COMMITTEE OF THE WHOLE

NOVEMBER 16, 2026

6:00 P.M.

THERE WILL BE NO COMMITTEE OF THE WHOLE

REGULAR MEETING STARTS AT 7 PM

NOTICE FOR, AND AGENDA FOR, A REGULAR MEETING OF THE CITY COMMISSION, CITY OF LEWISTOWN, NOVEMBER 16, 2026 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 – October 19, 2026 & November 2, 2026
COURTESIES
PROCLAMATION
BOARD AND COMMISSION REPORTS
CITY MANAGER REPORT
PUBLIC COMMENT – non-agenda items

CONSENT AGENDA

Acknowledgment of the claims that have been paid from November 1, 2026, to November 12, 2026 in the amount of $153,974.37

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

1. Discussion and action on approving Resolution No, 4243, a resolution approving an application from Shobe Auction Inc. to the Lewistown Tax Increment Advisory Committee (**Action: approve, disapprove or amend Resolution No. 4243**) City Manager Holly Phelps

2. Discussion and action on a request to vary the driveway width at 411 3rd Ave S (**Action: approve, disapprove or amend request to vary the driveway width at 411 3rd Ave S**) City Manager Holly Phelps

CITIZENS' REQUESTS

COMMISSIONER'S MINUTE

ADJOURNMENT

RESOLUTION NO. 4243

A RESOLUTION APPROVING AN APPLICATION FROM SHOBE AUCTION INC., FOR TIF FUNDS MADE TO THE LEWISTOWN TAX INCREMENT ADVISORY COMMITTEE

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 4213 the City amend the current advisory board created by Resolution Nos. 3903 and 3923 in accordance with the requirements set forth in SB3, and to redesignate the Lewistown Tax Increment Financing Board as the "Lewistown Tax Increment Advisory Committee"; and

WHEREAS, the Commission appointed a Lewistown Tax Increment Advisory Committee (hereafter, the "TIF Committee") to manage the Lewistown Urban Renewal District created by Ordinance 1748; and,

WHEREAS, the TIF Committee 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 Committee exercises those powers authorized by law as specified in Resolution 3923 and Resolution 4213; and,

WHEREAS, the TIF Committee 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 Committee has receives applications for TIF District Program Funds, has reviews the same and, recommends approval of 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 Committee:

1. Jayson Shobe DBA Shobe Auction Inc, façade improvements which include a metal awning and signage, 408 W. Main Street, a grant for up to $13,493.91

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 Committee. All documentation must be provided prior to reimbursement of funds for the project

PASSED AND APPROVED this 16th day of November, 2026.

_____
Danielle Buehler, Vice-Chairman
Lewistown City Commission

Attest:

_____
Nikki Brummond
City Financial Officer/Clerk

City of Lewistown
Application
Tax Increment Financing District (TIF)

Eligible Improvements Cost Worksheet Under TIF Program

List eligible items that pertain to the project that falls under TIF Program Policies (list beginning on page 1). If in doubt about an item's eligibility, include it, the board will review items and help determine eligibility. Please include formal contractor bids to establish costs. *There is no guarantee that additional costs beyond what is listed here will be covered.*

1. Metal Awning (see attached)	$ 19,760
2. Lighted Signage (see attached	$ 7227.81
3.	$
4.	$
5.	$
6.	$
7.	$
8.	$
9.	$
10.	$
11.	$
12.	$
13.	$
14. Permitting Fees	$
15. Other Fees	$
Total Lewistown TIF District Program Request	$ 26,987.81

TIF District Program Award (*to be filled out by TIF Administrator*) $ 13,443.91

To the best of my knowledge and belief, the information provided in this application and in the attached documents is true and correct. The signature attests to my having read, understand and agree to all terms in the Lewistown Tax Increment Financing District Investment Plan.

