

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON APRIL 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, Robertson, Shaver and Warren.

APPROVAL OF MINUTES

Commissioner Day stated that without objection and based on the corrections the minutes for April 6, 2026 are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Bowser reported she attended the ordinance committee meeting on April 15th. It was brought to the committee's attention that trash cans are becoming a problem. Residents are putting them out for garbage day and then leaving them out. There was a recap of the snow committee meeting. There was a brief discussion on the Planning Commission the City appointees are Ryan Dick, Jennifer Thompson, Mary Messina and Carol Woolsey.

Commissioner Bowser reported she attended the Library Board meeting on Wednesday, April 15th. There are two staff members filling in for the Library Director until a Library Director is hired. The Library needs to have the water fountain replaced and rekey the doors. The Library Board has found someone to do lawn mowing, and snow removal. They are continuing to look for a cleaner for the library.

Commissioner Robertson reported he attended the Snow Committee meeting. There was a large group and he stated there were more positive comments than negative comments. There is still room for improvement. Commissioner Robertson stated more qualified drivers are needed who are ready to work. Commissioner Robertson explained two pieces of equipment are still needed and are included in the City budget. Commissioner Robertson explained prior to next season a work priority

plan will be developed by Public Works. The Plan will include a map and a communication and action plan for snow removal.

Commissioner Robertson reported he attended the Snowy Mountain Development (SMD) meeting. SMD had a guest speaker, Dave Glazer from Stitch Bank, who discussed new funding methods. This will allow SMD to refer individuals through partner organizations for better funding options. Commissioner Robertson reported the former BonTon Building, which was donated to SMD, has been sold and will be opening soon. The building is back on the tax rolls and occupied by a new business which is encouraging development for the community. There was a brief discussion on the landfill project the County is working on.

Commissioner Buehler reported the Central Montana Foundation will meet on Tuesday, April 28th.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following items:

There was a recent article in the newspaper regarding Justice/City Court. The City and County do have an agreement in place that was created pursuant to Montana Code Annotated 3-10-101. The city Council of the City of Lewistown (now the City Commission) passed Ordinance 1613 on August 16, 1993 and Resolution 3279 on September 20, 1993 wherein Fergus County was requested to designate a Justice of the Peace court within the City, whereby the Justice of the Peace of Fergus County has authority to act as a City Judge. The Fergus County Commission, passed Resolution 21-93 on October 7, 1993. Since this time the City and County have entered into several agreements for the proportionate payment of expenses. The current agreement was finalized in 2020 and the City has incrementally increased the amount paid by the City to \$60,000 a year. In 2019 Judge Mantooth asked the Attorney General for an opinion as to the legality of the agreement to consolidate the courts. The information was emailed to the City Commission for its reference.

The Historic Preservation Awards ceremony is April 23, 2026, in the upstairs of the Lewistown Public Library. The Historic Preservation Commission (HRC) is proud to recognize 3 recent projects and the owners who redeveloped them. Thanks to their outstanding dedication to preserving our community's history and the properties within our community. This year's featured speaker, Melody Dobson, will share insights on Montana's rich agricultural heritage and its important contributions to Rural America in celebration of the nation's upcoming 250th anniversary.

May 2, 2026 is Lewistown E-Waste and Paper Collection event at the Fergus County Fairgrounds from 9 am to 1 pm.

The Park and Recreation Department will be doing a little clean up around the trails and parks for Earth Day. The Earth Day clean up will be on April 22, 2026 from 4 to 6 pm.

This year's pool season will kick off very soon. The City has begun to hire pool staff. We are still looking for lifeguards. If you know anyone that is interested have them stop by the Civic Center.

City Manager Phelps talked briefly about the snow committee, mentioning a few take aways which were increased and consistent plowing as well as consistent enforcement.

It was reported there are no changes to Wastewater biosolids project. The project design is being finalized and will be bid once DEQ reviews the plans. This project will update our disposal method for biosolids from the wastewater treatment plant. The construction project on the wastewater treatment plant is complete and the final walk through with the contractor and engineer is scheduled for this week.

The Library Director position will be posted very quickly. The Library Board and City have been working on a lot of different things. One plan is getting a building committee together to help with the master plan and the grant.

The zoning code updates are still moving forward. The County Commissioners have confirmed their representative appointments to the Planning Commission. The Conservation District has appointed their representative. It is hoped the Planning Commission can start meeting in May.

