A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON JANUARY 20, 2026 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Chairman Day called the meeting to order.

PLEDGE OF ALLEGIANCE

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

ROLL CALL

Present were Commissioners: Bowser, Buehler, Day, Hewitt, Shaver and Warren. Commissioner Robertson participated virtually.

APPROVAL OF MINUTES

Commissioner Day asked that the minutes for January 5, 2026 be brought back before the Commission for approval at the next meeting.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Buehler reported the Central Montana Foundation Board meets on January 27th.

Commissioner Bowser reported she *will be attending* the Library Board meeting and the ordinance committee meeting.

Commissioner Shaver reported the County Health Board will meet on January 26th.

Commissioner Hewitt reported she attended the recent Airport Board meeting. The Airport Board approved Peak Electric's request to add 150 square feet to the property they currently lease. Nexus requested to renew their lease. The lease for Nexus and the proposed animal shelter was discussed as to what should be charged.

Commissioner Day reported the Park and Recreation Board met the first of the month. There was discussion on all the programs at the Civic Center, update on the progress with the weight room and updates on other improvements in the department. There was a request to bring forward the current rates being charged. The next Park and Recreation Board meeting will be February 4th at 7 p.m.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following items:

The Montana League of Cities and Towns (MLCT), along with the Montana Municipal Interlocal Authority (MMIA) and Local Government Center (LGC) will be hosting a newly elected officials training. This is a webinar, it starts at 9 am on Friday, January 23rd. It's a great education opportunity. The webinar is open to everyone.

The City Manager Phelps will be participating in the local government interim committee and will be attending the committee discussion on infrastructure funding grants including both state and federal grants. The committee is tasked on finding ways to identify and improve access to tribal governments and local governments for primarily federal funds. There will be discussion on how long these projects take to get accomplished from the time we apply for these grants to getting them complete, and just kind of the trials and tribulations that we've learned along the way.

The Civic Center continues to be busy. Last weekend hockey tournaments were able to use the new locker rooms in the multi-use facility. There is still some work to do in the concession area and the restrooms, however it is expected to be ready for swim season. The Civic Center weight room is currently getting a facelift with new paint, new flooring and some new equipment. The Civic Center gym will be getting some padding to finish up the renovations to the gym floor. The Redbirds just hosted a "Ballin for the Birds" basketball fundraiser and some of the games were at the Civic Center.

The Department of Environmental Quality (DEQ) did approve the City's compliance plan for the wastewater treatment plant. The construction at the plant is beginning to wrap up and last week they began using some of the new equipment which includes a grit washer a screen. The renovated step screens will begin being used this week.

Public Works continues to work on the dam permits and once the documents are updated the information is shared with both State and Federal Agencies.

The financial withholdings were lifted last week. The majority of the funds have been received. All Commissioners should have received a letter from the Department of Administration. The annual audit is scheduled for February. The state did review the annual financial report. City Manager Phelps explained that updated budget reports and monthly balancing reports were handed out with the City Manager report. If anyone has questions or would like to meet to discuss these items please contact her.

PUBLIC COMMENT - non agenda items

There were none.

CONSENT AGENDA

Commissioner Buehler made the motion to approve the consent agenda and Commissioner Hewitt seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgment of the claims that have been paid from January 1, 2026 to January 16, 2026 for a total of $629,259.64

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Public hearing on a request to locate and operate a childcare business at 538 Sereday St.

Chairman Day opened the public hearing to hear comments on an application for a Conditional Use Permit (25-07-CU) to locate and operate a childcare business at 538 Sereday Street. City Manager Phelps stated this conditional use permit did go before the City County Planning Board last week. City Planner Doug

Osterman explained we are in receipt of a conditional use permit, for a daycare that would allow for up to 46 children and six employees. The building is located right behind Town Pump and it's a large building with a basement, plenty of grounds for a playground and parking, which were some of the stumbling blocks in previous locations that this particular applicant had applied for locating her daycare business. The property has been commercial in nature most recently and currently housing some of the flea market materials, but that will all be cleaned out and ready for the daycare center as negotiated by the proponent. The applicant is in the process of obtaining all licensing requirements of the state of Montana for the child care. The city did receive the Lewistown Fire and Rescue letter with conditions which are incorporated into conditions of the permit. The planning department is recommending approval of the permit and the City County Planning Board unanimously approved recommending the child care center be approved by the City Commission. The Planning Department sent out 21 individual notices to nearby property owners within 350 feet of the center of the property. We received no comment. Commissioner Day asked if the conditional use permit comes from the lessee and not the property owner. City Planner Osterman answered correct, it is with the lessee. There were questions regarding the occupancy and City Manager Phelps explained that as far as the occupancy of the daycare facility is dependent on meeting both your licensure and fire department regulations. Commissioner Buehler confirmed that the conditional use permit would stay with the lessee and not the property. City Planner Osterman answered yes. *Commissioner Shaver asked what happened to the Christian Burlesque and is the owner still involved. Mr. Nate Behl answered he is John Behl's sone and POA. Mr. Nate Behl will own the building.* Commissioner Hewitt asked if there was a kitchen in the facility. Ms. Clarissa Woods, applicant answered yes and the sanitarian will be in there this week for an inspection. There was some discussion regarding location of the daycare in relation to the nearby casino. Commissioner Day stated that she is aware of the need for daycare in the community and this a beautiful opportunity and an answer to the concern. Commissioner Day asked for comments from the audience and Commission. There being none, the public hearing was closed.

2. Discussion and action on approving a request to locate and operate a childcare business at 538 Sereday St

City Manager Phelps explained you just heard request during the public hearing. The conditional use permit was taken to the City County Planning board and was approved with the following conditions: all State of Montana requirements for childcare must be met prior to beginning and operating the childcare, the building located at 538 Sereday Street must be deemed qualified by the Montana Department of Public Health and Human Services for licensure, all Lewistown parking requirements must be met and the building shall be inspected for fire and other safety reasons by the Lewistown Fire Marshal and Building Inspector. All safety needs identified shall be implemented prior to operating the childcare. Commissioner Buehler made the motion to approve the application for a Conditional Use Permit (25-07-CU) to locate and operate a childcare business at 538 Sereday Street making sure all conditions are met that are identified by the planning board as well as the fire department and state licensure and Commissioner Bowser seconded the motion. Commissioner Day asked for comments from the audience and Commission. There being none, the question was called for and the City Clerk took a roll call vote with Commissioners: Bowser, Buehler, Day, Hewitt, Robertson and Warren voting in favor. Commissioner Shaver voted against.

3. Discussion and action on approving Resolution No. 4216, a resolution approving an application from Fergus County Council on Aging, Treasure Depot, for TIF funds made to the Lewistown Tax Increment Advisory Committee

City Manager Phelps explained the Fergus County Council on Aging recently purchased the building located at 4th Ave S and Main Street. The Treasure Depot will be located at this property and want to make improvements to the exterior. They submitted an application for signage improvements and was recommended approval for a grant in the amount of $3,063 which is 50% of the total signage cost on the project. Commissioner Robertson commented this is a pretty straightforward request and this is a general improvement in the district and the request was approved unanimously. Commissioner Buehler made the motion to approve Resolution No. 4216, a resolution approving an application from Fergus County Council on Aging, Treasure Depot, for TIF funds made to the Lewistown Tax Increment Advisory Committee and Commissioner Hewitt seconded the motion. Commissioner Day asked for comments from the audience and Commission. There being none, the question was called for and the City Clerk took a roll call vote with Commissioners: Bowser, Buehler, Day, Hewitt, Robertson and Warren voting in favor. Commissioner Shaver abstained until he learns more about the TIF funds.

4. Discussion and action on approving Resolution No. 4217, a resolution of the City of Lewistown, Montana, adopting the bylaws for the Lewistown Hotelier Tourism Business Improvement District Board of Trustees

City Manager Phelps explained at a previous Commission meeting there was discussion regarding the Tourism Business Improvement District (TBID) desire to come up with a system that better allows them to collect delinquent assessments or funds due to district. The TBID board has developed a system whereas they can with proper notice do liens on the property and this change needs to be included in the TBID bylaws. City Manager Phelps stated the TBID board worked closely with the City Manager and City Attorney on this item. This is a situation that probably won't happen often, but the board wanted a remedy to address the situation if needed. City Manager Phelps explained the TBID board manages the funds that are collected by hoteliers and the assessment is $2 a night. The TBID board determines how the funds are spent. Primarily the group focuses on sponsorships for local and community events. Commissioner Buehler made the motion to approve Resolution No. 4217, a resolution of the City of Lewistown, Montana, adopting the bylaws for the Lewistown Hotelier Tourism Business Improvement District Board of Trustees and Commissioner Robertson seconded the motion. Commissioner Day asked for comments from the audience and Commission. There being none, the question was called for and the City Clerk took a roll call vote with all being in favor of the motion.

5. Discussion and action on approving a loan resolution for the replacement of a hangar door at the Airport and authorizing the City Manager to sign

City Manager Phelps explained this is a $20,000 loan for the replacement of the hangar door at the airport. The airport board is the entity that is actually getting the loan; however, the airport is jointly owned by the City and County. The City and County are sponsors and need to approve the loan also. Commissioner Robertson explained this is a low amount and very low-cost loan. The Airport Board members felt it was prudent to take this loan, even though they haven't done the project yet and not positive we will need the money, and can return it quickly if not needed. Commissioner Buehler asked if the City basically acts as a fiscal sponsor or as an entity that allows them to apply for the loan. City Manager Phelps answered with are co-owners of the property. Commissioner Robertson explained that technically the City is the co-owner of the airport with the County, so the entities would be technically liable. Commissioner Robertson further explained the Airport has plenty of money to do this type of thing and it was prudent to take the loan at that time. Commissioner Hewitt made the motion to approve a loan resolution for the replacement of a hangar door at the Airport and authorizing the City Manager to sign and Commissioner Warren seconded the motion. Commissioner Day asked for comments from the audience and Commission. There being none, the question was called for and the City Clerk took a roll call vote with all being in favor of the motion.