Signature of Applicant: (see attached)

Date: _____

Signature of TIF Board Chair: _____

Date: _____

Lewistown TIF/TED District Board Meeting
Tuesday, November 10th, 2026, 8:00 a.m.
SMDC Conference Room
202 4th Ave S., Lewistown, MT

Board & City Attendance (BY ZOOM): Dave Byerly, Mike Chapman, Scot Solberg, Megan Bartel, Holly Phelps
Excused: Tim Robertson
In Person: Carson Sweeney, Allison Monnier
SMDC Staff: Abby Byerly
Guests: Jayson Shobe
AI Notetakers:

Call to order: D. Byerly called the meeting to order at 8:00 a.m.

Minutes: Minutes of the October 8th meeting and October 26th special meeting were reviewed. Carson Sweeney **made the motion to approve the minutes of both meetings as presented**, seconded by Mike Chapman. **Motion passed unanimously.**

Financials: Q2 financials were reviewed. *This information is based on figures provided by the City of Lewistown. The underlying transactions have not been verified by Snowy Mountain Development.* The financial details are as follows:

TIF: $1,096,486.02
TED: $269,300.00

Public Input: No public input.

New Business:

- ☐ **Shobe Auction Inc. Updated Application Review:** A. Byerly provided a review of their past application in 2020 that was approved for $10,000 and stated that this would replace that previously awarded funding. Jayson Shobe provided further context that due to COVID they struggled to keep a contractor and have finally found one that is willing to do the project and is ready to go. They will be working with a local contractor and signage company to get the awning replaced and signage updated. Their budget created an updated request of $13,493.91. Mike Chapman **moved to approve the application request for $13,493.91**, Scot Solberg seconded. **Motion passed unanimously.**
  Following the approval Jayson Shobe inquired about what the process would be for ax abatement and H. Phelps gave an overview of that, stating that because his business isn't new or expanding that he likely wouldn't qualify. Jayson Shobe also inquired about the opportunity to come back and apply again if they decide to go forward with installing new windows on the second story to replace the boarded-up window openings and A. Byerly provided an overview of his eligibility and the process.

Old Business:

- ☐ **TIF Advocacy Outreach Plans & Review:** A. Byerly reviewed the schedule for this week in terms of the outreach plans. An overview of the School Board meeting's presentation was given, citing receptiveness from the School Board members and great questions received, especially regarding the sunset and potential extensions for the district. Similar outreach will take place

today at the Fergus County Commission meeting and Thursday at the Lewistown Area Chamber of Commerce Lunch and Learn series. D. Byerly suggested that at the December meeting additional outreach needed be addressed.
Abby Byerly informed the board that she plans to work with Deb Hill and take her up on her offer to get more information out about TIF/TED through the newspaper.
H. Phelps mentioned that the city commission will be going through training with the League of Cities and Towns Executive Director Jennifer Olsen, sometime after the first of the year and that there might be an opportunity for some further TIF education and outreach in conjunction with that.

- ☐ **NorthWestern Energy Update:** C. Sweeney updated the board that a group of NorthWestern representatives will be in town next Monday to tour the various potential sites that were provided to them by this board a few months prior. C. Sweeney will continue to updated the board but he did remind the board members that this is a large organization that is slow moving. D. Byerly suggested he mention the sunset in their conversations.

- ☐ **Application vs Project Timing Report:** A. Byerly reported that this has not had any forward progress since the last meeting. Tabled until the December meeting.

- ☐ **Project Signage Update:** A. Byerly reported that this has not had any forward progress since the last meeting. Tabled until the December meeting.

