

COMMITTEE OF THE WHOLE

JULY 6, 2026

6:00 PM

1. Review of 2026-2027 Budget

Citizen Participation

The Lewistown City Commission welcomes you to its public meeting. The Commission appreciates your participation and values your input in our decision-making process. Your input and suggestions are important to the Commission as we discuss important issues affecting all of us in Lewistown.

We ask that you silence your cell phone before the meeting begins and please refrain from using your cell phone during the meeting. Thank you.

The City Commission thanks public members for respectfully and courteously providing constructive and valuable information.

The Public is invited to speak on any issue under discussion by the Commission, after recognition by the presiding officer.

Public members who are recognized by the presiding officer shall:

- *Stand*
- *Give his/her name and address for the record*
- *If applicable give the person, firm, or organization he/she represents*
- *Address comments to the presiding officer and not to individual members or staff*
- *Limit comments to the matter of fact listed on the agenda unless recognized in the 'Citizen Requests' portions*
- *Keep comments brief to ensure adequate time for additional comment and commission business*
- *Prepared statements are welcome and should be given to the Clerk of the Commission. Prepared statements that are also read, however, may be deemed unduly repetitious if they are lengthy.*

In the event that there is a large number of people wanting to comment in a meeting or hearing, the presiding officer reserves the right to impose a time limit on comments to ensure adequate time for public comment and Commission business.

Impertinent or slanderous remarks towards city officials, staff or other members of the public, or other boisterous, disorderly or disruptive behavior during a Commission meeting are not permitted. Swearing, derogatory language, threats, personal attacks, heckling or similar behavior may be considered impertinent and/or disruptive. Any person exhibiting such behavior during the Commission meeting may be admonished to cease that behavior or risk being asked to vacate the Commission chambers. If such behavior continues after the admonishment, the presiding officer may request that person to vacate the Commission chambers, unless permission to remain is granted by vote of the Commission.

NOTICE FOR, AND AGENDA FOR, A REGULAR MEETING OF THE CITY COMMISSION, CITY OF LEWISTOWN, JULY 6, 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 – June 1, 2026, June 15, 2026 & June 29, 2026

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 12, 2026 to June 30, 2026 for a total of \$826,046.26

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

1. Discussion and action on setting the boulevard maintenance assessment for fiscal year 2026-2027 (**Action: approve, disapprove or amend boulevard maintenance assessment for fiscal year 2026-2027**) City Manager Holly Phelps
2. Discussion and action on setting the street maintenance assessment for fiscal year 2026-2027 (**Action: approve, disapprove or amend street maintenance assessment for fiscal year 2026-2027**) City Manager Holly Phelps
3. Discussion and action on entering into a contract with a consultant for the Downtown Master Plan (**Action: approve, disapprove or amend entering into a contract**) City Manager Holly Phelps
4. Discussion and action on approving Resolution No. 4225, a resolution of the City of Lewistown Montana, adopting the Bylaws for the City County Planning Commission (**Action: approve, disapprove or amend Resolution No. 4225**) City Manager Holly Phelps
5. Discussion and action on approving Resolution No. 4226 a resolution stating the intention of the City Commission to amend the 2025-2026 budget of the city of Lewistown (**Action: approve, disapprove or amend Resolution No. 4226**) City Manager Holly Phelps

6. Discussion and action on approving a business license for Plumb MT, Inc (**Action: approve, disapprove or amend business license**) City Manager Holly Phelps

7. Discussion and action on approving a business license for Backed Up Plumbing (**Action: approve, disapprove or amend business license**) 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. 4225

A RESOLUTION OF THE CITY OF LEWISTOWN, MONTANA, ADOPTING THE BYLAWS FOR THE CITY- COUNTY PLANNING COMMISSION

WHEREAS, on October 7, 2024, the Lewistown City Commission adopted the 2024 Lewistown Plan, consistent with the Montana Land Use Planning Act (hereafter “MLUPA”), pursuant to Resolution No. 4171.

WHEREAS, on April 7, 2025, the Lewistown City Commission approved an Interlocal Agreement for Multi-Jurisdictional Planning Commission (hereafter “Interlocal Agreement”) between the City of Lewistown and Fergus County to create a consolidated Planning Commission as set forth in the MLUPA.

