

COMMITTEE OF THE WHOLE

JULY 19, 2021

6:00 PM

1. Discussion on Boulevard and Street Maintenance Assessments
2. Review of the Streets, Water and Sewer Department budgets

**NOTICE FOR, AND AGENDA FOR, A REGULAR MEETING OF THE CITY COMMISSION,
CITY OF LEWISTOWN, JULY 19, 2021 AT 7:00 P.M. AT THE CENTRAL MONTANA
COMMUNITY CENTER LOCATED AT 307 W WATSON**

To participate virtually the options are as follows:

To join by zoom: <https://zoom.us/j/8486275925?pwd=dTVGbndDK253ZUJLMjRuZXU5QVpMdz09>

Meeting ID: 848 627 5925 Passcode: 59457

To participate by phone: dial (253) 215-8782 Meeting ID: 848 627 5925 Passcode: 59457

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES – June 21, 2021 & July 6, 2021

COURTESIES

PROCLAMATIONS

BOARD AND COMMISSION REPORTS

CITY MANAGER REPORT

PUBLIC COMMENT – non agenda items

CONSENT AGENDA

Acknowledgment of the claims that have been paid from June 30, 2021 to June 30, 2021 for a total of \$99,708.73.

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

1. Discussion and action on approving Resolution No. 4057, a ban on open burning extreme fire danger – stage I fire restrictions within the City of Lewistown (**Action: approve, disapprove or amend Resolution No. 4057**) City Manager Holly Phelps
2. Discussion and action on approving the general union bargaining agreement for 2021-2024 (**Action: approve, disapprove or amend general union bargaining agreement for 2021-2024**) City Manager Holly Phelps
3. Discussion and action on confirming the City Manager's appointment to the Library Board of Trustees for a five-year term (**Action: approve, disapprove or amend the confirming the City Manager's appointment to the Library Board of Trustees**) City Manager Holly Phelps
4. Discussion and action on approving Resolution No. 4058, a resolution approving an application from S U S Furniture for TIF funds made to the Lewistown Tax Increment Financing District Board (**Action: approve, disapprove or amend Resolution No. 4058**) City Manager Holly Phelps
5. Discussion and action on approving Resolution No. 4059, a resolution approving an application from Your Montana Days LLC for TIF funds made to the Lewistown Tax Increment Financing District Board (**Action: approve, disapprove or amend Resolution No. 4059**) City Manager Holly Phelps
6. Discussion and action on approving a contractor for chip sealing the Lewistown Trail System (**Action: approve, disapprove or amend approving a contractor for chip sealing**) City Manager Holly Phelps

7. Discussion and action on approving a contractor for paving a portion of the Lewistown Trail System adjacent to Airport Road (**Action: approve, disapprove or amend a contractor for paving**) City Manager Holly Phelps

8. Discussion and action on setting the boulevard maintenance assessment for fiscal year 2021-2022 (**Action: approve, disapprove or amend boulevard maintenance assessment for fiscal year 2021-2022**) City Manager Holly Phelps

9. Discussion and action on setting the street maintenance assessment for fiscal year 2021-2022 (**Action: approve, disapprove or amend street maintenance assessment for fiscal year 2021-2022**) City Manager Holly Phelps

10. Discussion and action on the City of Lewistown's participation in the Central Montana Health District moving forward (**Action: approve, disapprove or amend City's participation in the Central Montana Health District moving forward**) City Manager Holly Phelps

CITIZENS' REQUESTS

COMMISSIONER'S MINUTE

ADJOURNMENT

* All citizens are invited to make comment on any agenda item prior to action being taken by the Commission

RESOLUTION NO. 4057

STAGE I FIRE RESTRICTIONS WITHIN THE CITY OF LEWISTOWN

WHEREAS, the Lewistown City Commission has the authority to declare a local emergency pursuant to Montana Code Annotated § 10-3-402 and take action consistent with Title 10, Chapter 3, Part 4; and

WHEREAS, high temperatures and low precipitation have occurred within Fergus County during the months of June and July 2021, resulting in dry fuel and drought conditions, raising the risk for fires throughout Fergus County.