New Business

- ☐ **TIF RLF Update**: D. Bylery inquired about the status of an MOU for this and H. Phelps stated that Lewistown is currently without a City Attorney to do so. She further stated that municipalities are encouraged not to deposit funds into an account that would have to be given back to the taxing jurisdictions in a few years. This prompted further inquiry about the RLF being a tool to extend the life of the district through loans and H. Phelps stated that it would have to be allocated to specific projects to live beyond the sunset date.
  The MOU would outline the role of SMDC to include the application, underwriting, RLF management, and loan committee review with all associated fees. The city would handle issuing the money and felt that additional fees should be the responsibility of the applicant, not for the district to foot the bill. She mentioned that getting this MOU in place is a high priority, once a City Attorney has been identified.
  Further discussion centered around how any revolved funds could be utilized and A. Byerly will do some research to better understand that, as well as what other approaches have been used statewide to extend the life of a TIF district. H. Phelps did mention that loan payments can extend beyond the sunset.

ANNOUNCEMENTS:

Next Meeting – Tuesday, December 8th, 8 am

Adjourned: Meeting adjourned at 8:46 am. Minutes prepared by Abby Byerly, SMDC.

VARIANCE APPLICATION No. _____

The applicant listed below is applying for a variance. The City of Lewistown Board of Adjustment may authorize a variance from the requirements of The Lewistown Zoning Regulations when it can be shown that because of special and strict application of the regulation would cause an undue or unnecessary hardship. No variance shall be granted to allow the use or development of property for a purpose not authorized within the district. In granting a variance, the Commission may attach conditions it finds necessary to achieve compliance with the criteria outlined in these regulations.

NAME OF APPLICANT: Richard L. Dyck DATE: 11/12/24

MAILING ADDRESS: P.O. Box 58 BUSINESS PHONE: —

Lewistown, MT 59457 HOME PHONE: 350-5162

PROPERTY OWNER (IF OTHER THAN APPLICANT): _____

MAILING ADDRESS: _____ BUSINESS PHONE: _____

_____ HOME PHONE: _____

PROPERTY LOCATION (ADDRESS): 411 3rd Ave S, Lewistown, MT 59457

LEGAL DESCRIPTION:

LOT # _____ BLOCK # See attached EXHIBIT "A" SUBDIVISION

ZONING DISTRICT: RMD

INTENT OF VARIANCE: Remove curb & gutter that has 3 driveway curb cuts. Replace with new curb & gutter that will have only one 30' driveway curb cut.

TYPE OF STRUCTURE: _____ EXISTING ✓ PROPOSED

WILL STRUCTURAL ALTERATIONS BE MADE ON EXISTING STRUCTURE?

_____ YES ✓ NO IF "YES", PLEASE ATTACH PLANS

ANY RESTRICTIVE COVENANTS APPLICABLE TO PROPERTY?

_____ YES ✓ NO IF "YES", PLEASE ATTACH COPY

VARIANCE HISTORY OF PROPERTY: None known

_____

_____

STATEMENT OF UNDERSTANDING:

I understand that the City of Lewistown Board of Adjustment will consider granting me a variance. If approved, the Commissioners may prescribe appropriate conditions and safeguards in conformity with the Lewistown Zoning Regulations. Violation of these conditions and safeguards, when made a part of the terms upon which the variance is granted, will be a violation of the City of Lewistown Regulations. In addition, the Board of Adjustment shall prescribe a time limit for commencing and/or completing and action for which a variance is requested. If I fail to begin and/or complete the action within the established time limit, the variance will become void. I certify that the information contained in this application and attachments are valid.

Richard L Dyer
Signature

11/12/24
Date

(ADMINISTRATIVE ACTION)

DATE RECEIVED: _____ FEE PAID ($200.00) _____

PUBLIC HEARING DATE: _____

OUTCOME:

_____APPROVED VARIANCE _____CONDITIONALLY APPROVED VARIANCE _____DENIED VARIANCE

CONDITIONS:

_____
_____
_____

REASON FOR DENIAL:

_____
_____
_____

_____
Planning Department
City of Lewistown

_____
Date

Legal Description
411 3rd Ave. South

EXHIBIT "A"

Commencing at the most Westerly Corner of Block Y-25 of the Original Townsite of the City of Lewistown, Fergus County, Montana, and running thence Northeasterly along the Southeast side of Water Street in said City of Lewistown a distance of 360 feet, more or less, to a point in the Northeasterly side line of Third Avenue extended; running thence Southeasterly along the Northeasterly side line of Third Avenue in said City of Lewistown extended, a distance of 110 feet, more or less, to a point for place of beginning; running thence Southeasterly along said Northeasterly side line of Third Avenue, a distance of 80 feet, more or less, to intersect the boundary line of the tract of land described in Civil Action No. 3607, on file in the office of the Clerk of the Court of Fergus County, Montana, being the action of Rudolf von Tobel to perpetuate testimony; running thence North 8°50' East, a distance of 45 feet, more or less, to Corner No. 23 of said description; running thence North 47° East a distance of 56 feet, more or less, to Corner No. 24 of said description; running thence North 89°27' East, 63.15 feet, more or less, to Corner No. 25 of said description; running thence due North 30 feet, more or less, to Corner No. 26 of said description; running thence North 43°40' West, 100 feet, more or less, to a point; running thence Southwesterly parallel with Water Street, a distance of 160 feet, more or less, to the point of beginning, AND -

Commencing at the most Westerly Corner of Block Y-25 of the Original Townsite of the City of Lewistown, Fergus County, Montana, and running thence Northeasterly along the Southeast side line of Water Street in said City of Lewistown a distance of 360 feet, more or less, to a point in the Northeasterly side line of Third Avenue, extended; running thence Southeasterly along the Northeasterly side line of Third Avenue in the said City of Lewistown, extended, to the point of intersection of said Northeasterly side line of Third Avenue extended, with the boundary line of the tract of land described in Civil Action No. 3607, on file in the office of the Clerk of the Court of Fergus County, Montana, being the action of Rudolf von Tobel to perpetuate testimony, said point being on the line between Corners No. 22 and 23 of said tract; said point being the point of beginning of the tract or parcel of land herein described. Running thence North 8°50' East, a distance of 45 feet, more or less, to Corner No. 23 of said von Tobel tract; running thence North 47° East a distance of 56 feet, more or less, to Corner No. 24 of said description; running thence North 89°27' East to the center of the channel of Big Spring Creek; running thence Southwesterly up the center of the main channel of Big Spring Creek, to intersect the Northeasterly side line of Third Avenue extended; running thence Northwesterly along the said Northeasterly side line of Third Avenue extended, to the point of beginning, AND -

The most Southeasterly Ten feet in width of that certain alley in the City of Lewistown, Fergus County, Montana, located between Water Street and what would be Spring Street in the City of Lewistown, if same were extended and commencing at the most Northeasterly boundary line of Third Avenue in said City of Lewistown and running thence in a Northeasterly direction to Big Spring Creek in said City.

The above described tracts include what are now known as Assessors' Tracts No. 205, 205 ½, 206, and 242; less any portion of Assessor's Tract No. 244 as described in Book 157 of deeds, Page 544.





9-8-6: DRIVEWAY WIDTH LIMITATIONS:

(A) Driveway width, as measured parallel with the edge of the traveled way, shall not exceed twenty feet (20') in residential areas nor thirty feet (30') in commercial or industrial areas, except driveway widths for service stations and trucking businesses may be up to forty feet (40') when approved by the building official, and shall be located in accordance with city specifications for driveways.

(B) The minimum distance between curb cuts shall be twenty five feet (25').

(C) Frontages of fifty feet (50') or less shall be limited to one driveway. Not more than two (2) driveways shall be provided to any single property tract or business establishment, except where the property frontage exceeds six hundred feet (600') there may be one additional driveway for each additional three hundred feet (300') of frontage. (Ord. 1457, 7-7-1980)

9-8-8: DEVIATION FROM REQUIREMENTS:

Permission to deviate from the requirements and regulations of this chapter shall be granted by the city commission only where unusual conditions or strict adherence to this chapter would cause undue and extreme hardships. (Ord. 1457, 7-7-1980; amd. Ord. 1664, 1-3-2000)