

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON DECEMBER 2, 2024 WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Vice Chairman Day called the meeting to order.

PLEDGE OF ALLEGIANCE

Vice Chairman Day asked everyone to stand and say the Pledge of Allegiance.

ROLL CALL

Present were Commissioners: Buehler, Day, Hewitt, Hrubes, and Robertson. Commissioners Spika and Terry were absent.

APPROVAL OF MINUTES

There were none.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Buehler reported that the Library Board will meet on December 6, 2024. The Library Board meeting in November was used for board training which included review of powers and authorities, Montana Code and other topics with the Montana State Library educator.

Commissioner Hewitt reported that the Airport Board will meet on December 4th.

Commissioner Day reported that the Park and Recreation Board will meet on December 4th.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

For the month of December, the city offices will be closed on the following days; December 25th closed in observance of Christmas and closed on January 1st in observance of New Year's Day.

The cold weather has allowed the hockey association to start making ice. Hockey practices for the season will start right away. Again, this year the Lewistown Ice Skating Association will be busy with two hockey tournaments right after the new year.

The Public Works Department repaired two small water leaks last week. The department will be working with a contractor this week to repair a sewer line.

As temperatures cool down the Civic Center gets busy. They have started all of their winter programs. Those programs include rifle, archery, volleyball, and some exciting new programs too. Check out the Lewistown Parks and Recreation Facebook page for more information.

The annual Christmas stroll will be held this weekend, December 6th in the downtown area. Festivities include a parade at 5:30 and the Bright Country Lights all weekend at the Fairgrounds.

The City will be hosting a holiday open house Monday, December 16th in place of the Committee of the Whole at 6 pm. This provides another opportunity for us to mingle and share some holiday cheer.

As we approach the end of the year, the City Manager reminded the Commissioners that at the 1st meeting in 2024 the Commission will be appointing Commissioners to City boards. Please start thinking of which boards you may want to serve on. A list of the boards and commissions noting the times they regularly meet were provided to the Commissioners. At the first Commission meeting in 2025, the Commission will need to elect a chair and vice chair of the Commission for the upcoming year.

PUBLIC COMMENT – non agenda items

There were none.

CONSENT AGENDA

Commissioner Hewitt made the motion to approve the consent agenda and Commissioner Robertson seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgement of the claims that have been paid from November 15, 2024 to November 30, 2024 for a total of \$96,913.50.

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Public hearing on an application for a Conditional Use Permit (24-06-CUP) to locate and operate a childcare business at 215 5th Avenue S (First Presbyterian Church)

Vice Chairman Day opened the public hearing to hear comments on an application for a Conditional Use Permit (24-06-CUP) to locate and operate a childcare business at 215 5th Avenue S (First Presbyterian Church). City Manager Phelps explained that included in the Commissioner's packet are the minutes from the zoning commission meeting where the application was presented. This is an application from Bright Beginnings Preschool which started as a preschool and in the course of a couple months and due to the need in the community is now going to be a childcare facility. The Conditional Use Permit (24-06-CUP) was unanimously approved by the Zoning Commission. Planning Director Doug Osterman commented that day care is desperately needed in the community and was outlined in the 2024 Land Use Plan. Planning Director Osterman stated that the Conditional Use Permit (24-06-CUP) was approved with the following conditions: all State of Montana requirements for childcare must be met to begin operating the childcare, the building at 215 5th Ave S must be deemed qualified by the Montana Department of Public Health and Human Services for licensure, the building shall be inspected for fire and other safety reasons by the Lewistown Fire Marshal and Building Inspector to confirm that all past and currently identified safety needs are implemented to continue operating the childcare and adhering to all Lewistown parking requirements on both sides of 5th Ave S and W Watson Street near the church must be maintained. Pastor Kimmy Briggs addressed the Commission stating that they have addressed all issues with the exception of the fence. Pastor Briggs commented that the materials have been ordered. Commissioner Day asked for any more comments from the audience and Commission. There being none, the public hearing was closed.

2. Discussion and action on approving the Conditional Use Permit (24-06-CUP) to locate and operate a childcare business at 215 5th Avenue S (First Presbyterian Church)

City Manager Phelps commented that this item has been presented to the Zoning Commission, City County Planning Board and after a public hearing was held the conditional use permit was approved with conditions. City Manager Phelps stated that the 2024 Land Use Plan did emphasize the need and importance of day care in the community. This does meet those needs. Commissioner Buehler made the motion to approve the Conditional Use Permit (24-06-CUP) to locate and operate a childcare business at 215 5th Avenue S (First Presbyterian Church) including all the conditions as identified by the Zoning Commission 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 Clerk took a roll call vote with all being in favor of the motion.

