

**A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON
FEBRUARY 2, 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, and Shaver. Commissioner Warren was absent.

APPROVAL OF MINUTES

City Clerk Nikki Brummond asked Commissioner Bowser if she had attended the meetings reported. Commissioner Bowser answered no she will be attending. The minutes will be changed to reflect the correction.

City Clerk Brummond stated she received an email from Commissioner Shaver asking for the following statement to be added to the minutes for completeness and transparency. City Clerk Brummond read the follow “Does the owner of the building—previously labeled ‘Christian Burlesque House / All Things Naked / It’s Not What You Think’—have any involvement with the proposed daycare or access to the building?” City Clerk Brummond explained that she did not enter this into the minutes because she did not feel it added anything to the content of the meeting. Also, it was not the question that was asked during the meeting. City Clerk Brummond read the transcript from the meeting Commissioner Shaver stated the following: “I walk my dogs by it almost every day. And what happened to the Christian burlesque and whatever that was, we need to talk about that is the owner still involved, and Mr. Behl said, I’m his son, and that’s why I’m here and I currently own the building. It went away, and that’s all that needs to be said.” City Clerk Brummond explained the proposed question emailed was not what was said at the meeting and that is why it was not included in the minutes. Commissioner Shaver asked if the question he asked during the meeting was in the minutes. City Clerk Brummond answered no. City Attorney Tyler West explained the minutes are to capture the substance of what is said and it is not a verbatim record of what is said. City Attorney West explained further the Commission vote to amend the minutes to include what Commissioner Shaver is proposing. City Attorney West stated if you review State statute there are certain requirements for minutes. Commissioner Shaver stated if exactly what he said at the meeting can be added to the minutes he would appreciate it. Commissioner Shaver explained that when people come back and something weird goes wrong there, I can say well I questioned it. Commissioner Shaver further explained that people want to know about Christian Burlesque and all things naked and what happened to that guy. Commissioner Shaver stated that when my neighbors come up to me and ask, if the Christian Burlesque is a daycare now?” I can answer yes. Commissioner Shaver commented he is one of those that will ask what could possibly go wrong? Commissioner Robertson made the motion to amend the minutes to reflect Commissioner Shaver’s statement and Commissioner Shaver seconded the motion. City Clerk Brummond read the motion as Commissioner Shaver asked what happened to the Christian Burlesque and is the owner still involved. Mr. Nate Behl answered he is John Behl’s son and POA. Mr. Nate Behl will own the building. 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. Commissioner Robertson made the motion to approve the January 5, 2026 as submitted and Commissioner Buehler seconded the motion. Commissioner Day asked for questions, there being none, the motion passed unanimously.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Hewitt reported the Airport Board will meet on Wednesday, February 4th.

Commissioner Buehler reported the Central Montana Foundation met on January 27th; however, she was unable to attend due to family illness.

Commissioner Bowser reported the ordinance committee met on January 21st. The Committee discussed some of the input from the public about the snow route. There was discussion on moving some streets to Tier II streets and maybe only moving the Tier II street parking when there is snow. Commissioner Bowser commented the committee determined there hasn't been enough time to get a true representation on how it is going. A meeting will be held in the spring to allow community members the opportunity to provide feedback. There was discussion about citizens parking on the grassy median in front homes and the need for garbage cans to not be located on the streets and sidewalks.

Commissioner Bowser reported she attended her first Library Board meeting and received a book about libraries. Commissioner Bowser commented there were 107 paid participants and volunteers at the Chili Bowl Fundraiser. The Library received \$10,000 gift from the Carnegie Foundation. The City Attorney attended and gave a presentation on board responsibilities. There CDBG grant was discussed, there were some questions about moving forward with Mosaic and the Library Board would like to meet with the Library building committee prior to moving forward. Commissioner Bowser explained there was a special Library Board meeting on January 30th and the building committee strongly recommended moving forward with Mosaic. It was determined the City will be administering the grant and not Snowy Mountain Development Corporation.