WHEREAS, the Fergus County Board of Commissioners passed Resolution No. 18-2021 on July 15, 2021, ordering Stage I fire restrictions on private land within Fergus County due to extreme fire danger; and

WHEREAS, Fergus County and neighboring counties are experiencing wildfires destroying thousands of acres of timber, range, and structures; and

WHEREAS, the National Weather Service has predicted continued hot, dry, and windy weather conditions with a likelihood of dry lightning; and

WHEREAS, the Lewistown City Commission wishes to reduce the possibility of human-caused wildfires, thereby reducing further resource and property damage; protecting the public's health and safety; and diminishing the strain on firefighting personnel, equipment, and budgets;

NOW, THEREFORE, BE IT RESOLVED, in accordance with Stage One fire restrictions The following acts are prohibited until further notice.

1. Building, maintaining, attending, or using a fire or campfire unless noted in the exemptions below.
2. Smoking, except within an enclosed vehicle or building, a developed recreation site or while stopped in an area at least three feet in diameter that is barren or cleared of all flammable materials.

The following exemptions shall be in place.

1. Persons with a written permit that specifically authorizes the otherwise prohibited act.
2. Persons using a device solely fueled by liquid petroleum or LPG fuels that can be turned on and off. Such devices can only be

used in an area that is barren or cleared of all overhead and surrounding flammable materials within 3 feet of device.

3. Persons conducting activities in those designated area where the activity is specifically authorized by written posted notice.
4. Any Federal, State, or local officer or member of an organized rescue or firefighting force in the performance of an official duty.

Exemptions may be obtained from the Lewistown Fire Chief. Operations that are not covered under an exemption listed above may be granted on an individual exemption permit by the agency having jurisdiction on a case-by-case basis. **An exemption does not absolve an individual or organization from liability or responsibility for any fire started by the exempted activity.**

Montana State Law requires that anyone who causes a wildland fire is financially liable for suppression costs and damages.

This Resolution takes effect at 12:01 a.m. July 20, 2021 and shall remain in effect until such time as it may be amended or rescinded by the Lewistown City Commissioners.

ADOPTED this 19th day of July, 2021 by the Lewistown City Commission.

Patty Turk
Commission Chairperson

ATTEST:

NIKKI BRUMMOND, City Clerk

Dear Holly Phelps and the Lewistown City Commission,

My name is Mariah Shammel and I would like to offer my name as a candidate for the Board trustee position opening at the Lewistown Public Library.

I have been a passionate supporter of public libraries, their involvement within surrounding communities and everything they offer readers for as long as I can remember. When I was young, my family moved around a lot, across both state and national lines and while there were initially a lot of unknowns in each new place, one thing my parents always made sure my siblings and I had was constant access to the public library. We may not have known our way around town yet, had enough time to make friends, or even known how to speak the language upon arrival but we always had the library where we could find our favorite books, discover new authors and escape into worlds we could only imagine. As the daughter of two teachers, the importance of libraries has never been lost on me and now that my husband and I have our own four children, we love experiencing Lewistown Public Library with them; introducing them to new titles, authors and ideas as much as we can.

There are a lot of roles and responsibilities that come with being a Board Trustee for the library, but I am both qualified for the job and look forward to using those attributes to benefit the library and all the communities and people it serves. I have served on various Boards over the last two decades, both at the county and state levels, and have also been employed by an agricultural organization where my salary and most of my day-to-day tasks were set by a Board of Directors. This gives me the unique perspective of seeing what it takes to make decisions, set goals and work with other entities as a member of a unified Board while also knowing the importance of working with paid staff in order to achieve those goals whilst encouraging community support. During my time in the aforementioned position as Regional Manager, a large portion of my duties was to act as liaison between local farmers and ranchers, their community leaders, and represent them via policies and legislation in front of state and national leadership, as well as elected officials. Though I left that position to ranch with my husband and raise our kids, being a rancher and business owner has allowed me to learn first-hand how to make a business successful from a financial and operational standpoint. Conversely, being a mother to four children under the age of 10 with vastly different interests, likes and literary needs, gives me an interesting viewpoint when it comes to discussing how our library can continue to meet the needs of families near and far.

The Lewistown Public Library has a vital role in not only the Lewistown community but Central Montana as a whole. It serves people from various outlying communities, provides school children a place to call their own, offers programs to people of all ages, and it is so important to keep these functions pertinent. I would love to be a part of this worthy service by serving as a Board Trustee and while I feel I have a lot of qualifications to bring to the table, I also realize there is a lot I don't know and would love the opportunity to discover everything this position has to offer. If you have any questions or would like to contact me for any reason, I can be reached at mariahshammel@gmail.com or (406) 855-0297. Thank you for your consideration!