3. Discussion and action on approving Resolution No. 4181, a resolution changing angled parking on the 100 block of 3rd Avenue North to parallel parking

Commissioner Day stated that she will be recusing herself from the vote because she owns property on the avenue of discussion. City Manager Phelps explained that the resolution states the Commission's intention to change the parking from angle parking back to parallel parking. City Manager Phelps stated that staff will work with Public Works so that the changes are made with the City's standards. The staff will work to educate the public of the change in parking. Commissioner Hewitt made the motion to approve Resolution No. 4181, a resolution changing angled parking on the 100 block of 3rd Avenue North to parallel parking 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 Clerk took a roll call vote with Commissioners: Buehler, Hewitt, Hrubes and Robertson being in favor of the motion. Commissioner Day recused herself and Commissioners: Spika and Terry were absent.

4. Discussion and action on approving Resolution No. 4182, a resolution adopting fees and charges for the Lewistown City Cemetery

City Manager Phelps explained that in accordance with the City's Cemetery ordinance the cemetery fees are evaluated on an annual basis. City Manager Phelps reported that each year fees can be increase by looking at the previous year's CPI and then round to the nearest \$5.00. The proposed fees are increased by 4.1%. Commissioner Hewitt made the motion to approve Resolution No. 4182, a resolution adopting fees and charges for the Lewistown City Cemetery and Commissioner Hrubes seconded the motion. Commissioner Day asked for comments from the audience and Commission. There being none the question was called for and the Clerk took a roll call vote with all being in favor of the motion.

5. Discussion and action on setting the regular Commission meetings for 2025

City Manager Phelps explained that included in the Commissioner's packet is a 2025 calendar outlining the Commission meetings and holidays. The commission meets on the first and third Monday of each month and if a holiday falls on that day the meeting is moved to the subsequent day. Commissioner Buehler made the motion to approve setting the regular Commission meetings for 2025 and Commissioner Hrubes seconded the motion. Commissioner Day asked for comments from the audience and Commission. There being none the question was called for and the Clerk took a roll call vote with all being in favor of the motion.

6. Discussion and action on Resolution No. 4183, a resolution adopting fees and charges for the Lewistown Planning Department

City Manager Phelps stated that included in the Commissioner's packet is a resolution outlining some proposed planning fees. City Manager Phelps explained that some of these fees have not been previously addressed in the past but there appears to be a need to review the fees. City Manager Phelps commented that she reviewed Fergus County and a few other communities across the state and determined that with the cost associated with processing some applications that it was time to adjust the fees. The fees were reviewed in 2018. The increase in fees applies to zoning amendment, conditional use applications, variance application and new charges to subdivision fees. Commissioner Day commented that the planning fees were discussed during the committee of the whole and there was a lot of good discussion. Planning Director Osterman briefly discussed some of the new fees and how it will work with the new land use plan. Commissioner Hrubes made the motion to approve Resolution No. 4183, a resolution adopting fees and charges for the Lewistown Planning Department 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 Clerk took a roll call vote with all being in favor of the motion.

7. Discussion and action on approving Resolution No. 4184, a resolution increasing the assessment for Tourism Business Improvement District No. 1

City Manager Phelps explained that the Tourism Business Improvement District (TBID) Board have been discussing and evaluating the assessment. The TBID Board has been discussing increasing the assessment from occupied room nights from \$1 to \$2. At the last TBID board meeting they voted to increase the assessment from \$1 to \$2.

Commissioner Buehler made the motion to approve Resolution No. 4184, a resolution increasing the assessment for Tourism Business Improvement District No. 1 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 Clerk took a roll call vote with all being in favor of the motion.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Day reported that the downtown association just had the first hometown holiday over the weekend and asked if anyone had any feedback. City Manager Phelps commented there were a lot of people attended the lighting of the Christmas tree.

ADJOURNMENT

Commissioner Day adjourned the meeting.

Dated this 2nd day of December, 2024

Loraine Day, Vice Chairman of the Commission

ATTEST:

Nikki Brummond, City Clerk