Commissioner Day reported that she too attended the Ordinance Committee meeting. Commissioner Day reported the Park and Recreation Board will meet this Wednesday, February 4th.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following items:

This week the City received notice that the Montana Main Street (MMS) grant that the Lewistown Downtown Association (LDA) submitted to update the Lewistown Downtown Masterplan was partially funded. The LDA will continue to move forward and this supports the City's land use plan and will have its own public involvement as well. The MMS program, established in 2005, is administered by the Community MT Division within the Montana Department of Commerce. Lewistown has participated in the MMS program since 2010. The MMS Program awards competitive grant funding to communities focusing on planning and/or implementation projects directly related to downtown revitalization, development, and historic preservation. The MMS Program communities receive technical and financial assistance from the Montana Department of Commerce, as funded by the accommodations tax. Member communities receive the following benefits: partnerships and networking, trainings and technical assistance, grant funding for planning and implementation projects, access to Main Street America resources, conferences and statewide promotion and recognition. A few of Lewistown's projects that have received MMS funds include, Creekside Marketplace and Pavilion,

Lewistown's Downtown Parklet, Wayfinding plan and signage and the Tourism Assessment Study. The MMS Program works with local partners to identify and plan for the community's greatest development needs and provides seed money to help implement high impact projects. The 2023 video demonstrates the impact of the program by highlighting community efforts in Roundup and Lewistown.

Lewistown will be hosting the District 7C and the Southern C basketball tournaments in February. There is a tournament committee that is really focused on getting more of the tournaments back in the community.

The Civic Center will host the Jan Duncan Memorial Volleyball Tournament and the Pinewood Derby. The Parks and Recreation will be hosting a Glow in the Dark dodgeball and a community garage sale.

All of the compost, leaves, grass and biosolids that were stored have been removed from the fields outside of the wastewater treatment plant. A project is currently being designed to update the disposal method for the biosolids from the wastewater plant.

The annual audit is scheduled for February 17th.

A February calendar was handed out to the Commission reflecting the Commission, committee and board meetings.

PUBLIC COMMENT – non agenda items

There were none.

CONSENT AGENDA

Commissioner Robertson made the motion to approve the consent agenda and commissioner Buehler seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgment of the claims that have been paid from January 17, 2026 to January 31, 2026 for a total of \$96,588.61.

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

1. Discussion and action on approving Resolution No. 4218, a Resolution Establishing and Adopting a Planning Commission in Accordance with the Montana Land Use Planning Act

City Manager Phelps explained the 2024 Lewistown Land Use Plan and putting a planning commission in place was discussed during the Committee of the Whole. The basic framework of the City County Planning Board will be utilized to create the planning commission. City Manager Phelps stated the City Commission approved an interlocal agreement with Fergus County and just recently the Fergus County signed off on that interlocal agreement. This agreement formalizes the planning commission will be a nine-member board with equal representation from both the City and County. There will be four members from the City and four members from the County and the ninth member will be a representative from the Fergus County Soil Conservation District. The City County Planning Board will continue to act as the Zoning Commission and then the duties of the Board of Adjustments will be added to the Planning Commission. City Manager Phelps stated she is expecting more regular meetings, but in accordance with State Law they are required to meet at least every 6 months. The revisions made by the City Attorney is making sure that until the planning commission is completely in place and functioning, the City County Planning Board and the Board of Adjustments will continue in full effect. Then those will be disbanded by resolution. City Attorney West explained that when the City of Lewistown opted into the Montana Land Use Planning Act it put the City completely into the act. City Attorney West further explained the Land Use Planning Act is specifically for what we're talking about, and so

