

A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON JULY 7, 2025 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: Buehler, Day, Hrubes, Hewitt, Robertson and Spika. Commissioner Terry was absent.

APPROVAL OF MINUTES

Commissioner Day stated that without objection and based on the corrections the minutes for June 2, 2025 and June 16, 2025 are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Spika reported that Snowy Mountain Development had their annual meeting in June. There was a regular meeting, the budget was approved and the awards ceremony was at the end of the meeting.

Commissioner Hewitt reported she attended the Airport Board meeting on July 2nd. Commissioner Hewitt reported on the needed improvements for the Rimby Hangar. Commissioner Hewitt reported that Peggy Butler, representative of Saving Animals from Euthanasia (SAFE), came to the airport board and asked if there was any land to locate an animal shelter on. Commissioner Hewitt explained that there are some areas available for the animal shelter and the airport board will need to look more into this request. Fish Wildlife & Parks would like to renew their lease, that ends in July, and the Airport Board will be asking them to finish some items that have not been completed.

Commissioner Buehler reported that the Library Board met on June 10th and she was unable to attend. The summer reading program theme this year was Color your World and has been very well attended. There has been a lot of programming for both the kids and adults. There were over 400 participants in the program. There were just over 100 kids that attended the Scholastic Book Fair. Commissioner Buehler reported that the Library purchased a scanner to be used to document local

history. The library has an intern from Stanford that started on June 23rd. The intern's focus is local history documents and how to maintain the collection. The next meeting is July 16th.

Commissioner Robertson added some information to the Airport board report stating the replacement of the big hangar door has been approved. There was a bid opening for the 2026 taxiway project. The engineer's estimate was 6.5 million and the only bid received was from Century with a bid of 6.8 million.

Commissioner Day reported that the Park and Recreation Board will be meeting this Wednesday, July 9th.

Commissioner Day reported on the Central Montana Foundation on behalf of Commissioner Terry. The Central Montana Foundation met on June 24, 2025. The CMF will be having an audit performed in 2026 now that the foundation has total funds of \$73 million. The total amount of scholarships granted this year was \$250,000 from the CMF. A grant in the amount of \$2,653.80 was approved for the Central Montana Childcare Alliance for technology. There will be no meeting in July and the next meeting is August 26, 2025.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following issues:

Robert Peccia and Associates sent a progress report to DEQ regarding the progress on the storm water violation. The report has been handed out to the Commission and sent to the Big Spring Watershed Council. The report summarized what work has taken place for the half of 2025.

The power outage that occurred on June 25th created issues across town. For a time, the Library and Pool were wondering if they should stay open. At the wastewater plant several electronic components were damaged. Most of these have now been repaired and replaced.

During the storm that rolled through town on July 2nd, several tree limbs broke in the parks and along the streets. North of Lewistown there were strong winds that damaged building and uprooted trees. The storage building at Berg Lumber was blown apart and was left in the field across the road. Public Works is working to clean this up.

The Civic Center is gearing up for their Little Eagle Flag Football the first couple of weeks in August. This will be the last summer program that will be ran by the Civic Center staff. On the hot days the pool has been very busy. Pool staff are running two sessions of swim lessons now and have been busy with private lessons and pool parties.

Summer is here and so are many of our annual events. The fair is only a few weeks away. There will be a fair parade, Centerfest and Hot Summer nights in the downtown in the next month.

PUBLIC COMMENT – non agenda items

Mr. Harley Rouns was in attendance to inquiry about the Mountain Man Gallery Building that is adjacent to the Veteran's Park. Mr. Rouns would like to know the status of the building. City Manager Phelps answered that City staff have met with the owners and their intention is to remodel the building and continue use of the building. Mr. Rouns asked if a retention pond will be necessary

for the building being built south of Fountain Terrace. City Manager Phelps answered yes, and explained that all the water from that property would need to remain on that property.

Mr. Tom Petranek addressed the Commission regarding the throwing of candy at the recent Fourth of July parade. Mr. Petranek knows there is a City code that he helped create to have candy handed out and not thrown at the parades. Mr. Petranek commented that he does know there wasn't much bite to help enforce it. City Manager Phelps explained that a parade is considered an event by the City and are required to complete an application and provide proof of special event insurance. The City ordinances are given out as part of the event process by the City. City Manager Phelps commented that she doesn't think there is a penalty to the throwing of candy at parades. City Manager Phelps stated she the best thing is to educate the community regarding the City ordinances in place.