Sincerely,
Mariah Shammel

RESOLUTION NO. 4058

A RESOLUTION APPROVING AN APPLICATION FROM
SUS FURNITURE FOR TIF FUNDS MADE TO THE
LEWISTOWN TAX INCREMENT FINANCING DISTRICT
BOARD

WHEREAS, the Lewistown City Commission has adopted Ordinance No. 1748 – An Ordinance establishing the Lewistown Urban Renewal Area, creating the Lewistown Urban Renewal District and adopting the Lewistown Urban Renewal District Plan; and

WHEREAS, by Resolution number 3903 the City created an Urban Renewal Agency per 7-15-4232 Montana Codes Annotated (MCA), which was designated as the “Lewistown Improvement District Board” to engage in activities authorized in 7-15-4234 MCA and provide administrative functions; and

WHEREAS, the Commission re-designated the “Lewistown Improvement District Board” as the “Lewistown Tax Increment Financing District Board” by Resolution 3923; and,

WHEREAS, the Commission appointed a Lewistown Tax Increment Financing District Board (hereafter, the “TIF Board”) in order to manage the Lewistown Urban Renewal District created by Ordinance 1748; and,

WHEREAS, the TIF Board oversees the operation of the Lewistown Urban Renewal District, including public purpose activities; promotional activities; façade building conservation and loan programs; and administrative functions; and,

WHEREAS, the TIF Board exercises those powers authorized by law as specified in Resolution 3923; and,

WHEREAS, the TIF Board has developed the Lewistown TIF District (LTD) Program whereby qualified applicants may apply for TIF District Program Funds for assistance in redevelopment or rehabilitation of properties within the Urban Renewal District; and,

WHEREAS, through its LTD Program the TIF Board has received numerous applications for TIF District Program Funds, has reviewed the same and, has recommended approval of several applicants for those funds; and,

WHEREAS, the City Commission has retained final budgetary authority for TIF program activities.

NOW, THEREFORE, BE IT RESOLVED, that the Lewistown City Commission hereby approves the following applications for TIF District Program Funds as recommended by the TIF Board:

1. SUS FURNITURE, façade improvements, 515 W. Main St, Jolynn Hamilton, applicant; \$872.50 grant

BE IT FURTHER RESOLVED, that prior to disbursement of any TIF funds, all applicants shall enter into such Development Agreements as established and approved by the TIF Board.

PASSED AND APPROVED this 19th day of July, 2021.

Patty Turk, Chairperson
Lewistown City Commission

Attest:

Nikki Brummond
City Financial Officer/Clerk

Lewistown TIF District Program Application

Project Name: NEW SIGNAGE

Date Submitted: 01/01/01 06-24-21

APPLICANT INFORMATION

1. Name: SUS FURNITURE
2. Address: 515 W. MAIN ST
3. City/ST/Zip: LEWISTOWN MT 59457
4. Telephone Number(s): ~~(406) 535-0000~~ 406 538 7571

If the applicant is not an individual doing business under his/her own name, the applicant has the status indicated below and is organized or operating under the laws of:

☒

A Corporation

☐

A nonprofit or charitable institution or corporation

☐

A partnership known as _____

☐

Other (explain) _____

PROJECT INFORMATION

1. Building Address: 515 W. MAIN ST.
2. Legal Description: LOT # 004 & 010 500 BLOCK IC-T: LEWISTOWN CITY-TIF DIST.
3. **Property Owner:** (If property is not owned by Applicant, list leasehold interests)
Name of Owner(s): ^{25%} SUS FURNITURE / ^{75%} JAMES J. WIER
Address: 515 W. MAIN ST LEWISTOWN, MT
Telephone Number(s): (406) 535-0000 406 538-7571
E-Mail: jolynn@midrivers.com

PROJECT COST WORKSHEET

Construction/Rehabilitation Costs

	1725. ⁰⁰
1. <u>COST OF SIGN</u>	<u>\$0.00</u>
2. _____	<u>\$ 0.00</u>
3. _____	<u>\$ 0.00</u>
4. _____	<u>\$ 0.00</u>
5. _____	<u>\$ 0.00</u>
6. _____	<u>\$ 0.00</u>
7. _____	<u>\$ 0.00</u>
8. _____	<u>\$ 0.00</u>
Subtotal	<u>\$0.00</u>
	1725. ⁰⁰

Design and Permitting Costs

Architectural Design/Supervision	<u>\$ 0.00</u>
Permit Fees	<u>\$0.00 20.⁰⁰</u>
Other Fees	<u>\$ 0.00</u>
Subtotal	<u>\$0.00 20.⁰⁰</u>
	\$1745. ⁰⁰
Total Project Development Costs	<u>\$0.00</u>

RESOLUTION NO. 4059

A RESOLUTION APPROVING AN APPLICATION FROM
YOUR MONTANA DAYS, LLC FOR TIF FUNDS MADE
TO THE LEWISTOWN TAX INCREMENT FINANCING
DISTRICT BOARD

WHEREAS, the Lewistown City Commission has adopted Ordinance No. 1748 – An Ordinance establishing the Lewistown Urban Renewal Area, creating the Lewistown Urban Renewal District and adopting the Lewistown Urban Renewal District Plan; and

WHEREAS, by Resolution number 3903 the City created an Urban Renewal Agency per 7-15-4232 Montana Codes Annotated (MCA), which was designated as the “Lewistown Improvement District Board” to engage in activities authorized in 7-15-4234 MCA and provide administrative functions; and

WHEREAS, the Commission re-designated the “Lewistown Improvement District Board” as the “Lewistown Tax Increment Financing District Board” by Resolution 3923; and,

WHEREAS, the Commission appointed a Lewistown Tax Increment Financing District Board (hereafter, the “TIF Board”) in order to manage the Lewistown Urban Renewal District created by Ordinance 1748; and,

WHEREAS, the TIF Board oversees the operation of the Lewistown Urban Renewal District, including public purpose activities; promotional activities; façade building conservation and loan programs; and administrative functions; and,

WHEREAS, the TIF Board exercises those powers authorized by law as specified in Resolution 3923; and,

WHEREAS, the TIF Board has developed the Lewistown TIF District (LTD) Program whereby qualified applicants may apply for TIF District Program Funds for assistance in redevelopment or rehabilitation of properties within the Urban Renewal District; and,

WHEREAS, through its LTD Program the TIF Board has received numerous applications for TIF District Program Funds, has reviewed the same and, has recommended approval of several applicants for those funds; and,

WHEREAS, the City Commission has retained final budgetary authority for TIF program activities.

NOW, THEREFORE, BE IT RESOLVED, that the Lewistown City Commission hereby approves the following applications for TIF District Program Funds as recommended by the TIF Board:

1. Your Montana Days, LLC, façade improvements, 223 W. Main St, Loraine and Douglas Day, applicant; \$3460 grant

BE IT FURTHER RESOLVED, that prior to disbursement of any TIF funds, all applicants shall enter into such Development Agreements as established and approved by the TIF Board.

PASSED AND APPROVED this 19th day of July, 2021.

Patty Turk, Chairperson
Lewistown City Commission

Attest:

Nikki Brummond
City Financial Officer/Clerk

Lewistown TIF District Program Application

Project Name: Day Building Exterior Date Submitted: 06/14/2021

APPLICANT INFORMATION

1. Name: Lorraine : Douglas Day
2. Address: 1118 W. Water St.
3. City/ST/Zip: Lewistown, Mt 59457
4. Telephone Number(s): (406) 538-8405

If the applicant is not an individual doing business under his/her own name, the applicant has the status indicated below and is organized or operating under the laws of:

- ☒ A Corporation YOUR Montana Days LLC Doing Business As
☐ A nonprofit or charitable institution or corporation Main Street Treats
☐ A partnership known as _____
☒ Other (explain) Non Profit Jump Rope Club
Lewistown Hoppers

PROJECT INFORMATION

1. Building Address: 225 W Main Street Lewistown
2. Legal Description: see Attached Site address
223 W. Main
3. **Property Owner:** (If property is not owned by Applicant, list leasehold interests)
Name of Owner(s): Douglas : Lorraine Day
Address: 1118 W. Water St. Lewistown
Telephone Number(s): 406538-8405
E-Mail: lorainemday@gmail.com

PROJECT COST WORKSHEET

see attached

Project #3

Construction/Rehabilitation Costs

1.	3 rd Ave DOORS : Windows	700.00
2.	Main Street doors : Windows	650.00
3.	3 rd Ave lower level doors	400.00
4.	3 rd Ave lower level doors	400.00
5.	10 3 rd Ave ^{and window} : Main St. Windows	3000.00
6.		0
7.		0
8.		0
	Subtotal	5150.00

Design and Permitting Costs

	Assisted Labor	800.00
	Architectural Design/Supervision	
	Permit Fees	0
	Other Fees	970.00
	Rental equipment	
	Subtotal	6920.00

Total Project Development Costs

\$6,920.00

PURCHASE REQUISITION FORM

CITY OF LEWISTOWN

305 W. Watson St.
Lewistown, Mt 59457

Department Trails Requested by Jim Daniels
Date 7/12/2021

Account # (s) _____ Financial Officer Review (int) _____

Description of the goods and/or services:		
Crack Sealing and Seal Coating of asphalt trails		
Includes trail from McDonalds – Cemetery		
And trail from E. Main to Garfield School		
Friends of the Trails has agreed to match funding up to \$15000 for This work.		

Quoted Price

Vendor #1:	Red Clay		
Address:	Lewistown, MT		
Phone:			
Notes:		24594	75

Vendor #2:	Z & Z Asphalt		
Address:	Billings, MT		
Phone:	406-860-0169		
Notes:		20166	44

Vendor #3:			
Address:			
Phone:			
Notes:			

Approved Vendor _____

Authorization to purchase through vendor noted above _____
City Manager

PURCHASE REQUISITION FORM CITY OF LEWISTOWN

305 W. Watson St.
Lewistown, Mt 59457

Department Streets Requested by JR Killham
Date 7/14/2021

Account # (s) 2500-430252- Financial Officer Review (int) _____

Description of the goods and/or services:		
Work includes paving of asphalt trail adjacent to Lower Airport Rd		
Also included is paving of the new intersection at		
Airport/Flourite/Birch where it ties into trails system.		

Quoted Price

Vendor #1:	Century Construction		
Address:	Lewistown, MT		
Phone:	406-535-1300		
Notes:	Airport Road paving	26680	
	Airport/Flourite/Birch	9405	

Vendor #2:	MT Paving		
Address:	Lewistown, MT		
Phone:	406-380-2773		
Notes:	Due to scheduling of existing workload. They did		
	Did not bid.		

Vendor #3:			
Address:			
Phone:			
Notes:			

Approved Vendor _____

Authorization to purchase through vendor noted above _____
City Manager

Century Companies, Inc.
PO Box 579
Lewistown, MT 59457



Ph. (406) 535-1200
Fax (406) 535-1206

Proposal for Work and/or Materials

Proposal Submitted To <i>City of Lewistown</i>		Phone (406) 535-1770	Date 7/14/2021
Street 305 West Watson Street		Job name <i>Walking Path Improvements</i>	
City, State, and Zip Code Lewistown, MT 59457		Job Location <i>Upper Airport Road & Fluorite/Birch St. Intersect</i>	
Proposal # #1	Date of Plans No date	Contact Person <i>JR Killham, Public Works Director</i>	

We hereby submit specifications and estimates for:

All work to be done as per Project Specifications

Item #	Item	Quantity	Units	Unit / Price	Total Price
<u>Schedule #1 - Upper Airport Road Walking Path Overlay</u>					
001	Supply, place, and compact a 2" asphalt overlay	880.0	SY	\$26.00	\$22,880.00
	SCHEDULE #1 Total				\$22,880.00
<u>Schedule #2 - Fluorite/Birch Street Intersection New Walking Path</u>					
101	Supply, place, and compact a 3" asphalt Walking Path	190.0	SY	\$49.50	\$9,405.00
	SCHEDULE #2 Total				\$9,405.00
<u>ADDITIVE ALTERNATE #1 - Prep Work for Schedules 1 & 2</u>					
201	Schd. #1 - Grade shoulders, surface cleaning, weed removal	1.0	LS	\$2,500.0	\$2,500.00
202	Schd. #1 - Cut surface elevation 3" for WP installation	1.0	LS	\$1,300.0	\$1,300.00
	ADDITIVE ALTERNATE #1 Total				\$3,800.00

Project Specific Conditions:

- Walking path sweeping, shoulder grading & weed removal prior to schedule #1 overlay work. (Bid Item 201)
- Excavation of 3" of existing material to promote surface water drainage across New walking Path (Bid Item 202)
- Supply, place, and compact 2" of hot mix asphalt Overlay on existing paved walking path directly adjacent to the MDOT Upper Airport Road paving project.
- If additive alternate #1 pricing is not accepted, the City of Lewistown shall complete these aspects of work prior to Century starting Schedules #1 & #2.

Includes:

- No Mobilization included. Work to be completed while we are working on the MDOT upper Airport Road Project.
- Insurance & workman's comp.
- Mix Design
- Work to be done at our schedule. Work will be completed within the next month.

Excludes:

- Bond, Please add 1.0% if required.
- Traffic Control. Street to be shut down while we are working