all the rules are contained within that act. The act states any boards established before May of 2023 are basically absorbed into the new Planning Commission. City Attorney West pointed out that the Planning Commission is an advisory board to the City Commission. The Planning Commission will meet to hear requests for subdivisions, variances and other planning items the board will make their recommendations and it will go to the Commission for action. Commissioner Robertson made the motion approve Resolution No. 4218, a Resolution Establishing and Adopting a Planning Commission in Accordance with the Montana Land Use Planning Act and Commissioner Hewitt seconded the motion. Commissioner Buehler asked to confirm what boards will be absorbed into the planning commission. City Attorney West answered the City County Planning Board, Zoning Commission and Board of Adjustment. Commissioner Shaver asked about number five removal if the City Commission can remove a county appointee. City Attorney West answered yes, if that happens you look at the agreement and the County gets four members so they would get to confirm a new appointee. City Attorney West stated the Planning Commission is always going to be made up of four City appointees, four County appointees and one wild card. The Planning Commission will have their own bylaws and an internal process to remove an appointee if they chose, however, ultimately the City Commission is the decision maker. City Manager Holly Phelps stated the Planning Commission will serve as the joint board for Fergus County planning and have the ability to call for meetings. The Planning Commission will make recommendations to the County Commissioners. 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 being in favor.

2. Discussion and action on approving a consultant to assist with revising the City of Lewistown Zoning Code and allowing to City Manager to enter into an agreement for this work

City Manager Phelps explained the Montana League of Cities and Towns (MLCT) partnered with the Department of Commerce to apply for a large-scale grant to support the Montana Land Use Planning Act and those communities planning under that. The City of Lewistown's allocated portion is approximately \$158,000 to support plan development. City Manager Phelps further explained the funds would be used to get City codes and other supporting documents such as subdivision regs, floodplain and zoning codes in compliance. In doing this the information and data would be more accessible to developers and the public. City Manager Phelps reviewed the request for proposal. The request for proposal included the review and refine the zoning code changes, conduct public engagement on any proposed zoning code updates and complete those zoning changes, along with maps necessary to support the changes. City Manager Phelps stated two proposals were received and the City has worked with both entities on the actual land use plan. The first one is Cushing Terrell, and the second one is Houseal Lavigne. City Manager Phelps reported that herself and the Planning Director scored the two and both scored very high. The overall impression of working with both is both of them are good to work with, both have solid general knowledge of the plan and based on the scoring the recommendation is to move forward with Cushing Terrell. City Manager Phelps explained this is a not to exceed contract and the budget is less than \$50,000. Commissioner Buehler made the motion to approve Cushing Terrell as the consultant to assist with revising the City of Lewistown Zoning Code and allowing to City Manager to enter into an agreement for this work and Commissioner Bowser 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 being in favor.

3. Discussion and action on approving the purchase of a motor for the wastewater treatment plant

City Manager Phelps explained this is a quote for a motor for the wastewater treatment plant. Wastewater equipment is very specialized and this motor is for some very large equipment that does our oxidation ditch. This equipment was purchased at the time of construction and is about 20 years old and has run flawlessly until recently. City Manager Phelps further explained the delivery of the equipment is about sixteen weeks out, the equipment is still up and running and this is something we have available on the shelf when it is time for a

repair. Commissioner Shaver made the motion to approve the purchase a motor for the wastewater treatment plant and Commissioner Bowser seconded the motion. Commissioner Robertson asked what the total cost was. City Manager Phelps answered it is just over \$18,000. Commissioner Shaver commented the price is just over the \$15,000 and that is why it is before the Commission for approval. City Manager Phelps answered yes. Commissioner Shaver stated he read the purchasing policy and wondered if the amounts needed to be increased since the policy was written in 2011. City Manager Phelps answered that yes, the purchasing policy can be looked at because prices have increased. 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 being in favor.

4. Discussion and action on approving the application for Federal Financial Assistance from the U.S. Department of Justice for City Victim Witness Advocate and allowing the City Manager to sign any agreements related to this grant

City Manager Phelps explained that recently the City Attorney moved to the City Office and is no longer sharing office space or administrative duties with the County. The one service lost was the victim witness advocate. City Attorney West explained the role of a victim witness advocate is to help a person through the process. They are typically there right after the event happened, talk about court dates, what the victim may expect and help them to reach out for available funding or counseling. The victim witness advocate program is funded by the State via the Department of Justice. This is a grant application that must be submitted for funding a new part time position. City Attorney West stated he is asking to submit the grant and the City being a new applicant it goes through the Montana Bureau of Crime and Crime Control (MBCC). City Attorney West explained that based on the statistics from the Lewistown Police Department he believes a part time position could be filled and paid from by the grant. There is a 20% match from the City and it can be an in-kind match. City Manager Phelps explained the process would be to get the grant, create a job description and if the grant is awarded the position could be filled. Commissioner Bowser made the motion to approve the application for Federal Financial Assistance from the U.S. Department of Justice for City Victim Witness Advocate and allowing the City Manager to sign any agreements related to this grant 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 City Clerk took a roll call vote with all being in favor.

5. Discussion and action on selecting a consultant for the Library's Master Plan and allowing the City to negotiate a cost for this work

City Manager Phelps explained the Library Board applied and was successful in receiving a CDBG grant for the Library Master Plan. Several proposals were received from various architectural and engineering firms. The Library Board has a \$50,000 CDBG grant and matching funds from the Friends of the Library to continue with the project. City Manager Phelps reported the building committee met ahead of the Library Board meeting and the decision was to continue with Mosaic. City Manager Phelps further explained the Library Board had explored the option of utilizing Snowy Mountain Development (SMD) to administer the grant, but due to the cost increase it was determined it would be done by the City. City Manager Phelps commented there is no action on this item and it is just an update on where the Library is at on the project. Mr. Don Bost, building committee member, commented that he looked in to Mosaic and contacted other communities and Mosaic is spoken very highly of and has done other work in this community.

6. Discussion and action on first reading on Ordinance No. 1775, An Ordinance Amending Section 10-5-3 of the Lewistown City Code Relating to Snow Routes and Parking Restrictions

City Manager Phelps stated this is a first reading and it does very little to change the snow route but does allow changes of streets and designations of streets by resolution. City Manager Phelps explained that during the

ordinance committee the streets affected by the snow ordinance were discussed. There were some streets that were missed and maybe some that should be a Tier II instead of Tier I. The use of a resolution might be the mechanism that would allow changes to be made in the season. Commissioner Robertson made the motion to approve first reading on Ordinance No. 1775, An Ordinance Amending Section 10-5-3 of the Lewistown City Code Relating to Snow Routes and Parking Restrictions 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 City Clerk took a roll call vote with all being in favor.

CITIZENS' MINUTE

There were none.

COMMISSIONER'S MINUTE

Commissioner Buehler reported she received an email talking about snow routes and snow berms and how the City can more effectively clear out areas especially in front of schools.

Commissioner Buehler stated she has been questioned about the process for changes to traffic patterns. City Manager Phelps asks the request by made in writing. City Manager Phelps explained these types of requests are talked about in the department head meeting. City Manager Phelps stated she also talks with both the Police Chief and Fire Chief.

Commissioner Robertson commented that the likes the City Manager Report.

Commissioner Robertson stated he received the same email about snow removal around the school and how it needs to be a priority early in the morning before everyone shows up and not after.

Commissioner Robertson reported he has received a comment regarding the alternate parking if it is not snowing.

Commissioner Hewitt commented on how fast the apartments are moving on Rosewood.

Commissioner Day asked about the goals and when should it be turned in. City Manager Phelps answered it will be an upcoming committee of the whole. The goals are used to establish the budget.

ADJOURNMENT

Chairman Day adjourned the meeting.

Dated this 2nd day of February, 2026.

Loraine Day, Commission Chairman

ATTEST:

Nikki Brummond, City Clerk