Ms. Jamie Ophus, volunteer from Saving Animal from Euthanasia (SAFE), wanted to inform the commission of a couple of incidents she has dealt with over the last 10 days and why a shelter is very important. Ms. Ophus commented that she had a call to remove a dog from a residence and it was a dog with 12 puppies that were starving and dehydrated. The mother was unable to provide milk to feed the puppies. Ms. Ophus explained that in this instance if law enforcement is contacted there is no place to put the animals if it is necessary to remove the animals. Ms. Ophus commented that this is one instance of many in the community. Ms. Ophus expressed her concern with the vicious dogs in the community and every time she takes her dogs for a walk she either gets attacked or have to scare off the dogs. There are no repercussions for this and that the pound is no longer a pound and it is not being used. City Manager Phelps commented that she will visit with the Police Department and see what is going on with the pound. City Manager explained that the Commission is working on a couple of ordinances for vicious dogs and dogs running at large and hope to have a higher fine to deter these situations.

CONSENT AGENDA

Commissioner Buehler made the motion to approve the consent agenda and Commissioner Hrubes seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgment of the claims that have been paid from June 13, 2025 to June 30, 2025 for a total of \$599,380.48

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

1. Public hearing to hear comments on a conditional use permit application from First Christian Church to operate a church and other place of worship including parish houses and Sunday school building in Residential (R-1) District.

Chairman Day opened the public hearing to hear comments on a conditional use permit application from First Christian Church to operate a church and other place of worship including parish houses and Sunday school building in Residential (R-1) District. City Manager Phelps reported that the City received an application for a conditional use permit from First Christian Church to locate and operate a youth group space at 207 12th Ave S. City Manager Phelps explained that the property is located next to the church. The church is currently providing services to the groups in their existing facility. The property would be used for youth group on Wednesday evenings for approximately 25 kids. The adjacent property owners were notified and no comments have been received. The City County Planning Board acting as the Zoning Commission did approve the conditional use permit with the

following conditions. The building shall be inspected for fire and other safety reasons by the Lewistown Fire Marshal and Building Inspector. Off street parking for activities at this location will be in the existing parking lot. Commissioner Buehler asked if the conditional use permit transfers with the property. City Manager Phelps answered no. Commissioner Day asked for comments from the audience and Commission. There were none, the public hearing was closed.

2. Discussion and action on approving the conditional use permit application from First Christian Church to operate a church and other place of worship including parish houses and Sunday school buildings in Residential (R-1) District

City Manager Phelps stated that the City did receive a conditional use permit application from First Christian Church. There have been no comments received from the adjacent property owners. This was approved by the Zoning Commission with conditions as discussed. Commissioner Spika made the motion to approve the conditional use permit application from First Christian Church to operate a church and other place of worship including parish houses and Sunday school buildings in Residential (R-1) District with the conditions cited and Commissioner Hewitt seconded the motion. Commissioner Buehler asked if the house has been purchased by the Church. City Manager Phelps answered yes. 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 a railroad lease for Lewistown Livestock Inc. located in the area of Highway 191

City Manager Phelps stated the Commission received a copy of the lease and exhibit in their packets. City Manager Phelps explained that the request is to lease a portion of the railroad property adjacent to the livestock area. This piece of property had traditionally been used to load cattle on to the trains. Mr. Shobe's proposal is to use the property to load cattle onto semis. City Manager stated that this is a five-year lease with a locked in rate for those five years, then being year six there would be incremental increases and is the same lease used for other railroad property leased from the City. There was some discussion regarding the other railroad leases the City has with different businesses. Commissioner Robertson stated that he is in favor of the lease but does not want to negate the possibility of more improved trail up toward lime kiln where a lot of people use the trails. City Manager Phelps explained that the lease does have an automatic renew and a six month for either party to vacate the lease. There was some discussion of the use trail and improvements that could be made to the trail in the future. Commissioner Hrubes made the motion to approve a railroad lease for Lewistown Livestock Inc. located in the area of Highway 191 and Commissioner Hewitt seconded the motion. City Manager Phelps reminded the Commission that all of the railroad leases fund the trails coordinator position. 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.

