

A COMMISSION MEETING OF FEBRUARY 21, 2017 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Vice Chairman Turk called the meeting to order.

PLEDGE OF ALLEGIANCE

Vice Chairman Turk asked everyone to stand and say the Pledge to the Flag.

ROLL CALL

Present were Commissioners: Gremaux, Hewitt, Poss, and Turk. Commissioners Byerly, Doney and Putnam were absent.

APPROVAL OF MINUTES

There no minutes to approve.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Poss reported that there was a City County Planning Board meeting this last week, but did not attend.

Commissioner Turk reported that she attended the recent Library Board meeting but forgot her notes and will report at the next meeting.

CITY MANAGER REPORT

Interim City Manager Holly Phelps reported on the following issues:

The Recharge our Community (ROC) Housing group will be meeting with the engineers on March 2nd to update them on the progress on the Berg Property Housing feasibility. The ROC group have a concept and will have estimated infrastructure costs and potential phasing for the project at this meeting.

The next step in the Community Development Block Grant (CDBG) planning process for the Broadway building will be the week of March 6th when the architect will be in Lewistown. At that time they will be meeting with interested groups and citizens regarding the project. The Architect will be updating the Commission at the March 6th Commission meeting. The Montana Preservation Alliance has selected Lewistown as the location for their 30th Anniversary to be held later this year.

The Bookkeeper position has been filed. This position is responsible for the payment of claims and processing payroll for the entire City.

As you may have seen, Duane Ferdinand, the City Planner has announced his retirement. His last day with the City of Lewistown will be March 24, 2017. The City Manager will decide how to proceed and will be looking at job descriptions.

Included in the packets is information on HB 473 and a list of the committee members.

CONSENT AGENDA

Commissioner Gremaux made the motion to approve the consent agenda and Commissioner Poss seconded the motion. The motion passed unanimously. The consent agenda was the

1. Acknowledgement of the claims that have been paid from 2/1/17 to 2/16/17 for a total of \$16,302.14
2. Second reading of Ordinance No. 1753 an ordinance amending section 1-3-1 of the Lewistown City Code pertaining to the credit received against fines impose for jail time served
3. Second reading of Ordinance No. 1754 an ordinance amending section 1-5-5 of the Lewistown City Code pertaining to the designation of the official ward district boundary map
4. Second reading of Ordinance No. 1755 an ordinance amending Title 2, Chapter 3 of the Lewistown City Code pertaining to the Park and Recreation Board; specifying members to be City residents; revising the start date for terms of appointment; and clarifying responsibilities
5. Approving Amendment I to the memorandum of understanding between Montana Department of Transportation and the City of Lewistown for the State funded City Park Rest Area program for SFY 2017

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Public hearing to hear comments on Resolution No. 3927, a resolution providing for property tax benefits for the remodeling, reconstruction or expansion of property located at 409 W Main Street in Lewistown

Vice Chairman Turk opened the public hearing to hear comments on Resolution No. 3927, a resolution providing for property tax benefits for the remodeling, reconstruction or expansion of

property located at 409 W Main Street in Lewistown. Ms. Phelps explained that Dustin Ingersoll was in the audience and was the new owner of the property located at 409 W Main. The property was originally known as the Slater Block Building and more recently the former TV Appliance Store. Mr. Ingersoll is wanting to remodel the three upper level apartments in preparation for occupancy and to upgrade the building to meet existing building and fire codes. Montana law provides for certain tax benefits for the remodeling, reconstruction or expansion of existing commercial buildings. Ms. Phelps explained that the work that is being proposed would increase the property value by 5% and City code allows a five year abatement with a five year phase in period. Planning Director Duane Ferdinand explained that State law does allow a five year tax exemption after construction but the City of Lewistown only allows a three year tax exemption. Commissioner Turk asked for question from the audience. There being none, the public hearing was closed.

2. Discussion and action on approving Resolution No., 3927, a resolution approving property tax benefits for remodeling, reconstructing or expansion of commercial property within the City of Lewistown

Commissioner Poss made the motion to approve Resolution No., 3927, a resolution approving property tax benefits for remodeling, reconstructing or expansion of commercial property within the City of Lewistown and Commissioner Hewitt seconded the motion. Commissioner Poss commented that this is something the City Commission can do and it is something he really likes to approve. Ms. Turk commented that it is a very good incentive to do improvements in the downtown area. Commissioner Turk asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

3. Public hearing to hear comments on a conditional use permit application submitted by Marilyn Byrne for the purpose of operating a custom framing business from residential property located at 624 W Shields Street

Vice Chairman Turk opened the public hearing to hear comments on a conditional use permit application submitted by Marilyn Byrne for the purpose of operating a custom framing business from residential property located at 624 W Shields Street. Mr. Ferdinand explained that a Conditional Use Permit submitted by Marilyn Byrne. The purpose of the conditional use permit is to conduct a custom framing business from her residence located at 624 W Shields St. Mr. Ferdinand explained that the proposed use of the property is not listed as a permitted use. It can, however, be considered as a conditional use after a special review determines that there would be no adverse impacts to the public health, safety or general welfare to the community or neighborhood. Mr. Ferdinand stated that it was approved the proposal after it was determined that it is unlikely that there would be any adverse impacts to the neighborhood. The zoning commission was unanimous to recommend that the conditional user be approved with the condition that the permit become void if the applicant no longer controls the property. Commissioner Turk asked for comments from the audience. There being none, the public hearing was closed.

4. Discussion and action on approving a conditional use permit application submitted by Marilyn Byrne for the purpose of operating a custom framing business from residential property located at 624 W Shields Street

Commissioner Poss made the motion to approve the conditional use permit application submitted by Marilyn Byrne for the purpose of operating a custom framing business from residential property located at 624 W Shields Street with the condition that the permit would become void upon applicant's loss of control of the property such as through sale or death and Commissioner Hewitt seconded the motion. Commissioner Turk 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 the City Manager Job description

Commissioner Turk commented that since three of the commissioners were gone, that she would like to wait on discussion or taking any action on this item. The other commissioners agreed and it will be on the next Commission agenda.

CITIZENS' REQUESTS

Ms. Terry Pepper Daniels commented that some other citizens are going to bring in some information regarding the soccer fields at Brewery Flats. Ms. Pepper Daniels further commented that the Migratory Bird Grant covers the whole Brewery Flats and when making a decision the Commission should keep this information in mind. Ms. Pepper Daniels commented that a lot of preservation and conservation has been done as a result of Mr. Ferdinand's hard work.

COMMISSIONER'S MINUTE

Commissioner Hewitt explained that there is a ditch that runs through the Riverdale Addition and it is not maintained by the City or anyone that owns it. The ditch has senior water rights. Ms. Phelps explained that several people own the rights and don't know if the City is interested in going after the citizens to maintain the ditch. The City and DNRC have reached out to the ditch association to work on making the ditch work better.

ADJOURNMENT

Vice Chairman Turk adjourned the meeting.

Dated this 21st day of February, 2017.

Patty Turk, Commission Vice Chairman

ATTEST:

Nikki Brummond, City Clerk