A REGULAR COMMISSION MEETING OF THE LEWISTOWN CITY COMMISSION ON AUGUST 17, 2026, WHICH WAS HELD AT THE CENTRAL MONTANA COMMUNITY CENTER AND STARTED AT 7:00 P.M.

CALL TO ORDER

Vice Chairman Buehler called the meeting to order.

PLEDGE OF ALLEGIANCE

Vice Chairman Buehler asked everyone to stand and say the Pledge to the Flag.

ROLL CALL

Present were Commissioners: Bowser, Buehler, Hewitt, Robertson, Shaver, and Warren. Commissioner Day was absent.

APPROVAL OF MINUTES

Vice Chairman Buehler stated that without objection and based on the corrections the minutes for August 3, 2026, and the August 3, 2026 special meeting are approved.

COURTESIES

There were none.

PROCLAMATIONS

There were none.

BOARD AND COMMISSION REPORTS

Commissioner Hewitt reported on the Airport Board meeting. The paving is substantially complete, and the striping is scheduled for September. The Fish Wildlife and Parks will restore its trailer site once they relocate. The Airport Board discussed improvements to accommodate semi-truck turns at the electric gate.

Commissioner Warren reported that a Public Works Director has been hired and is expected to start mid-September. It appears that applicant interest has improved for other open positions.

Commissioner Bowser reported that the Library Board and the Ordinance Committee will meet on Wednesday, August 18th.

Commissioner Buehler reported that the Central Montana Foundation meeting is scheduled for August 25th and the Audit Committee will meet on August 20th.

CITY MANAGER REPORT

City Manager Holly Phelps reported on the following items:

The last tax payments received from the County were for April. We continue to wait for the May and June payments.

The Public Works Department has been painting school and trail crosswalks around the schools and along the trails. They have also installed new traffic control devices in the Lewis and Clark area to help with pedestrian safety and help with traffic congestion in the area.

The city does not own or operate Flock or other license plate reading cameras. There is a camera at Creekside used to deter vandalism and provide recorded information to law enforcement when needed.

The Lewistown Downtown Association Hot Summer Nights/Days events are approaching.

The pool season has been extended with volunteer assistance through August 29th. Updated hours and information are available on the City Pool's Facebook page.

The biosolids upgrade project received $850,000 in principal forgiveness and remains under DEQ review.

The zoning survey closed at the end of July with approximately 130 responses; the results are being compiled.

PUBLIC COMMENT – non-agenda items

Mr. John Carlson reported he was able to read the claims report for this meeting, and it appears that a vinegar-based weed control solution along the trails is being used and suggested recruiting volunteers to help. Mr. Carlson noted this approach may avoid pesticide-certification concerns.

Ms. Michelle Raney expressed her concern that the zoning survey was not widely publicized or accessible to residents without internet access. She also raised parking and traffic concerns near the Spring Street apartment development and asked the City to consider residential permit parking.

Mr. Mike Byrne stated that permit-parking systems have been used in other Montana communities and the residents of Esplanade are looking into permit parking in the affected residential areas and hope the Commission will consider it.

Dean Allen raised concerns about long-standing junk vehicles, overgrown trees, blocked sight lines, and code-enforcement priorities.

CONSENT AGENDA

Commissioner Hewitt made the motion to approve the consent agenda and Commissioner Warren seconded the motion. The motion passed unanimously. The consent agenda was the acknowledgment of the claims that have been paid for July 31, 2026, in the amount of $975,474.96 and the acknowledgment of the claims that have been paid from August 1, 2026, to August 14, 2026, in the amount of $285,611.97.

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

1. Discussion and action on approving Resolution No. 4229, a resolution an application request from St. Leo's Catholic Church for TIF funds made to the Lewistown Tax Increment Advisory Committee

City Manager Phelps reported the Lewistown TIF advisory committee received an application from St. Leo's for funds to be utilized for their ADA ramp that is currently under construction, and the request was for twenty thousand dollars. The total cost of the project is significantly more. City Manager Phelps reported the committee did approve the application to award twenty thousand dollars to St. Leo's for the handicap ramp. Father Mathew explained the church has been engaging in some very necessary restoration projects at the church. Father Mathew stated the ramp in front of the church was number one because it is not ADA compliant and is very dangerous in the winter months. Father Mathew explained the requested funding will assist with the overruns of the ramp project. Mr. Dave Byerly explained this application was discussed at length. The statue is very clear about ADA compliance regarding buildings that are used for public events, and this project qualifies. Mr. Byerly stated again this project has nothing to do with worship. Mr. Byerly further stated TIF funds have funded a number of projects that weren't necessarily for-profit business but do enhance the quality of life and the economic development in the TIF district. Commissioner Hewitt made the motion to approve Resolution No. 4229, a resolution an application request from St. Leo's Catholic Church for TIF funds made to the Lewistown Tax Increment Advisory Committee and Commissioner Shaver seconded the motion. Commissioner Buehler 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 Commissioners Buehler, Hewitt, Robertson and Shaver voting in favor of the motion. Commissioners Bowser and Warren voted against, and Commissioner Day was absent.

2. Discussion and action on approving amendment #2 to the Honda Shop Railroad lease

City Manager Phelps explained the Lewistown Honda Shop is looking to sell, and the new buyers have proposed a second amendment to the railroad lease. City Manager Phelps further explained the Commission has seen the railroad lease at a previous meeting the Commission approved the term of the lease to 15 years and that would be the first amendment. City Manager Phelps stated she has asked Martin Smith, Felt Martin PC, to review the second amendment. Contract Attorney Martin Smith reported that he had reviewed the second amendment, the railroad lease as well as the documents that preceded all the way back to the BNSF railway contract selling the property to the city, as well as the applicable federal laws and regulations with the Surface Transportation Board. Contract Attorney Martin Smith advised that the proposed amendment would allow the leasehold to be encumbered and would restrict the City's ability to modify, cancel, or surrender the lease without lender consent. Those provisions conflicted with the City's railbanking agreement and federal obligations requiring the property to be returned free of liens if rail service is restored. The amendment also included subleasing language that appeared inconsistent with the original lease. Contract Attorney Martin Smith recommended the Commission not agree to the second amendment of the lease. Commissioner Robertson made the motion to reject amendment #2 as presented and requested revised language consistent with the City's federal railbanking obligations and Commissioner Shaver seconded the motion. Commissioner Buehler 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 Commissioners Bowser, Buehler, Hewitt, Robertson and Shaver voting in favor of the motion. Commissioners Warren recused himself and Commissioner Day was absent.

3. Discussion and action on reappointing Mr. Scot Solberg to an additional four-year term on the Lewistown Tax Increment Advisory Committee

City Manager Phelps explained that Mr. Scot Solberg has served on the Lewistown Tax Increment Advisory Committee since its creation in 2016, including serving as chair. Mr. Solberg has expressed his willingness to serve another four-year term. City Manager Phelps reported the TIF Advisory Committee did recommend the reappointment. Commissioner Robertson made the motion to reappoint Mr. Scot Solberg to an additional four-year term on the Lewistown Tax Increment Advisory Committee and Commissioner Hewitt seconded the motion. Commissioner Buehler asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

4. Discussion and action on an agreement with Fergus County regarding maintenance and further development of H Street

City Manager Phelps explained an agreement was handed out tonight to the Commission explaining that Fergus County is willing to do maintenance and asphalt on the portion of H Street that is currently located in the county and in return they have asked that the City agree to basically consider it City right of way. The portion of H Street being discussed is north of the intersection with G Street to approximately the truck bypass. City Manager Phelps stated the County does know it is in poor condition, and they do understand that they would have obligation to pave that section. City Manager Phelps further explained the City is responsible for the remainder of H Street, which means staff are already out there plowing and maintaining the street. It is also understood that it would have to be annexed into the City limits. Fergus County Commissioner Ross Butcher explained that section being discussed is heavily traveled and does not fit the County's normal gravel road maintenance program. Fergus County Commissioner Butcher explained that H Street will be repaired and paved to match the adjoining improvements. Commissioner Robertson made the motion to approve an agreement with Fergus County regarding maintenance and further development of H Street and that it does not trigger any annexation of adjacent property owners and Commissioner Bowser seconded the motion. Commissioner Buehler asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

5. Discussion and action on approving the upfitting for the new Police Vehicle

City Manager Phelps explained that earlier this year the Police Chief solicited bids for a new police vehicle and the Commission approved it. The vehicle has been manufactured and will be making its way to Montana soon. City Manager Phelps further explained the next step in this process is to approve the upfitting of the vehicle. The upfit includes sirens, cage, decals and radios. The bid is for approximately $20,000 to be paid out of the general fund and it is currently included in the fiscal year 2027 budget. There was a brief discussion on the current financial situation, but it was determined that by approving the request it allows the equipment to be ordered and the ability to schedule the upfitting with payment anticipated upon completion in December or January. Commissioner Shaver made the motion to approve the upfitting for the new Police Vehicle and Commissioner Robertson seconded the motion. Commissioner Buehler asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

6. Public hearing to hear comments on Resolution No. 4230, a resolution approving the fiscal year 2027 work plan and budget for Tourism Business Improvement District #1

Vice Chairman Buehler opened the public hearing on Resolution No. 4230, a resolution approving the fiscal year 2027 work plan and budget for Tourism Business Improvement District #1. City Manager Phelps explained that the Tourism Business Improvement District (TBID) is made up of hotels that have 6 or more rooms and charge $2.00 a night assessment to guests. The TBID board utilizes the money generated to promote the community, sponsor events and opportunities that encourage tourism in the community. The resolutions include the work plan and budgets for fiscal year 2027 and they do not anticipate any large changes. City Manager Phelps commented that the Trails End had some fire damage and may not be as functional as in previous years. Commissioner Bowser verified this district does not include bed and breakfasts or vacation rentals. City Manager Phelps answered yes, it only includes hotels with 6 or more rooms. There was a brief discussion on the make-up of the TBID Board and who does the marking. Commissioner Buehler asked for comments from the audience and Commission. There being none, the public hearing was closed.

7. Discussion and action on approving Resolution No. 4230, a resolution approving the fiscal year 2027 work plan and budget for Tourism Business Improvement District #1

City Manager Phelps explained the $2.00 assessment per night per room is used to fund the TBID budget and the TBID board funds sponsorships, events, other activities and help to market the community. Commissioner Bowser made the motion to approve Resolution No. 4230, a resolution approving the fiscal year 2027 work plan and budget for Tourism Business Improvement District #1 and Commissioner Hewitt seconded the motion. Commissioner Buehler asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

8. Discussion and action on approving Resolution No. 4231, a resolution approving an assessment to defray the cost of the work plan and budget for Tourism Business Improvement District #1 for fiscal year 2027

City Manager Phelps explained the assessment is collected by the City and then the board determines how to spend the assessments based on the work plan approved by the City Commission. Commissioner Shaver made the motion to approve Resolution No. 4231, a resolution approving an assessment to defray the cost of the work plan and budget for Tourism Business Improvement District #1 for fiscal year 2027 and Commissioner Bowser seconded the motion. Commissioner Buehler asked for comments from the audience and Commission. There being none, the question was called for and the motion passed unanimously.

CITIZENS' REQUESTS

Ms. Michelle Raney again expressed her concerns about parking and property values near the Spring Street apartment development and requested assistance in identifying options for residential parking.

Ms. Angie Wright reported there are large potholes on the City portion of Casino Creek and requested they be repaired.

Mr. Jason Carlson commented he had difficulty hearing this evening and would appreciate if the Commission would look at options for improved sound.

COMMISSIONER'S MINUTE

Commissioner Shaver thanked the public for attending.

Commissioner Warren reported he has also received some complaints regarding Casino Creek Road.

Commissioner Buehler noted the need for future discussion regarding boulevard maintenance and opportunities for community participation.

ADJOURNMENT

Vice Chairman Buehler adjourned the meeting.

Dated the 17th day of August 2026.

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Danielle Buehler, Vice Chair of the Commission

ATTEST:

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Nikki Brummond, City Clerk