4. Discussion and action on petition for annexation from HAPS Properties LLC to annex K&T Properties Subdivision #2, Lot 006, Less Tract 6 COS#823, S16, T15 N, R18 E to the City of Lewistown

City Manager Phelps explained this property is where the new gym The Lion's Den and Lewistown Physical Therapy is located. City Manager Phelps stated that as this property was developed City

services were extended to it and always anticipated to be annexed into the City. Commissioner Spika made the motion to approve the petition for annexation from HAPS Properties LLC to annex K&T Properties Subdivision #2, Lot 006, Less Tract 6 COS#823, S16, T15 N, R18 E to the City of Lewistown and Commissioner Robertson seconded the motion. Commissioner Buehler asked if the entire lot or just the subdivision is being annexed into the City. City Manager Holly Phelps answered it is the entire lot. 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 approving Resolution No. 4193 a resolution providing for the annexation by petition of property belonging to HAPS Properties LLC

City Manager Phelps stated this is the resolution that annexes the property. The resolution states the zoning will be C-1 general commercial. This zoning is consistent with the zoning process and all of the public hearings. Commissioner Spika made the motion to approve Resolution No. 4193 a resolution providing for the annexation by petition of property belonging to HAPS Properties LLC 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.

6. Discussion and action on approving an emergency services dispatch agreement between the City of Lewistown and Judith Basin County

City Manager Phelps stated that this is the City's standard 911 contract and all are in the process of being renewed. City Manager Phelps explained one of the changes to the contract is that the 911 board will establish a payment that due annually. City Manager Phelps commented that the City provides 911 services to surrounding counties. City Manager Phelps explained that Judith Basin County is unique that they have a dispatcher located in Stanford and operate an office Monday through Friday 8 am to 5 pm. Commissioner Hewitt made the motion to approve the emergency services dispatch agreement between the City of Lewistown and Judith Basin County 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.

7. Discussion and action on approving the 2025 - 2027 Fire Department Bargaining agreement

City Manager Phelps stated this is a three-year bargaining agreement. The City did request a cap on training time be implemented. City Manager Phelps explained that she did work out a wage agreement and this unit likes a dollar amount and not a percentage increase. The first year a \$2.50 is purposed and \$2.00 for the two following years. This is consistent with fire departments across the state. City Manager Phelps commented that we are one of the only communities that utilizes a full paid staff and mix of part paid fireman, which makes it hard to compare apples to apples. The other change to the contract was an increase from \$2.00 to \$2.25 call duty. There was some discussion regarding the physical fitness part of the agreement. Commissioner Buehler asked if the pay scale was manageable in the budget. City Clerk Brummond answered it will have to as the Fire Union has agreed and the City Commission has approved the agreement. Commissioner commented that he truly applauded Article 10 Section 1 of the agreement. Commissioner Spika made the motion to

approve the 2025 - 2027 Fire Department Bargaining agreement and Commissioner Robertson seconded the motion.

CITIZENS' REQUESTS

There were none.

COMMISSIONER'S MINUTE

Commissioner Robertson commented that Ms. Peggy Butler asked the Airport Board if there was any available property and he suggested she talk with the City to see if there was any City property that may be available. Commissioner Robertson stated that the Airport Manager is a retired Sheriff and he expressed his concerns that an animal shelter is needed in the community.

Commissioner Robertson stated he appreciated Mr. Petranek's concern for candy in parades. Commissioner Robertson explained that he did a lot of parades and his company was instructed to walk and throw the candy closer to the curb.

Commissioner Buehler stated her family uses the park and recreation facilities in the community and thanks the city and the groups that help with maintaining the parks and facilities.

Commissioner Hrubes reported that his neighbor Ed Durbin reminded Commissioner Hrubes to remind everyone to trim branches to help the visually impaired citizens.

Commissioner Day stated that she would like to resume the work on the ordinances. City Manager Phelps answered that she would work to get a meeting scheduled. Commissioner Day would like to see the ordinance regarding throwing candy at parades and is there a way to get it changed before the next parade. City Manager Phelps answered that it can't be done in a short amount of time.

ADJOURNMENT

Chairman Day adjourned the meeting.

Dated this 7th day of July, 2025

Loraine Day, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk