byerly adjourned the meeting.

Dated this 17<sup>th</sup> day of January, 2017

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Dave Byerly, Commission

ATTEST:

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Nikki Brummond, City Clerk