

RESOLUTION NO: 3792

A RESOLUTION DECLARING THE CITY COUNCIL INTENT TO CREATE A MILES CITY DOWNTOWN URBAN RENEWAL DISTRICT WITH TAX INCREMENT AUTHORITY; DECLARING THE EXISTENCE OF BLIGHT WITHIN THE MILES CITY DOWNTOWN URBAN RENEWAL AREA

WHEREAS, at the July 8, 2014 City Council meeting, the council adopted Resolution 3705 that declared blight, stated the intent to create an urban renewal district;

WHEREAS, Resolution 3752 amended the legal description set forth in Resolution 3705 for the District boundaries, and was adopted at the October 14th, 2014 City Council Meeting

WHEREAS, Ordinance 1279 was adopted at the November 12th, 2014 City Council meeting adopting the Downtown Miles City Urban Renewal Plan -with Tax Increment Provision,

WHEREAS, the City wishes to provide the proper public notification of its intent to create the Miles City Downtown Urban Renewal District and follow the process as outlined in State Law, and is adopting this amended resolution as part of the required process;

WHEREAS, Due to an oversight during the first required notification period, proper notice was not provided to all property owners in the district. To correct the deficiency and ensure statutory compliance, the resolution of intent to create a Miles City Downtown Urban Renewal District with tax increment authority is to be passed again after proper public notice and public hearing.

WHEREAS, under the provisions of Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended (the "Act"), the City of Miles City, Montana (the "City") is authorized, among other things, to identify and declare an area as containing blight with the intention of eliminating it through urban renewal; and

WHEREAS, the City is authorized by the Act to create urban renewal areas with tax increment provisions by adopting an urban renewal plan by ordinance;

WHEREAS, the City Council desires to conduct a public hearing on said urban renewal plan for the proposed Miles City Downtown Urban Renewal District, to determine whether there is any public opposition, following proper notice, to the creation of the district and prior to the Council's ratification of the said plan.

NOW, THEREFORE, the City Council of the City of Miles City, Montana, declares and resolves as

1. Legal Description of Miles City Downtown Urban Renewal District The area being considered for inclusion in the proposed urban renewal area is described as:

Beginning at the intersection of Tatro Street and 7th St, continuing east on Tatro Street along the northern border of the City's easement right of way setback to the municipal

limits, paralleling the city limits south and east to the intersection of Ullman St and Gordon St, continuing east on Gordon Street along the northern border of the City's easement right of way setback to the intersection of Gordon St and Woodbury St, continuing South on Woodbury along the eastern border of the City's easement right of way setback to the intersection of Woodbury St. and Leighton Blvd , continuing west on Washington St along the southern border of the City's easement right of way setback to the intersection of Washington St and 10St, continuing south on 10th St along the eastern border of the City's easement right of way setback to the intersection of 10th and Pleasant St, continuing east along the northern border of the City's easement right of way setback to the intersection of Pleasant St and N Center Ave, continuing South on N Prairie Ave along the eastern border of the City's easement right of way setback to the intersection of N Prairie Ave and Main St, continuing east on Main Street along the northern border of the City's easement right of way setback to the intersection of Main St and S Lake Ave, continuing south along the eastern border of the City's easement right of way setback to the intersection of S Lake Ave and Fort St, continuing west on Fort Street along the southern border of the City's easement right of way setback to the intersection of Fort St and S Montana Ave, continuing southwest on Montana Street along the southwestern border of the City's easement right of way setback to the intersection of S Montana Ave, Pearl Street and 10th St, continuing northwest on 10th St along the southern border of the City's easement right of way setback to the intersection of 10th St and S Montana Ave and Atlantic Ave, continuing southwest on Atlantic along the southeastern border of the City's easement right of way setback to the intersection of Atlantic and NueVu, continuing southeast on NueVu along the eastern border of the City's easement right of way setback to the intersection of NueVu and Yellowstone, continuing southwest on Yellowstone along the southern border of the City's easement right of way setback to the city limits and the Tongue River, following the municipal limits west, north, and east to the intersection of Dike Rd and Wilderness Rd, continuing northeast on Wilderness Rd to the intersection of Wilderness Rd and Hubbell St, continuing east on Hubbell St. along the northern border of the City's easement right of way setback to the intersection of Hubbell St and 6th St, continuing north on 6th St along the western border of the City's easement right of way setback to the intersection of 6th and William St, continuing east on William St along the northern border of the City's easement right of way setback to the intersection of William St and 7th St, continuing north on 7th St along the western border of the City's easement right of way setback north to the intersection of 7th St and Tatro Street.

2. Determination of blight. A requirement of Montana Annotated Code 2013 is to justify an urban renewal plan through the determination of blight. Blight is defined as an area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs or arrests the sound growth of the city or its environs; retards the provision of housing accommodation; or constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:

- the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements,

whether residential or nonresidential;

- inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality; inappropriate or mixed uses of land or buildings;
- defective or inadequate street layout;
- faulty lot layout in relation to size, adequacy, accessibility, or usefulness; unsanitary or unsafe conditions;
- deterioration of site;
- improper subdivision or obsolete platting;
- the existence of conditions that endanger life or property by fire or other causes;

The area in the proposed district contains a great deal of blight. Within the district there is substantial structural deterioration, long-term land vacancy, and significant infrastructure needs. Several of the commercial buildings in the district are vacant or deteriorated and need demolition. Many of the sidewalks are cracked or nonexistent, alleys are deteriorated, and, in general, much of the area is below city standards. Montana Code 7-15-4206(2) provides statutory guidance to determine the eligibility of an area of a city to be deemed as blighted. Specifically MCA 715-4206(a)(i)(j)(n) are all items that relate to the condition of the proposed Miles City Downtown Urban Renewal District. The area is currently undergoing a transition as more commercial uses relocate to other parts of the community leaving behind vacant storefronts and underutilized parcels. This continued lack of investment requires that action be taken by both public and private parties. Portions of the district fall into the blighted, neglected and under-utilized categories. The Miles City Downtown Urban Renewal District Map shows the current infrastructure conditions within the district, attached hereto as Exhibit "A", and made a part hereof, is hereby approved.

3. Intent to Create an Urban Renewal District with Tax Increment Authority.

Pursuant to the Act and considering the blighted conditions cited above, the City Council declares its intention to create a Miles City Downtown Urban Renewal Area and that public improvements that will stimulate private investment in the area may be financed in part through tax increment generated from the District, subject to a public hearing and adoption of the draft urban renewal plan by ordinance.

4. Public Hearing. A public hearing is hereby called and shall be held on May 12, 2015 at 7:00 p.m. in the Council Chambers at 17 S 8th Street, Miles City, Montana, on whether to adopt the draft urban renewal plan for the proposed Miles City Downtown Urban Renewal District.

5. Publication and Mailing of Notice. The City Clerk is hereby authorized and directed to cause notice of the public hearing to be published in the Miles City Star at least twice with at least 6 days separating each publication prior to the date set for the hearing and to mail notice of such hearing not less than 10 days prior to the date of the

hearing to the persons whose names appear on the county treasurer's tax roll as the owners, reputed owners, or purchasers under contract for the deed of the Property, at the addresses shown on the tax roll.

APPROVED AND PASSED by the City Council of the City of Miles City this 14th day of April,
2015.

CITY OF MILES CITY

BY: Chris A. Grenz
Chris A. Grenz, Mayor

ATTEST:

BY: Lorrie Pearce
Lorrie Pearce, City Clerk

EXHIBIT A: MILES CITY URBAN RENEWAL DISTRICT MAP