6. Discussion and action on reappointing Courtney Moline as the City representative to the Fergus County City of Lewistown Health Board

City Manager Phelps reported that Ms. Courtney Moline has served as the City appointee since the inception of the new City County Health Board. Ms. Moline is a nurse at the hospital and does do infection control at this time. City Manager Phelps commented she is a valuable member and is willing to serve another term. Commissioner Buehler made the motion to approve reappointing Courtney Moline as the City representative to the Fergus County City of Lewistown Health Board and Commissioner Shaver seconded the motion. Commissioner Day asked for comments from the audience and Commission. There being none, the question was called for and the City Clerk took a roll call vote with all being in favor of the motion.

7. Discussion and action on reappointing Jason Grover to the Historic Resources Commission for an additional two-year term

City Manager Phelps explained Mr. Jason Grover is a current board member and has served on the Historic Resource Commission for quite some time. Mr. Grover is a valuable member, engaged and willing to serve another two-year term. Commissioner Bowser made the motion to approve reappointing Jason Grover to the Historic Resources Commission for an additional two-year term and Commissioner Buehler seconded the motion. Commissioner Day asked for comments from the audience and Commission. There being none, the question was called for and the City Clerk took a roll call vote with all being in favor of the motion.

8. Discussion and action on reappointing Mike Chapman, Dave Byerly and Tim Robertson to the newly created Lewistown Tax Increment Finance Advisory Committee to complete terms as previously appointed

City Manager Phelps explained that in December the City Commission moved forward with creating the Tax Increment Financing Advisory Committee. City Manager Phelps further explained this changed the TIF/TED board that was in place to the new advisory committee that complied with recent legislation, SB3. Also, the make-up of the board was changed so a representative from the county and school district were appointed. These board members have very actively been serving on the TIF/TED board since the inception. It was decided to reappoint those individuals to the new advisory committee for staggered terms. City Manager Phelps commented the board members have agreed to be reappointed and continue their current terms under the new advisory committee. City Manager Phelps stated the only change is appointing the existing members to the newly created advisory committee to be compliant with the new legislation. Commissioner Shaver stated he would like to table the item until after some training on TIF/TED can be done. City Manager Phelps answered these board members are still serving in this capacity and for quorum and actions this needs to be acted on. Commissioner Day asked if Commissioner Robertson can vote on this item. City Attorney Tyler West answered Commissioner Robertson should abstain because he cannot vote for himself. Commissioner Buehler made the motion to approve reappointing Mike Chapman, Dave Byerly and Tim Robertson to the newly created Lewistown Tax Increment Finance Advisory Committee to complete terms as previously appointed and Commissioner Hewitt seconded the motion. Commissioner Robertson commented this is an active board and integral to what's going on in the downtown. Commissioner Robertson stated this is a reappointment of an advisory board and those appointments are not expired at this point and it is more a confirmation. Commissioner Robertson further stated this is a non-controversial long-standing board. City Attorney West explained the amendment to SB 3 did not change the purpose of the board it renamed it and designated certain members to serve on the board. City Attorney West further explained it requires a county representative and school board representative and from the State level it realigns the membership, didn't change the power and is an advisory board. Commissioner Day asked for comments from the audience and Commission. There being none, the question was called for and the City Clerk took a roll call vote with Commissioners: Bowser, Buehler, Day, Hewitt, and Warren voting in favor. Commissioners: Robertson and Shaver abstained.

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

City Manager Phelps explained the City appoints a City resident to serve on the Fergus Conservation District Board of Supervisors. Ms. Anna Morris has been serving in this capacity, but her tern expired in November. City Manager Phelps stated Ms. Morris is a knowledgeable and effective member and is willing to serve. Commissioner Bowser made the motion to reappoint Anna Morris to the Fergus Conservation District Board of Supervisors and Commissioner Buehler seconded the motion. Commissioner Day asked for comments from the audience and Commission. There being none, the question was called for and the City Clerk took a roll call vote with all being in favor of the motion.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Bowser asked what is the historical office. City Manager Phelps answered that is part of the planning office. The city receives some state funding to operate a historical preservation office. City Manager Phelps explained we have staff, and a great receptacle of historic plans and information.

Commissioner Buehler asked where the boards are posting the open positions. City Manager Phelps answered there is a board application on the City's website.

Commissioner Buehler reported she has received an email regarding the snow removal and parking policy. There were questions regarding the Tier 2 parking and moving from odd to even site of the street when there is no snow.

Commissioner Day thanked all the department heads for attending the meeting. Commissioner Day commented that she appreciates all of the training and it is very helpful.

ADJOURNMENT

Chairman Day adjourned the meeting.

Dated this 20th day of January, 2026.

____
Loraine Day, Commission Chairman

ATTEST:

____
Nikki Brummond, City Clerk