PUBLIC COMMENT – non agenda items

Mr. Ed Butcher, a property owner in Lewistown, addressed the Commission regarding the proposed 40-unit development. Mr. Butcher expressed strong opposition to the project, stating that the proposed 40-unit apartment building is too dense for the small parcel of land and inconsistent with the surrounding single-family residential neighborhood. Mr. Butcher cited zoning principles, including preventing overcrowding, avoiding undue population concentration, and maintaining neighborhood character. Mr. Butcher commented on the large amount of public opposition to the development. Mr. Butcher emphasized that the City Commission, as the elected governing body, has final decision-making authority and should not defer entirely to appointed boards or staff. Mr. Butcher commented on the increased traffic, on street parking congestion, winter snow removal and suggested the development could negatively impact property values. Mr. Butcher stated he is not opposed to development in general but believes this type of project is inappropriate for the location. Mr. Butcher urged the Commission to take control of the decision-making process, consider public input, and ensure the proposal aligns with zoning standards and community interests.

Mr. Ron Hrubes, 220 W Montana, reported that he is a member of the City ordinance committee and former City Commissioner and attended the ordinance committee meeting. The committee discussed various ordinances and how to enforce fairly and equitably. Mr. Hrubes emphasized the long-standing goal of the City Commission for the Berg Lumber property is of transferring it into private ownership and returning it to the tax rolls. Mr. Hrubes commented there has been ongoing discussion about encouraging development on the site as an alternative location for larger projects, such as the proposed four-story building. Mr. Hrubes suggested that development of the Berg property could be incentivized by extending water and sewer infrastructure or a phased approach, where the land could be divided into smaller lots for local contractors to develop incrementally, rather than requiring a single large-scale project. Mr. Hrubes encouraged the City Commission to explore options to promote development of the Berg Lumber.

Mr. Mike Byrne, Esplanade Suite 212, stated he agreed with Mr. Hrubes and that it is definitely worth looking into and see what happens. Mr. Byrne reviewed a letter from an attorney. Here is a brief summary of the letter. The letter emphasized that variances are difficult to obtain and are granted only under exceptional circumstances. For one to qualify for a variance, a property owner must demonstrate a unique hardship specific to the property that prevents compliance with zoning regulations, and show that the property cannot reasonably be used or has little economic value

without the variance. Personal preferences, convenience, or aesthetic improvements do not justify a variance. Additionally, there is no allowance for minor deviations (“de minimis” exceptions), and even small encroachments do not automatically qualify. Variances must be granted sparingly, require a public hearing, and involve a complex process. It was recommended that applicants seek legal guidance. Overall, variances are not intended for convenience but must align with community standards and zoning intent.

Ms. Michelle Raney, 168 Castle Ridge Drive, explained she owns a property on Spring Street, she commented there are comments made the citizens are not showing up here and that may mean they are for the apartment development. Ms. Raney stated that is not true, when you only notify the people within 300 feet and not include the people further out that are going to be who are affected. Ms. Raney stated those should have been notified and that did not happen. Ms. Raney commented they have a lot of signatures that show a lot of people are against this. Ms. Raney stated that when a small amount of people decide that we’re going to be part of the Montana growth plan. Then you need to consider where that growth plan is. A lot of growth plans are done in big cities that already have public transportation. So there, that’s where the lawyer was speaking about possibly a half a car. That will be State Law in October. Ms. Raney stated that right now the laws are at least one car per bedroom, which with the proposed 40-unit development that would require 66 resident parking spaces. Ms. Raney and when you consider the neighborhood that already has families that are already parking on the streets, there’s trash cans and recreational vehicles. Ms. Raney expressed that when we adopt a city growth plan, we need to consider what city we live in and and those plans need to be directed towards what we have here and the people. Ms. Raney stated she loves the historic value here and that is the big reason that modern monstrosity does not fit in that neighborhood.

Mr. Kirk Eastman, property owner in Esplanade and other property in town, agrees there will be a problem with parking and most families have two cars. Mr. Eastman agreed with Mr. Hrubec suggestion on the Berg Property and knows it may not be ready yet, but there are other locations in town. Mr. Eastman suggested the City property located at Second Ave and Truck Bypass and it would have good throughfares, not a lot of houses close by and a park across the street.

