

RESOLUTION NO. 3885

A RESOLUTION RELEASING REQUIREMENTS OF CERTAIN LEASE AGREEMENTS PERTAINING TO CITY OF MILES CITY PROPERTY LEASED BY JERRY SINGLETON AND ALLOWING TRUCK WASHING OPERATIONS.

WHEREAS, the City of Miles City leases certain real property located within the Industrial Site located West of Miles City, Montana;

AND WHEREAS the two leases hereinbefore referenced require that the City give written approval prior to the Tenant conducting truck washing operations on City property, and that the Tenant have obtained a discharge permit from the State of Montana;

AND WHEREAS the City of Miles City is satisfied that truck washing operations may be conducted in such a manner which will not cause damage to the environment, or damage to adjacent property;

AND WHEREAS the City of Miles City desires to approve the washing of trucks on said leased property, and to release the requirement that the Tenant obtain a discharge permit from the State of Montana, as the City has been advised by the City Sanitarian that the State of Montana does not require a discharge permit for the truck washing operation which has been proposed;


NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:

1. The City of Miles City hereby releases the requirement of the tenant to obtain a discharge permit from the State of Montana which is contained in the lease agreements between the City of Miles City as Landlord, and Jerry Singleton as Tenant, as set forth in Article K(2)(a) in said agreements which were approved by Resolution No. 2789 and Resolution No. 2790, said leases governing portions of Tracts R, S, and T in the Industrial Site West of Miles City, Montana;

2. The City of Miles City has determined that truck washing operations are able to be conducted on the leased property in such a manner as to not cause damage to the environment or to adjoining properties so long as certain conditions are met, and the City hereby approves the washing of trucks on said leaseholds, according to certain standards which shall be established by the Public Utilities Director for the City of Miles City, and which may be amended by the Public Utilities Director or the City Council from time to time.

3. This approval is conditioned on a requirement that the Tenant promptly reclaim any damage caused by runoff to the neighboring property owned by Bert Boughton; and is further conditioned by a requirement that the Tenant drain and reclaim the holding pond on the leasehold at the termination of his lease, that the berm on the north end of the pond be increased by a height of four feet and be sloped, that the berm be wide enough that an ATV can be operated along the top of the berm, and that the Tenant complete a plan for maintenance and dewatering at the site which shall be approved by the Public Works Director.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 23rd DAY OF FEBRUARY, 2016.



John Hollowell, Mayor

ATTEST:



Lorrie Pearce, City Clerk