WHEREAS, on December 24, 2025, the Fergus County Commissioners approved and entered into the Interlocal Agreement.

WHEREAS, on February 2, 2026, the Lewistown City Commission adopted Resolution No. 4218, a Resolution Establishing and Adopting a Planning Commission in Accordance with the Montana Land Use Planning Act.

WHEREAS, the City-County Planning Commission ("Planning Commission") serves as the advisory planning body for Fergus County and the City of Lewistown. The Planning Commission has prepared, reviewed, and approved of a set of bylaws governing its organization, membership, officers, meetings, duties, and procedures attached hereto as Exhibit A.

WHEREAS, the Lewistown City Commission finds that adoption of these bylaws will provide a clear framework for the Planning Commission’s operations.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Lewistown, Montana, that the bylaws attached as Exhibit A are hereby approved and adopted as the bylaws for the Planning Commission.

APPROVED by the City Commission of the City of Lewistown, Montana, this 6th day of July, 2026.

LORAIN DAY
Chairman of the Commission

ATTEST:

Nikki Brummond, City Clerk

Planning Commission Bylaws

Fergus County and the City of Lewistown, Montana

ARTICLE I

AUTHORITY, PURPOSE, AND JURISDICTION

Section 1. Authority

These Bylaws are adopted pursuant to applicable provisions of Montana law, including:

- Title 76, Montana Code Annotated (MCA), including the Montana Land Use Planning Act;
- Applicable provisions governing planning boards and subdivision review;
- Montana Open Meeting Laws (Title 2, Chapter 3, MCA);
- Montana Public Participation Requirements;
- Applicable resolutions and ordinances of Fergus County and the City of Lewistown.

Section 2. Purpose

The City-County Planning Commission ("Commission") serves as the advisory planning body for Fergus County and the City of Lewistown and shall:

1. Promote coordinated land use planning.
2. Review development proposals as required by law.
3. Make recommendations to governing bodies regarding planning, zoning, subdivision review, growth policy implementation, and related land use matters.
4. Conduct public hearings as required by state law.
5. Perform duties assigned by the governing bodies.

Section 3. Jurisdiction

The Commission shall exercise authority only within those areas and matters assigned to it by law, interlocal agreement, resolution, ordinance, or direction of the governing bodies.

ARTICLE II

MEMBERSHIP

Section 1. Composition

The Commission shall consist of nine (9) members appointed as follows:

A. County Appointments

The Fergus County Commissioners shall appoint:

1. Two official members residing outside the City of Lewistown but within the Commission's jurisdictional area who may be employed by or hold public office in the County.
2. Two citizen members residing outside the City of Lewistown but within the Commission's jurisdictional area.

B. City Appointments

The Lewistown City Commission shall appoint:

1. Two official members residing within the City of Lewistown who may be employed by or hold public office in the City.
2. Two citizen members residing within the City of Lewistown.

C. Conservation District Representative

One member shall be appointed from the Conservation District Commission of Supervisors as provided by Montana law. If no Conservation District Supervisor is willing or able to serve, the position may be filled through a joint appointment approved by both governing bodies.

Section 2. Terms

Official members shall serve terms concurrent with their public office or appointment.

Citizens members' terms shall be staggered and determined by the governing body pursuant to the MLUPA and the Interlocal Agreement.

Members shall continue to serve until their successors are appointed.

Section 3. Vacancies

Vacancies shall be filled by the appointing authority for the remainder of the unexpired term.

Section 4. Removal

A member may be removed by the appointing authority in accordance with applicable law.

Section 5. Attendance

Attendance at meetings is essential to the operation of the Commission.

A member who is absent from:

- Two consecutive regular meetings without good cause; or
- Three regular or special meetings within a calendar year without good cause,

may be deemed to have resigned and the appointing authority shall be notified of the vacancy.

ARTICLE III

OFFICERS

Section 1. Officers

The officers of the Commission shall be:

1. Chair
2. Vice-Chair

Section 2. Election

At the first regular meeting each calendar year, the Commission shall elect officers from among its membership.

Section 3. Duties of the Chair

The Chair shall:

1. Preside at meetings.
2. Approve agendas.
3. Call special meetings when necessary.
4. Sign official documents authorized by the Commission.
5. Serve as spokesperson for the Commission.

Section 4. Duties of the Vice-Chair

The Vice-Chair shall perform the duties of the Chair during the Chair's absence or incapacity.

Section 5. Secretary

Planning staff designated by the governing bodies shall serve as recording secretary and maintain official records of the Commission

ARTICLE IV

MEETINGS

Section 1. Regular Meetings

Regular meetings shall be held on the third Thursday of each month at 5:30 p.m. at the Fergus County Council on Aging, 307 West Watson Street, Lewistown, Montana, unless otherwise designated by the Commission.

The President may cancel a meeting when there is no business requiring Commission action, provided adequate notice is given.

Section 2. Special Meetings

Special meetings may be called by:

- The Chair; or
- Any two Commission members.

Notice shall be provided not less than forty-eight (48) hours in advance unless otherwise permitted by Montana law.

Section 3. Public Notice

All meetings shall be publicly noticed in accordance with Montana law.

Agendas shall be posted and made available to the public before meetings whenever practicable.

Section 4. Remote Participation

Members may participate electronically when permitted by Montana law and Commission procedures.

The public shall be provided reasonable opportunity to observe and participate as required by law.

Section 5. Quorum

A majority of the appointed membership shall constitute a quorum.

No official action may be taken without a quorum except to adjourn or continue a meeting.

Section 6. Voting

Each member shall have one vote.

Unless otherwise required by law, action shall be approved by a majority of members present and voting.

Voice votes may be used except where a roll-call vote is requested by a member or required by law.

Section 7. Conflict of Interest

Any member having a conflict of interest, financial interest, or appearance of impropriety concerning a matter before the Commission shall:

1. Disclose the conflict before discussion.
2. Refrain from participating in deliberation when required by law.
3. Abstain from voting on the matter.

The disclosure and abstention shall be recorded in the minutes.

Section 8. Public Participation

The Commission shall provide reasonable opportunities for public comment consistent with Montana public participation requirements.

The Chair may establish reasonable rules governing testimony and decorum.

Section 9. Order of Business

The order of business shall generally be:

1. Call to Order
2. Roll Call
3. Approval of Minutes
4. Public Comment
5. Public Hearings
6. Old Business
7. New Business
8. Adjournment

ARTICLE V

PUBLIC HEARINGS

Section 1. Conduct of Hearings

Public hearings shall be conducted in accordance with Montana law and adopted Commission procedures.

Section 2. Conduct of Hearings

Any person may appear in person, through an agent, or through legal counsel.

The order of hearing shall generally be:

1. Opening of hearing by Chairman.
2. Staff report.
3. Questions from Commissioners.
4. Applicant presentation.
5. Public testimony.
6. Applicant rebuttal, if requested.
7. Close of public hearing.
8. Commission discussion and action.

Section 3. Record

The Commission shall maintain a record of proceedings including:

- Staff reports;
- Exhibits;
- Written comments;
- Minutes;
- Motions and recommendations.

Section 4. Recommendations

Recommendations to governing bodies shall be made by motion and shall include findings when required by law.

ARTICLE VI

POWERS AND DUTIES

The Commission shall:

1. Advise the City and County on planning and land use matters.
2. Review applications and proposals assigned by law or governing bodies.
3. Conduct public hearings.
4. Recommend adoption, amendment, or repeal of planning documents and land use regulations.

5. Assist in implementation of adopted growth policies and land use plans.
6. Maintain records of Commission proceedings.
7. Prepare reports and recommendations.
8. Perform duties authorized under Title 76, MCA.
9. Carry out responsibilities assigned by interlocal agreement, ordinance, or resolution.

ARTICLE VII

RECORDS AND ETHICS

Section 1. Public Records

Records of the Commission shall be maintained in accordance with Montana public records laws.

Section 2. Code of Conduct

Commission members shall conduct themselves impartially, respectfully, and in a manner that promotes public confidence in the planning process.

Section 3. Ex Parte Communications

Members shall disclose any substantive ex parte communication concerning a quasi-judicial matter before the Commission.

ARTICLE VIII

PARLIAMENTARY AUTHORITY

The current edition of Robert's Rules of Order Newly Revised shall govern matters not otherwise addressed by these Bylaws, state law, or adopted procedures.

LEGAL ASSISTANCE

By majority vote, the Commission may request legal assistance from the City Attorney, County Attorney, or other legal counsel authorized by the governing bodies concerning matters within the Commission's jurisdiction.

AMENDMENTS

These Bylaws may be amended by a majority vote of the Commission at any regular meeting, provided the proposed amendment has been provided in writing to each member at least five (5) days before the meeting at which action is taken.

No amendment shall conflict with Montana law, adopted ordinances, resolutions, or interlocal agreements.

Any amendments must be approved by both governing bodies.

Adopted this _____ day of _____, 2026.

Chair, City-County Planning Commission

Chair, Fergus County Commission

Chair, Lewistown City Commission

RESOLUTION NO. 4226

**A RESOLUTION STATING THE INTENTION OF THE CITY COMMISSION
TO AMEND THE 2025-2026 BUDGET OF THE CITY OF LEWISTOWN**

WHEREAS, the City Commission of the City of Lewistown has previously passed and adopted the 2025-2026 budget for the City of Lewistown; and,

WHEREAS, the City has received various revenues and incurred various costs that were not anticipated or provided for in the 2025-2026 budget;

NOW, THEREFORE, BE IT RESOLVED that the City Commission intends to amend its 2025-2026 annual budget, a copy of which amendment has been placed on file and is open to inspection at the Lewistown City Office, 305 W Watson, Lewistown, Montana, 59457 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, telephone 406-535-1760.

BE IT FURTHER RESOLVED that on the 20th day of July 2026 at 7:00 p.m. at the Central Montana Community Center, 307 W Watson, Lewistown, Montana, the City Commission will meet for the purpose of amending the 2025-2026 budget and that any taxpayer or resident may appear at the meeting and be heard for or against the proposed budget amendment. The City Clerk is directed to publish notice of this proposed action in accordance with law.

PASSED AND APPROVED THE 20th of July, 2026.

Loraine Day, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk

City of Lewistown
305 W. Watson
Lewistown, MT 59457
535-1760

11941

Business License Application

Business Name PLUMB MT, INC.
Street Address P.O. Box 81620 Phone 406-245-1545
City BILLINGS State MT Zip Code 59108

Brief Description/Nature of Business PLUMBING CONTRACTOR

Is This a Recognized Non-Profit Organization? Yes ☐ No ☒ # of Employees 10

Owners Name and Address DAVID WAGNER 822 Delphinium Dr
City BLGS State MT Zip Code 59102 Phone # 406-850-2930

Planning & Building Dept:

Legal Description: Lot Blk Subdivision Lot Sz (sq ft)

Estimated Square Footage Occupant Load Zoning District

Is The Building Currently Under Construction or Remodeling? Yes ☐ No ☐

Remodeling or New Construction Within The Last 12 Months? Yes ☐ No ☐

Is Building In The City Limits? Yes ☐ No ☐

Fire Dept:

Primary Emergency Contact Name & # DAVID WAGNER

406-850-2930

Secondary Emergency Contact Name & # DAN WAGNER

406-850-2932

Are There Any Special Hazards Associated With Your Business That We Should Be Aware Of? Yes ☐ No ☒ If So, What Are They?

Do You Have Any Hazardous Materials On The Premises? Yes ☐ No ☒ If So, Do

You Have Materials Safety Data Sheets For Them? Yes ☐ No ☒

Are There Any Fire Extinguishers Located On The Premises? Yes ☐ No ☒ #

Are There Smoke Detectors On The Premises? Yes ☐ No ☒ #

Are There Any Locked Or Blocked Exits During Business Hours? Yes ☐ No ☒

Applicant Signature David Wagner

City Use Only Plumbing Bch.

Business License Fee: \$60.00 pd

Business Classification Contractor Received By DB

Date 6-29-26

Sent to:

BUILDING DEPT
FIRE DEPT
HEALTH DEPT
ZONING DEPT
CITY MANAGER

Received From:

BUILDING DEPT
FIRE DEPT
HEALTH DEPT
ZONING DEPT
CITY MANAGER

* OUR BUSINESS IS LOCATED IN BILLINGS
* WE ARE WORKING ON A CONSTRUCTION SITE

BEN CARLSON

406-850-2931

Deb Bowler
LORAIN DAY
Ward One Commissioners

Ken Shaver
DIANA HEWITT
Ward Two Commissioners

TIM ROBERTSON
DANI BUEHLER
Ward Three Commissioners

Travin Warren
At-Large Commissioner

HOLLY PHELPS
City Manager

NIKKI BRUMMOND
Finance Director/City Clerk



305 W. Watson, Lewistown, Montana 59457
(406) 535-1760 Fax (406) 535-3323

KELLY HENDERSON
Parks and Recreation Director

TYLER WEST
City Attorney

JUSTIN JENNNESS
Police Chief

JAMES JENSEN
Fire Chief

VACANT
Public Works Director

ALISSA WOLENETZ
Library Director

DOUG OSTERMAN
Planning Director

Business License & Registration Certificate Disclaimer

I hereby certify, under penalty of perjury, that I have read and answered the statements contained in this application and my answers are true and correct.

I agree to comply with all applicable State and City laws and Ordinances pertaining to my business operations, including but not limited to:

Building, Fire, Zoning and other City Code requirements and grant

City Officials the privilege and authority to conduct such inspections as may be necessary.


Signature of Owner or Representative

6-16-2026
Date

David Wagner
Printed Owner Name

City of Lewistown
305 W. Watson
Lewistown, MT 59457
535-1760

11916

Business License Application

Business Name Backed up Plumbing
Street Address 1551 SW 23rd ST Phone 541-699-9033
City Redmond State OR Zip Code 97754
Brief Description/Nature of Business Plumbing Contractor
Is This a Recognized Non-Profit Organization? Yes ☐ No ☒ # of Employees 4
Owners Name and Address Bernie Paiva II 1551 SW 23rd ST
City Redmond State OR Zip Code 97756 Phone # 971-806-0297

Planning & Building Dept:

Legal Description: Lot _____ Blk _____ Subdivision _____ Lot Sz (sq ft) _____

Estimated Square Footage _____ Occupant Load _____ Zoning District _____

Is The Building Currently Under Construction or Remodeling? Yes ☐ No ☐

Remodeling or New Construction Within The Last 12 Months? Yes ☐ No ☐

Is Building in The City Limits? Yes ☐ No ☐

Fire Dept:

Primary Emergency Contact Name & # Emily Paiva 541-610-3186

Secondary Emergency Contact Name & # _____

Are There Any Special Hazards Associated With Your Business That We Should Be Aware Of? Yes ☐ No ☒ If So, What Are They? _____

Do You Have Any Hazardous Materials On The Premises? Yes ☐ No ☒ If So, Do

You Have Materials Safety Data Sheets For Them? Yes ☐ No ☐

Are There Any Fire Extinguishers Located On The Premises? Yes ☐ No ☒ # _____

Are There Smoke Detectors On The Premises? Yes ☒ No ☐ # _____

Are There Any Locked Or Blocked Exits During Business Hours? Yes ☐ No ☒

Applicant Signature [Signature]

City Use Only Plumbing Contractor Business License Fee \$60.00 pd.

Business Classification BCH Received By [Signature] Date 6-29-26

Sent to:

BUILDING DEPT _____
FIRE DEPT _____
HEALTH DEPT _____
ZONING DEPT _____
CITY MANAGER _____

Received From:

BUILDING DEPT _____
FIRE DEPT _____
HEALTH DEPT _____
ZONING DEPT _____
CITY MANAGER _____

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I hereby certify, under penalty of perjury, that I have read and answered the statements contained in this application and my answers are true and correct.

I agree to comply with all applicable State and City laws and Ordinances pertaining to my business operations, including but not limited to:

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City Officials the privilege and authority to conduct such inspections as may be necessary.


Signature of Owner or Representative

4/13/26
Date

Bennie Padua II
Printed Owner Name

The City of Lewistown is an Equal Opportunity Employer