Mr. John Carlson, lives at the corner of Fourth and Boulevard, stated it is one of the busiest corners in the whole town. Mr. John Carlson commented the manhole covers go down the street during rainstorms, pulling vehicles out of manholes, great corner for snow plows to hit the curbs. This is because the block sticks out two feet further out into the street compared to the rest of 4th Ave. Mr. Carlson commented he agrees with Mr. Butcher and asked if the City has an organization chart. Commissioner Day answered yes, the City has a charter and it is available online.

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 April 1, 2026 to April 16, 2026 for a total of \$232,873.78

REGULAR AGENDA – Resolutions, Ordinances & Other Action Items:

1. Discussion and action on accepting the Montana Main Street Local Capacity Grant and authorizing the City Manager to sign the grant agreement

City Manager Phelps explained the Montana Main Street program put out a small grant to help local communities build capacity. The Lewistown Downtown Association (LDA) applied for the grant and were awarded the grant in the amount of \$1,500. City Manager Phelps further explained the grant is to support upgrades to the Lewistown Downtown website and the City will serve as a passthrough. Commissioner Buehler asked who the current chair of LDA is. Commissioner Day answered Abby Franks. Commissioner Robertson made the motion to accept the Montana Main Street Local Capacity Grant and authorizing the City Manager to sign the grant agreement 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 voting in favor of the motion.

2. Discussion and action on approving the purchase of two diving boards for the Lewistown Swimming Pool

City Manager Phelps explained she has a quote to replace two diving boards at the pool. Last season one of the diving boards was out of service and the Friends of the Pool have chosen to fund the replacement of two diving boards. City Manager Phelps reported the Friends of the Pool will be paying the City for the diving boards and it is before the Commission for approval because we need to follow the purchasing policy. Commissioner Bowser made the motion to approve the purchase of two diving boards in the amount of \$15,707 and Commissioner Buehler seconded the motion. Commissioner Day reported this item was discussed at the Park and Recreation Board and since it is a new product there would be a warranty. 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 voting in favor of the motion.

3. Discussion and action on approving the purchase of five sets of structure turnout pants and coats for the Lewistown Fire Department

City Manager Phelps explained these are the fireproof outer wear the Firefighters wear and there is a limited life. The Fire Chief has budgeted for five sets and typically both the City and Rural Fire purchase turnouts. The old turnouts are passed down to the part paid firefighters. City Manager Phelps stated this is the time of year we encourage departments to look at their budgets and determine if there are any capital items that were budgeted for that need to be purchased before the end of the fiscal year. This is one of the items identified by the Fire Department. City Clerk Brummond explained the two quotes reflect the fitting of the items. The local and preferred vendor does custom fit to size. Commissioner Buehler made the motion to approve the purchase of five sets of structure turnout pants and coats for the Lewistown Fire Department and Commissioner Hewitt seconded the motion. Commissioner Day asked for comments from the audience and Commission. There being one, the question was called for and the City Clerk took a roll call vote with all voting in favor of the motion.

4. Discussion and action on approving a Business License for Wilsons Quality Comfort LLC, HVAC

City Manager Phelps explained this is an application from a mechanical business. As a reminder the City must approve business license applications from HVAC, electrical, and plumbing. All the

necessary paperwork has been submitted. Commissioner Robertson made the motion to approve a Business License for Wilsons Quality Comfort LLC, HVAC and Commissioner Hewitt seconded the motion. Commissioner Robertson commented he is not in favor of the proposed project but doesn't think the City Commission should weight the merits of awarding a business license based on the prospect of a contractor working on a specific project. Commissioner Day asked for comments from the audience and Commission. There being one, the question was called for and the City Clerk took a roll call vote with all voting in favor of the motion.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Bowser reported she drove by the Berg Property recently and noticed benches and garbage cans sitting out. Commissioner Bowser asked if those were going to be put back out on Main Street. City Manager Phelps explained the garbage cans are broken and need to be gotten rid of and the majority of the benches are out.

Commissioner Shaver stated he appreciates the attendance of the citizens and comments.

Commissioner Robertson stated he appreciates the comments from the public and strongly suggest we follow City Codes and read the City Charter. Commissioner Robertson explained there are tools and processes outlined in the City Code that we swore to follow.

Commissioner Buehler thanked everyone for coming. There is a lot of good community discussion with regards to growth. Commissioner Buehler stated she does feel there is a positive way to move forward.

Commissioner Warren thanked everyone for coming.

Commissioner Hewitt thanked everyone for coming.

ADJOURNMENT

Chairman Day adjourned the meeting.

Dated this 20th day of April, 2026

Loraine Day, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk