

AGENDA

*Regular Council Meeting
City Council Chambers*

*February 12, 2013
7:00 p.m.*

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL**

1. **APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES**
 - a. City Council Meeting 1/22/2013
 - b. Human Resources Meeting 1/22/2013
 - c. Finance Committee Meeting 1/29/2013
 - d. Public Safety Meeting 1/30/2013
 - e. Public Services Meeting 1/30/2013
2. **SCHEDULE MEETINGS**
3. **REQUEST OF CITIZENS& PUBLIC COMMENT**
4. **APPOINTMENTS**
City Attorney: Daniel Z. Rice
5. **PROCLAMATIONS**
6. **STAFF REPORTS**
Police Chief Doug Colombik: Health Issues Regarding Pigeons in Miles City
7. **CITY COUNCIL COMMENTS**
8. **MAYOR COMMENTS**
Montana Dept of Natural Resources & Conservation – Floodplain Manager Award to Samantha Malenovsky
9. **PUBLIC HEARINGS**
 - a. **ORDINANCE NO. 1249:** An Ordinance Restricting The Budgeting And Expenditure Of General Fund Cash Reserves
 - b. **ORDINANCE NO. 1250:** An Ordinance Revising Sections 16-43 Of The Code Of Ordinances Of The City Of Miles City, Montana So As To Prohibit The Discharge Of Firearms On City Owned Or Leased Lands Within Three (3) Miles Of The City Limits Except At Approved Shooting Ranges.

10. **OLD BUSINESS**

- a. **ORDINANCE NO. 1249:** An Ordinance Restricting The Budgeting And Expenditure Of General Fund Cash Reserves
- b. **ORDINANCE NO. 1250:** An Ordinance Revising Sections 16-43 Of The Code Of Ordinances Of The City Of Miles City, Montana So As To Prohibit The Discharge Of Firearms On City Owned Or Leased Lands Within Three (3) Miles Of The City Limits Except At Approved Shooting Ranges.

11. **BID AWARD**

South Strevell/Merriam Street -- Water/Storm Sewer Project: Western Municipal; Project A through G: \$2,405,465

BID OPENING

Parks Department Request: Purchase of Tool Cat

12. **NEW BUSINESS**

- a. Approval of Claims
- b. Select Council Representatives for Mediation
- c. **RESOLUTION NO. 3579:** A Resolution Authorizing The City Of Miles City To Apply For The Montana Department Of Commerce Montana Main Street Program As An Affiliate Member.
- d. Acceptance of Easement at Southgate Meadows: Pump House, Water Tank, Storm Water Detention in New Development
- e. Attorney's Legal Opinion – Lease/Purchase of City Lands

13. **ADJOURNMENT**

Public comment on any public matter that is not on the agenda of this meeting can be presented under Requests of Citizens, provided it is within the jurisdiction of the City to address. Public comment will be entered into the minutes of this meeting. The City Council cannot take any action on a matter unless notice of the matter has been made on an agenda and an opportunity for public comment has been allowed. Public matter does not include contested cases and other adjudicative proceedings.

REGULAR COUNCIL MEETING

January 22, 2013
7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, January 22, 2013, in the Conference Room at City Hall, 17 S. 8th Street, Miles City, Montana. Mayor C. A. Grenz called the meeting to order. Council Members present were Dwayne Andrews, Roxanna Brush, John Hollowell, Mark Ahner, Jerry Partridge, John Uden, Bill Melnik and Sue Galbraith.

Also present were Deputy City Attorney Erica Griffith, Fire Chief Dale Berg, City Planner Dianna Broadie, Police Captain Casey Prell, Public Utilities Director Al Kelm, and Council Recorder City Clerk Becky Stanton.

PLEDGE OF ALLEGIANCE

Mayor Grenz led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

Regular Council Minutes – 1/8/2013

- ** *Councilperson Uden moved to approve the minutes of the Regular Council Meeting of January 8, 2013, seconded by Councilperson Galbraith.*
- ** *Councilperson Brush moved to strike the last two sentences of the meeting “City Clerk Stanton stated sure, if it is okay with my boss. Mayor Grenz said “Shit, I don’t run the City, you do.”. The motion was seconded by Councilperson Ahner. The motion passed, 4-3 with one abstention, with Councilpersons Galbraith, Partridge and Andrews voting nay and Councilperson Hollowell abstaining.*
- ** *The original motion was passed unanimously, 8-0.*

SCHEDULE MEETINGS

Finance Committee: Tuesday, January 29, at 6:00p.m.

Public Safety Committee Meeting: Wednesday, January 30, at
12:00p.m. - Noon

Public Service Committee Meeting: Wednesday, January 30, at 12:30p.m.

REQUEST OF CITIZENS & PUBLIC COMMENT

Ken Stabler, Stabler Trucking, gave the Council a timeline that relates to leasing land behind Tire Rama in the Industrial Site. In 2008 he met with John Marks, City Planner, about putting a 70 foot truck scale on the above land. He had visited with Fred Scheid of Tire Rama and Sam Onstead of United Parts to determine if they wanted the land, and they did not. In 2010 Councilperson Ahner and the City Council drafted a lease agreement for approximately \$2,100 annually for ten years, and then revisit it for another ten years. Mayor Whalen did not sign the lease. He did not feel that the City Council had a fair and equitable process to making the property available to the general public. In 2011, Mayor Grenz took over, but nothing has happen. The next Mr. Stabler heard was that the City was going to place the above land out for competitive bid. He does not want to sue the City. He can't figure out why someone who is born and raised in Miles City, who is trying to increase his business and do some things for the City, can't rent property from them. He owns a small business, but it does pay over \$200,000 in property taxes and leases to the County and the City. If this land goes out for competitive bid, he will not feel he was treated fairly. He felt the City and he had a deal three years ago and wondered why they did not still have a deal.

Councilperson Uden asked Deputy City Attorney Griffith if there was anything that would give Mr. Stabler the right to continue with his rental agreement approved by Council. She stated that since there was not a resolution, the lease is not valid. MCA Code states that any resolution has to be in writing. She will review the process for competitive bids to lease property.

Councilperson Ahner stated the Finance Committee and the City Council had approved the lease of the five vacated lots that Tire Rama did not want. Mayor Whalen would not sign the lease until procedures were in place on how to deal with the purchase or lease of City owned property. He was concerned about the City being sued if they did not do a competitive bidding process. The City has subsequently adopted a Resolution to do competitive bidding on the purchase or lease of vacant City land. There was not any money paid by Stabler Trucking.

Councilperson Andrews stated the City has already made an agreement so he feels the city owes Mr. Stabler an opportunity to lease the land since he started the process before the adoption of the Resolution.

Councilperson Ahner offered the suggestion that the land be placed for competitive bid and Mr. Stabler have the option to match the highest bid.

Councilpersons Galbraith, Hollowell, Uden and Mayor Grenz wanted to wait until they receive an Attorney's opinion.

** *Councilperson Uden made a motion to defer this until Council receives a legal opinion; Councilperson Melnik seconded the motion. The motion passed unanimously, 8-0.*

APPOINTMENTS

-None

PROCLAMATIONS

-None

STAFF REPORTS

-None

CITY COUNCIL COMMENTS

Councilperson Ahner – Interlocal agreement is close to being agreed upon. He passed out a copy of a letter from City Labor Attorney Larry Martin dated January 14, 2013. It was in reference to the mediation and who would be part of the mediation team. It reminded the Council that they had final approval of the mediation outcome.

Councilperson Uden – the Council determines who will represent them during mediation.

Councilperson Galbraith – Flood Control Ordinance needs to be updated. She toured the Water and Wastewater Plants and wanted to commend the crews for saving money.

Councilperson Hollowell – Requested updates on Phase I for the sewer projects and Riverside Restroom Project. Public Utilities Director Kelm gave the updates. He asked if Dennis Hirsch and Mike Rinaldi were using up-to-

date building codes. Deputy City Attorney Griffith said that it was updated. He then mentioned that Chapter 2, Article IV, Division 6. City Engineer, in the City Ordinances needs to be followed or changed.

MAYOR COMMENTS

-None

PUBLIC HEARINGS

ORDINANCE NO. 1250: An Ordinance Revising Sections 16-43 Of The Code Of Ordinances Of The City Of Miles City, Montana So As To Prohibit The Discharge Of Firearms On City Owned Or Leased Lands Within Three (3) Miles Of The City Limits Except At Approved Shooting Ranges.

** *Mayor Grenz referred this to Public Safety Committee and it will be on the February 12th Council meeting.*

OLD BUSINESS

ORDINANCE NO. 1250: An Ordinance Revising Sections 16-43 Of The Code Of Ordinances Of The City Of Miles City, Montana So As To Prohibit The Discharge Of Firearms On City Owned Or Leased Lands Within Three (3) Miles Of The City Limits Except At Approved Shooting Ranges.

** *Mayor Grenz referred this to Public Safety Committee and it will be on February 12th Council meeting.*

BID AWARDS

-None

BID OPENING

South Strevell/Merriam Street – Water/Storm Sewer Project

The work for the bids is as follows:

A = Mobilization

B = S. Strevell Avenue rebuild, Stower to Wilson

C = S. Strevell Avenue water line improvements, Stower to Wilson

D = S. Merriam Avenue storm improvements, Stower to Wilson

E = S. Merriam Avenue water improvements, Stower to Wilson
F = S. Jordan Avenue water improvements
G = S. Custer Avenue water improvements

Public Utilities Director Kelm opened the bids and they are as follows:

1. Nelcon – A-C \$1,595,788.50 A-G \$2,954,036.50 A-E \$2,224,301.50
2. JEM Contracting - A-C \$1,137,958. A-G \$1,787,301 A-E \$2,521,976
3. Jacksons Contractors Group - A-C \$1,298,839.50 A-G \$2,436,039.50 A-E \$1,842,079.50
4. COP Construction - A-C \$1,182,913 A-G \$2,698,422 A-E \$1,927,322
5. Western Municipal – A-C \$1,308,191 A-G \$2,405,465 A-E \$1,835,056

*** Councilperson Ahner made a motion to send the bids to the Finance Committee for review and recommendations, seconded by Councilperson Uden. The motion passed unanimously, 8-0.*

NEW BUSINESS

ORDINANCE NO. 1249: An Ordinance Restricting The Budgeting And Expenditure Of General Fund Cash Reserves

*** Councilperson Ahner moved to approve the Ordinance, read in its entirety, seconded by Councilperson Brush.*

Mayor Grenz explained that the City is spending more money than it is bringing in. He feels this ordinance will prevent that. Councilperson Andrews asked if the City wants to fund the study for the dike, then Council would have to pass by 2/3 vote to do it. He feels it ties Councils' hands to fund unforeseeable situations. While it is important to be fiscally responsible, if there are funds available to pay for important problems, then the Council needs to be able to do so.

Councilperson Partridge stated that this is a clever way for the Mayor to control the funds that the Council has always operated with. The Mayor is going to reach over and tell the Council how they are going to spend the money, which is not the Mayor's job.

Mayor Grenz replied that he feels it is his responsibility to make sure the City has some money to operate with.

Councilperson Andrews asked Councilperson Ahner what the current cash reserves balance was and if it accumulates each year. Councilperson Ahner stated it was about \$801,000 and, yes, it does accumulate.

Councilperson Ahner stated that he supports the ordinance in general, but there are ramifications if the Council adopts this ordinance. He said it would be nice if there was a balanced budget, but that has not occurred in the nine years he has been a Councilperson. The cash carryover has always been used to balance the General Fund. For the current fiscal year, there was about \$200,000 used to balance the General Fund. With the passage of this ordinance, this can still be done, but it will take 2/3 majority of the Council to do it. He mentioned the projects that could potentially use some of the cash reserves and they are \$38,000 for the Riverside Restroom Project, \$15,000 for the prisoner transport van, and \$10,000 for the County Jail Assessment. None of these items have been budgeted. Currently there is a Capital Improvement Fund and this fund will be used to pay for capital items. Council needs to look at this Ordinance carefully to determine if they want to pursue it. The only way to increase revenues for the General Fund is for property values to generate more property taxes. He believes that the new construction should be hitting the tax rolls and increasing the revenues. He would like to see a 10 year analysis done on property taxes.

Councilperson Partridge stated that you can put a lot of lipstick on this, but it is still a pig. The Council is giving up its responsibility to whoever has the votes. That is what politics is, the votes. So if you want to run the City with just enough money, and the Mayor take all money and swirl it away for whatever purpose, this will do it. This whole thing stinks.

Mayor Grenz stated that his office does not have the authority to spend money; that comes from the Council.

*** On roll call votes, the motion passed with Mayor Grenz casting the tie breaking vote. Councilpersons Galbraith, Partridge, Hollowell and Andrews voted nay. This Ordinance will go to the Finance Committee.*

RESOLUTION NO. 3571: A Resolution Authorizing The City Of Miles City To Enter Into An Agreement With Tumblewood Development, Inc. For Sanitation Inspection Services For Calendar Years 2013

*** Councilperson Ahner moved to approve the resolution, read by title only, seconded by Councilperson Uden.*

Councilperson Brush noted that the Health Board has approved the contract with Tumblewood Development.

** *On roll call vote, the motion then passed unanimously, 8-0.*

ADJOURNMENT

** *Councilperson Uden made a motion to adjourn the meeting, seconded by Councilperson Brush. Motion passed unanimously.*

The meeting was adjourned at 8:10 p.m.

C.A. GRENZ, Mayor

Becky Stanton, City Clerk

Human Resources Committee

January 22, 2013

The **Human Resources Committee** met Tuesday, January 22, 2013, at 12:00 p.m. in the Conference Room at City Hall. Present were Committee Chairperson John Uden, Committee Members Bill Melnik, Mark Ahner and Roxanna Brush. Also present were Councilpersons John Hollowell, Jerry Partridge, Sue Galbraith and Dwayne Andrews, Mayor C.A. Grenz, City Clerk Becky Stanton, HR/Payroll Officer Billie Burkhalter, Connie Watts, Finance Clerk and Committee Recorder Linda Wildman.

1. Roll Call

- Noted above

2. Elect Chairperson of Committee

Nominations were taken for Chairperson of the Human Resource Committee.

*** Committee Member Melnik moved to nominate John Uden for Human Resource Committee Chairperson. Motion seconded by Committee Member Brush and on roll call vote motion passed with Ahner, Brush and Melnik in favor. Chairperson Uden abstained.*

3. Establish City Hiring Plan for Second Half of this Fiscal Year

Mayor Grenz explained his intentions to change the hiring policy and suggests the Human Resource Committee do interviews and screening with recommendations to him for hiring.

Committee Member Ahner pointed out that due to miscommunication or lack of understanding things had gone awry in regards to positions particularly from Jan 1st thru June 30, 2013. The City Clerk and the Mayor had made an agreement when the final budget was made for FY12/13. Committee Member Ahner would like the City to get on track with positions regarding Finance & Administration as well as City Attorney and Public Works Director positions. He explained the agreement with the City Clerk's office was for a half- time Finance Clerk, full- time Deputy City Clerk and full- time Human Resource/Payroll Clerk thru June 30, 2013. At that time the City Clerk, Mayor and Council will negotiate the half time Finance Clerk position for FY13/14. He said if Linda Wildman chose to put in for the Finance Clerk she would be a valuable resource and allow for training of the new Deputy City Clerk. Also there would be a person hired to shadow the Utility Billing Clerk from January 1, 2013 until the current Utility Billing Clerk retires. Committee Member Ahner recommended to the Mayor to allow the hiring of the person chosen for the Utility Billing Clerk. Mayor Grenz has approved the hiring of Linda Wildman for the Finance Clerk position.

Committee Member Ahner requested a hiring plan for the City Attorney and the Public Works Director. He disagreed with the Mayor's proposal for the entire Human

Resource Committee to be involved in the interview process and suggested possibly two members, along with the immediate supervisor and the Mayor. It would not be necessary for the Mayor to sit in on an interview unless he so desired. He also pointed out that it might be advantageous to have an outside person. As an example, someone who has an engineering background sitting on an interview panel for the Public Works Director for their professional input.

Chairperson Uden suggested it would be appropriate for the Human Resource Committee to be advised of any openings and they could then recommend an interview panel for those positions.

Committee Member Ahner said the position descriptions and hiring should go to Council as a whole after Human Resource Committee makes its recommendation. There was further discussion concerning changing of the current policy.

Councilperson Hollowell inquired about our current interview and hiring policy and how it works. City Clerk Stanton explained her department's interview process as an example.

*** Committee Member Brush moved to recommend that we review the City's interview process. Motion seconded by Committee Member Uden.*

Councilperson Hollowell suggested the hiring process, as well as the interview process, needs to be reviewed and clarified.

*** Committee Member Brush amended the motion to include "review of the interview and hiring policy for the City". Motion seconded by Committee Member Uden. Upon roll call vote; motion was passed with Committee Member Melnik voting nay.*

Chairperson Uden and Committee Member Ahner inquired about the status of the Public Works Director and City Attorney applicants. There were two applicants for the Public Works Director. The City Attorney's posting closed Tuesday and applicants will be forwarded to the Mayor when the Human Resource Officer returns from vacation.

Mayor Grenz stated he wants to go through the job description for Public Works Director and possibly combine positions. Chairperson Uden says State law allows the Mayor to combine positions by Executive Order and it falls within his powers as Mayor. The City Attorney job description has been approved by this Committee.

4. Address proposed amendment(s) of Deputy City Clerk's position description

Councilperson Galbraith questioned why the Deputy City Clerk's job description keeps coming back to the Human Resource Committee for changes when it had been approved both by Human Resource Committee on December 4th and the Council on December 11th and then had come back to Human Resource again on December 28th for changes. The Human Resource Committee has the power to approve the job

description. She stated from an e-mail from City Attorney Huss that on December 19, 2012, that he did not like "preference will be given"; however, said "preferred " was ok. That is is the current job description. She wondered why was this being discussed again.

Mayor Grenz wants to see changes made to include claims in the Deputy City Clerk's position description. He suggested that needs to be included as the Finance Clerk position is agreed upon only until June 30, 2013. If the Finance Clerk position is eliminated, those duties would have to be put back into the Deputy Clerk position description, and he would like to see that in this job description before someone is hired.

City Clerk Stanton stated she was specifically told by the December 4th Human Resource Committee to advertise for those positions.

Mayor Grenz asked why he was not asked to sit in on the interviews and mentioned the prior Mayor did. City Clerk Stanton said Mayor Whalen did not sit in on all interviews. Chairperson Uden pointed out that Mayor Whalen sat in on all police officer interviews.

Mayor Grenz explained that he had received legal advice and, due to past practice, he has no choice but to hire the internal applicant for the position of Deputy City Clerk to prevent a lawsuit. However, he did not want to sign off on the Deputy City Clerk hiring sheet without changes to the job description which best fits the City of Miles City. He wants one thing added before he will sign off on the hiring. He said when the City Clerk takes the only applicant, a friend of hers, and says that is the only applicant, it is flawed. However, he will sign it.

Human Resource/Payroll Clerk Burkhalter stated she takes offense to the statement that a "friend" was hired. The applicant was a qualified internal applicant.

Councilperson Hollowell asked if Mayor Grenz was threatening the Committee by not hiring until they change the job description and what he likes.

Mayor Grenz said he is willing to sign off on the hiring sheet if they put that into the job description.

Chairperson Uden pointed out that the Committee could amend the job description for Deputy City Clerk.

Committee Member Ahner said he did not think it was a problem with the Clerk's office to have accounts payable in both the Finance Clerk and the Deputy City Clerk's position descriptions.

****** *Committee Member Ahner made a motion to include in the Deputy City Clerk's job description "Receive purchase requisitions and determine if requested purchase amount is within the remaining appropriation. Sort and categorize purchase order, invoices, and claims; input the data into the computer. Prepare*

claims approval list and submit to Mayor or Finance Committee for approval. Following the Mayor or Finance Committee approval of the claims approval list, prepare and print the checks. Following the preparation and execution of checks, distribute and mail the checks to the appropriate vendor". Motion seconded by Committee Member Uden. Upon roll call vote motion was passed unanimously.

City Clerk Stanton spoke about her understanding of the Finance Clerk position. It currently includes accounts payable and receivable and she is concerned about too much responsibility being placed upon the new Deputy City Clerk, especially during budget. It is a very busy time of the year and there will be a large learning curve with Budget Prep and the budget process. She understood that the half time Finance Clerk's position would be up for negotiation after June 30, 2013, however, she feels it is a necessary position.

Finance Clerk Wildman stressed her concerns about the lack of staffing if the part-time position is eliminated. During the budget process the Clerk's office also has a large volume of claims, council and committee meetings, billing for all licenses, contracts, leases and other, as well as auditors present doing depreciation and other year end business. Having performed both the Deputy City Clerk and Finance Clerk functions for most of her career, she is aware of the work load and time constraints.

Chairman Uden asked if the Mayor would indicate to our City Clerk that the Deputy City Clerk, Finance Clerk and part-time Utility Billing Clerk positions can be confirmed. Mayor Grenz said he will do that with the understanding that the Deputy Clerk sign off on the changes to that job description.

Human Resource/Payroll Clerk Burkhalter pointed out that they did nothing wrong in this process and the same process has been done numerous times before and after her tenure as Human Resource/Payroll Clerk. She asked to be included in the interview process in the future as the Committee makes changes to the policy.

Mayor Grenz asked that Connie Watts officially accept the position of Deputy City Clerk. Ms. Watts said she would be happy to accept the position.

5. Request of Citizens

Mary Elizabeth Irion, 141 Balsam, asked Committee Member Ahner if he asked to be on the Human Resource Committee or was he appointed. Each member commented that they were appointed. Chairperson Uden explained a Councilperson can request to be placed on a committee, however, it is the Mayor's choice to select whom he desire; with the consent of Council.

6. Committee members' comments

Committee Member Ahner asked to see a position description for the Public Works Director and, if the Mayor decides to combine positions, he would like to see

those changes.

City Clerk Stanton asked what would happen to the two applicants for the Public Works Director position. Committee Member Ahner explained that if the job description was changed substantially, it may have to be re-advertised. After further discussion it was decided to get direction from the City Labor Consultant Larry Martin. Mayor Grenz agreed to contact him. Chairperson Uden asked the Mayor to inform him when he receives information from Mr. Martin so that he can make a request to re-advertise with the new job description. All applicants can then apply and interviews can be scheduled.

7. Adjournment

*** Committee Member Melnik moved to adjourn the meeting. The motion was seconded by Committee Member Brush and passed. The meeting was adjourned at 12:55 p.m.*

Respectfully submitted,

Linda Wildman, Recorder

Chairperson John Uden

Finance Committee Meeting January 29, 2013

The **Finance Committee** met January 29, 2013, at 6:00 p.m. in the City Hall Conference Room. Present were Committee members Mark Ahner, John Uden, Bill Melnik and Roxanna Brush. Also present were Councilpersons Sue Galbraith and Dwayne Andrews, Mayor Chris Grenz, Deputy City Clerk Connie Watts, Public Utilities Director Al Kelm, Floodplain Administrator Sam Malenovsky, Human Resource/Payroll Officer Billie Burkhalter, Finance Clerk Linda Wildman and Recorder City Clerk Becky Stanton.

Selection of Committee Chairperson

- ** Chairperson Melnik moved to nominate Committee Member Mark Ahner as Chairperson to the Finance Committee, seconded by Committee Member Brush.*
- ** Committee Member Uden moved to close nominations, seconded by Committee Member Melnik. The motion carried unanimously, 4-0.*
- ** The original motion carried 3-0, with Committee Member Ahner abstaining. Committee Member Ahner is elected to be Chairperson of the Finance Committee.*

Water and Sewer Debts to Collection

- ** Committee Member Uden moved to recommend to Council approval of sending the water and sewer debts to collection. The motion was seconded by Committee Member Melnik; the motion carried unanimously, 4-0.*

Request to Solicit Bids for Sewer Camera System

Public Utility Director Kelm explained that the new camera would help the crews find problem areas in the sewer collection lines which cause sewer backups. When the problem is located, the crews can repair the area instead of the entire line. The old camera is not reliable anymore and needs repairs, often at a cost of about \$2,000 each time. The new camera would be a tractor type camera that would fit into a 4" pipe and moves forwards and backwards with a tilt head on it. It can also look up service lines, find grease buildups and much more.

- ** Committee Member Brush moved to recommend that the City Council approve the request to solicit bids for the sewer camera system. The motion was seconded by Committee Member Uden; the motion carried unanimously, 4-0.*

Bid Review of Strevell/Merriam/Jordan/Custer Waterline Project

Public Utilities Director Kelm explained that each bidder had to purchase plans for \$50 from Dowl HKM. JEM Construction and Nelcon did not purchase plans from Dowl HKM but downloaded them from the Internet. This requirement was stated in the project manual and the pre-bid meeting. Public Utilities Director Kelm explained that another requirement was that the contractor could not have more than 50% of the work subcontracted out. Jackson Construction Group had 72% of their work subcontracted out. This requirement was also stated in the project manual. These violations eliminate JEM Construction, Nelcon, and Jackson Construction Group. The two bidders remaining are COP Construction and Western Municipal. Dowl HKM Engineer Andy Marum explained that after the low bidder is selected, he will verify their work experience and get references from the owners and the engineers for the projects on which they worked.

- * * *Committee Member Uden moved to remove JEM Construction and Jackson Construction Group from consideration. After discussion, the motion was withdrawn by Committee Member Uden.*
- * * *Committee Member Uden moved that any contractor who does not meet the bid requirements set forth in the information they received from the City be excluded from consideration for this project. The motion was seconded by Committee Member Melnik; the motion passed unanimously, 4-0.*

Public Utilities Director Kelm explained that Western Municipal did not submit their work experience and subcontractor information. According to Assistant City Attorney Erica Griffith, the project specifications and the Invitation to Bid had conflicting directions that could lead to confusion about what information is required. Those conflicting directions make it appropriate for the bidder to be allowed 48 hours to submit the information. Dowl HKM Engineer Marum explained that Western Municipal believed they had submitted a complete bid because they could provide a subcontractor list and work experience within 48 hours of the request for them. When Dowl HKM Engineer Marum submitted a request, he received the information from them within the hour via email with a hardcopy in the mail.

The work for the bids is as follows:

- A = Mobilization, contract bond and insurance, traffic control, force acct.
- B = S. Strevell Avenue rebuild – Stower to Wilson
- C = S. Strevell Avenue water line improvements – Stower to Wilson
- D = S. Merriam Avenue storm water improvements – Stower to Wilson
- E = S. Merriam Avenue water main improvements – Stower to Wilson
- F = S. Jordan Avenue water main improvements
- G = S. Custer Avenue water main improvements

The bids are as follows:

1. Nelcon – A-C \$1,595,788.50 A-G \$2,954,036.50 A-E \$2,224,301.50
2. JEM Contracting - A-C \$1,139,823. A-G \$1,789,166 A-E \$2,528,841
3. Jacksons Contractors Group - A-C \$1,298,839.50 A-G \$2,436,039.50 A-E \$1,842,079.50
4. COP Construction - A-C \$1,182,913 A-G \$2,698,422 A-E \$1,927,322
5. Western Municipal – A-C \$1,308,191 A-G \$2,405,465 A-E \$1,835,056

Public Utilities Director Kelm explained that this area is a high maintenance area requiring repairs several times a year.

Chairperson Ahner explained that if the entire project is not completed, then there would be mobilization costs each time the contractors have to return to complete a section. It may cover two different fiscal years and the budget shortfall may be able to be budgeted in the next fiscal year.

Committee Member Uden noted that the sewer and water systems are old and unreliable and they are costing the City money due to repairs. He is in favor of awarding A-G and then budget additional funds in the next fiscal year to cover some of the expenditures.

Mayor Grenz is in favor of awarding A-G, also due to the mobilization costs alone.

Public Director Kelm explained that the City tries to budget a certain number of blocks of waterline replacement every year in order to replace the old lines. If the City does this as one project and carries it over for two years, there is savings in the mobilization costs. The expense to repair the water lines is significant. It usually occurs when it is cold, and after hours at time and a half.

Councilperson Galbraith asked where the money will come from. Chairperson Ahner explained that \$1,600,000 has been budgeted in the current year. The remaining \$800,000 would be budgeted in next year's budget. Director Kelm explained that there is a certain amount budgeted each year for water line repairs.

*** Committee Member Brush moved to recommend that the Council award the bid to Western Municipal for projects A-G in the amount of \$2,405,465. The motion was seconded by Committee Member Uden; the motion passed unanimously, 4-0.*

Director Kelm clarified that there are new water lines from the intersection of N. Montana and Lincoln to north of the Milwaukee tracks and east of N. Montana.

Review of Ordinance 1249 – Restricting the Budgeting and Expenditure of General Fund Reserves

Mayor Grenz explained that the City in the current fiscal year has spent over \$200,000 more than it brought in with revenue. He said that rate is unsustainable over a period of years. There will be an assessment study for the dike which will cost \$184,000. Those costs, plus another \$200,000 adds up to almost \$600,000, which will use up the \$1,000,000 reserve quickly. He feels this Ordinance will bring the issue to the forefront every budget session.

Committee Member Uden appreciates this issue being brought to the Council's attention. Even though Council tries to keep a balanced budget throughout the fiscal year, if an emergency situation comes up, the department can have the additional funds with a two-thirds vote of the Council. This gives the Council full control of the spending. He feels this is a financially sound Ordinance that works for the best of the City.

Chairperson Ahner had some concerns about this Ordinance when first approached by the Mayor. Property taxes have grown, due to increased growth in Miles City. He agrees with the Mayor in that he would be reluctant to keep spending as the City is currently doing on an annual basis exceeding the increase that the City is benefiting from property taxes. There has not been any unbudgeted item that Council has not approved this year by at least two-thirds vote. That would include the \$10,000 assessment for the County Jail, \$15,000 for the prisoner transport, and \$38,000 for additional costs to the Riverside Park Restroom. Currently, the Council would need 5 votes to pass the above items with a majority of the Council vote; with the new Ordinance the Council would need to pass them with 6 votes or two-thirds vote of the Council. Within the current budget for the General Fund of approximately \$4,200,000, there is still latitude within that budget to apply those expenditures. He explained that the Mayor is referring to the FY 2012-2013 difference between revenues and expenditures budgets. He agrees with the Mayor and believes this is a structural Ordinance that would help discipline the City in regards to budgeting and the expenditure of taxpayer's funds.

City Clerk Stanton clarified that there is a projected shortfall between revenues and expenditures every year during the budget process. There is often times a cash carryover every year to more than cover the budget difference. A Councilperson had requested a recap of the budgeted difference between revenue and expenditures and the cash carryover amount. She went back eight years to Fiscal Year 2005 and determined that six of the eight years had a cash carryover to apply to the cash reserves. There are various reasons for the savings like deferral of capital purchases and vacancy savings. What is projected as a shortfall during a budget may not actually occur since a budget is a prediction. While reviewing the December financial statement for the current fiscal year, it was noted that the City currently has spent less than budgeted.

* * *Committee member Uden moved to recommend that the Council approve the Ordinance. The motion was seconded by Committee Member Melnik;*

Committee Member Brush explained that she would probably vote no on this motion since it had come from Council with less than a two-thirds vote. She believes that it is not beneficial to the Mayor because if he had something that he wanted passed, there is a good chance that it would fail because of the two-thirds majority requirement.

Finance Clerk Wildman explained that she has worked with the Budget Committee a number of years and feels this Ordinance restricts the powers of the Council. She explained that, through the budget process, it is possible to balance the General Fund revenues and expenditures. She explained the process to the Committee.

Chairperson Ahner stated that this Ordinance forces the Budget Committee and the Council to have a balanced budget for the General Fund.

The motion passed unanimously, 4-0.

Review of Position Salaries for the following: Floodplain Administrator, City Attorney, Deputy City Clerk, Accounts Payable Clerk

Chairperson Ahner asked to review the Floodplain Administrator position first.

Floodplain Administrator Malenovsky explained she was first hired as an Auto-Cad Tech. When John Marks terminated his employment with the City of Miles, she was appointed by Mayor Whalen to Floodplain Administrator. Mayor Whalen stated that when she got certified, he would ask for a raise for her. With the change in Mayors, that never occurred. On April 18, 2012, the Human Resources Committee heard her case and voted to "recommend the City provide an appropriate raise, with the amount to be determined by the Finance Committee".

Chairperson Ahner referred to the Human Resources minutes dated April 18, 2012, and noted that Human Resources Chairperson Uden recommended a \$1 - \$2 per hour increase. He referred to Resolution No. 3550 which is the resolution establishing wages and salaries for city employees for FY 2012-2013, and asked Floodplain Administrator Malenovsky if she made the wage listed in the Resolution. She said yes. Chairperson Ahner stated he is very impressed with everything Floodplain Administrator Malenovsky has accomplished in the short time she has been the Administrator. She became a certified Floodplain Manager on July 22, 2011. She is being recognized by

Department of Natural Resources and Conservation (DNRC) as the first ever recipient of the Lewis & Clark Floodplain Manager Award, 2013. This award recognized outstanding individual effort and contributions to floodplain management at the local level. She has also been nominated for the Association of State Floodplain Managers National Larry R. Johnston Local Floodplain Manager Award for 2014.

Chairperson Ahner asked if she would compromise with a \$1.50 raise. She said yes.

*** Committee Member Uden moved to recommend that the Council approve Floodplain Administrator Malenovsky receive a \$1.50 per hour raise effective January 1, 2013. The motion was seconded by Committee Member Brush.*

Mayor Grenz felt that the raise should be effective April 18, 2012, when the Human Resources Committee recommended the raise.

*** Committee Member Brush moved to amend the motion to have the increase in wages be retroactive back to July 1, 2012, when the current Fiscal Year's budget went into effect. The motion was seconded by Committee Member Melnik; the amended motion passed, 3-1, with Chairperson Ahner voting nay.*

*** The original motion passed unanimously, 4-0.*

Chairperson Ahner asked to review the City Attorney position next because he is looking for guidance for compensation for the City Attorney position. The position was changed from a contracted attorney to a City employee due to a state statute.

Committee Member Uden explained that he feels paying the new attorney \$150 per hour is appropriate.

Chairperson Ahner argued against that because a new attorney will not be as fast and efficient as City Attorney Huss was because of his vast experience in working with the City. Attorney Dan Rice, who was the only applicant for that position, told Chairperson Ahner that he was willing to, on his own time, come up to speed in order to not burden the City with a steep learning curve.

*** Committee Member Uden moved that the consideration for salary for the City Attorney be tabled until a future meeting and after interviews are conducted. The motion was seconded by Committee Member Melnik. The motion passed, 3-1, with Chairperson Ahner voting nay.*

Chairperson Ahner asked to review the Deputy City Clerk's position next. Chairperson Ahner placed this on the agenda to be transparent in reference to salary. The Council has set salaries twice; first with the adoption of the budget and second with the adoption of the Salary Resolution No. 3550. The salary used was the MSU study

average wage for Deputy City Clerk, which was \$34,216 or \$16.45 per hour. City Clerk Stanton explained that the position was advertised at \$16.78 per hour, which is the \$16.45 plus a 2% cost of living raise that everyone who was eligible received on July 1, 2012. Human Resource/Payroll Clerk Burkhalter explained that anyone who was at the average wage or below was eligible for a 2% increase July 1st per the MSU study. City Clerk Stanton stated that the \$16.45 was what was budgeted but the position was budgeted for the entire year. The difference for the year at the \$.33 increase is \$343.20 for salary alone plus \$102.96 for rollups, for a total of \$446.16. Chairperson Ahner asked City Clerk Stanton if she was still within her budget. She stated that currently she is under budget.

* * *Chairperson Ahner moved to recommend to the Council approval of the wages as set by the MSU study of \$34,216 for the Deputy City Clerk for the FY 2012-2013 with the projected 2% increase effective January 1, 2013. The motion was seconded by Committee Member Uden. The motion passed, unanimously, 4-0.*

Chairperson Ahner asked to review the Finance Clerk's position next. The salary, according to Resolution No. 3550, was \$15.97 per hour. He asked the status of this position. City Clerk Stanton explained that the position was awarded to Linda Wildman who applied internally. Because it was a lateral move for her, her salary stayed the same, which is \$25 per hour. Because she is a working retiree, she does not have some of the rollup costs that another employee would have. Her total costs for half of a year with rollups to the Finance Department are \$9,150.12. Another employee at the \$15.97 plus rollups would cost the Finance Department \$10,022.32. That is a savings of \$872.20.

Mayor Grenz requested clarification as to why Linda Wildman negotiated her wage of \$25 per hour after retiring. Was it to train a new City Clerk?

Finance Clerk Wildman responded that after she retired and was asked to come back to work for the City, she requested \$25 per hour. Former City Clerk Kori Pray wanted her to come back and Ms. Wildman thought it best for her and Ms. Pray. In addition to the training the City Clerk, she was still performing the duties of Deputy City Clerk. She made note that the \$15.97 per hour was for an entry level employee and not one with 38 years' experience. She requires no training for her position and she will be doing more than Account Receivables and Payables; she will be training the new Deputy City Clerk. Currently Ms. Watts is still doing Ambulance billing for December and clean-up nearly full time, so Ms. Wildman is still doing Deputy City Clerk duties as well as Finance Clerk duties.

Chairperson Ahner explained his concern was that the Council had no idea that the transfer was being done at Ms. Wildman's current rate of pay. The Council had passed a budget with \$15.97 per hour for the Finance Clerk's position and that was what they thought the position would pay regardless of who filled the position. The Finance Department has a budget and as long as they stay within that budget, that is

his main concern. He just does not want department heads arbitrarily moving people around without regard to the budget set by the City Council.

City Clerk Stanton explained that other departments have transferred employees who internally bid a different position and allowed them to not take a cut in pay.

* * *Chairperson Ahner moved to recommend to the Council approval of the amount of \$25 per hour for Finance Clerk for the remainder of the FY 2012-2013. The motion was seconded by Committee Member Uden. The motion passed unanimously, 4-0.*

Request of Citizens

-None

There being no further business, Committee Member Brush moved to adjourn the meeting, seconded by Committee Member Uden. The meeting was adjourned at 8:10 p.m.

Respectfully Submitted:

Chairperson Mark Ahner

City Clerk Becky Stanton

Public Safety Committee Meeting January 30, 2013

The **Public Safety Committee** met Wednesday, January 30, 2013, at 12:00 pm in the City Hall Conference Room. Present were Committee Chairperson Andrews and Committee Members Sue Galbraith, Jerry Partridge and John Hollowell. Also present were Police Chief Doug Colombik, Public Utilities Director Al Kelm, Mayor C.A. Grenz and Committee Recorder Connie Watts.

1. ELECTION OF CHAIRPERSON

Committee Member Jerry Partridge, acting as temporary chairman, brought the meeting to order and called for chairperson nominations.

** Committee Member Partridge nominated Dwayne Andrews as chairperson, seconded by Committee Member Galbraith and passed 3-0. Dwayne Andrews is the new chairperson for the Public Safety Committee.

2. **ORDINANCE NO. 1250:** An Ordinance Revising Sections 16-43 Of The Code Of Ordinances Of The City Of Miles City, Montana So As To Prohibit The Discharge Of Firearms On City Owned Or Leased Lands Within Three (3) Miles Of The City Limits Except At Approved Shooting Ranges.

Discussion revolved around the appropriateness of the usage of shotguns and/or rifles at the Airport and the Wastewater Treatment Plant. Public Utilities Director Kelm said there are a lot of problems with skunks, raccoons, coyotes, etc., at the WWTP and welcomes hunters to help alleviate those varmints. The Airport has deer problems, which can be dangerous for aircraft.

Chief Colombik said he does not feel it is appropriate to shoot shotguns or other rifles of any kind at the WWTP, as there are too many homes in the area and the risk of someone getting hurt is too great. He is also rather uncomfortable with guns at the airport because of the activity up there. He said other cities that allow deer hunting inside the city limits restrict the hunting to archery. He has absolutely no problems with archery.

It was proposed to change Ordinance 1250 as follows: (changes indicated by italics)

Sec.16-43 – Discharge of Firearms

"(a) it shall be unlawful for any *unauthorized* person....."

"The following hunting exceptions apply:Waste Water Plant Manager/Operator "24 hours in advance -- " archery "season for big game hunting; shotgun and archery hunting" of upland game birds, spring turkey and waterfowl..."

** Committee Member Partridge moved to recommend approval of Ordinance 1250 with the corrections stated above, seconded by Committee Member Hollowell and, on roll call vote, passed unanimously.

3. HANDICAP PARKING AT 907 GARLAND FOR DEB KIRKWOOD

** After discussion, Committee Member Galbraith moved to recommend approval of a handicapped parking sign in front of Ms. Kirkwood's house at 907 Garland upon the condition that, if Ms. Kirkwood were to move or no longer need the sign, it would be taken down. Ms. Kirkwood will bear all monetary costs involved in the sign. Committee Member Partridge seconded the motion and, on roll call vote, it passed 4 to 0.

CITIZEN REQUESTS

Director Kelm said he was approached by an individual at 121 S. Center, right across the street from the High School. That individual asked that the sign "No Parking Here to Corner", which is on the corner of 4th and S Center, be moved. This item will be brought for consideration before this committee on a subsequent meeting date.

ADJOURNMENT

** *Having no more business before the Committee, Committee Member Partridge moved to adjourn, seconded by Committee Member Galbraith and passed unanimously.* The meeting was adjourned at 12:40 p.m.

Respectfully Submitted:

Public Safety Committee Chairperson:

Connie L. Watts, Recorder

Chairperson Dwayne Andrews

**Public Services Committee Meeting
January 30, 201**

The **Public Service Committee** met Wednesday, January 30, 2013, at 12:40 pm in the City Hall conference room. Present were Committee Chairperson Sue Galbraith and Committee Members John Hollowell, Jerry Partridge and Dwayne Andrews. Also present were Public Utilities Director Al Kelm, City Planner Dianna Broadie, Grant Administrator Dawn Colton, Mayor C.A. Grenz and Committee Recorder Connie Watts.

Chairperson Partridge, acting as temporary chairperson, called the meeting to order.

1. ELECTION OF CHAIRPERSON

** Committee Member Hollowell nominated Committee Member Galbraith as chairperson, seconded by Committee Member Partridge and passed unanimously. Sue Galbraith is the new chairperson of the Public Services Committee.

2. CANDEE NELSON, 2311 DICKINSON ST., TO PETITION TO OPEN UP ALLEYWAY BEHIND RESIDENCE

Committee Members Partridge and Galbraith said they had tried to drive by the residence but were unable to view the alley from the street. Director Kelm said there were fences and a pump house behind the house that makes it difficult to see the right-of-way.

Director Kelm said there is a utility easement there, but it has never actually been a designated alley, and no one has ever asked for an alley there before. Ms. Nelson is concerned that she will not be able to get back to there to trim her trees. Her neighbor on the other side of the alley, however, is willing to temporarily take down the fence in order for her to take care of the maintenance that needs to be done.

Director Kelm also suggested she could draw up a petition to open up the easement, have her neighbors sign it and present it to this committee. Committee Member Partridge suggested the committee wait to see if a petition is presented before taking any action.

** Committee member Partridge moved to table this issue, seconded by Committee member Hollowell and passed 4 to 0.

3. DISCUSSION ON RIVERSIDE RESTROOM PROJECT

Committee Member Partridge said he was told there was something wrong with the plans -- the add-ons which had been asked for were removed and only the basic building was going to be completed. Grant Administrator Colton and Director Kelm assured him that

everything was going well. There had been some “bumps,” but those have been corrected and everything is now going smoothly.

4. **REQUEST OF CITIZENS**

There were no requests of citizens.

5. **ADJOURNMENT**

** Having no more business to come before the Committee, *Committee Member Partridge moved to adjourn the meeting, seconded by Committee Member Andrews and passed unanimously, 4-0.* The meeting was adjourned at 12:52 p.m.

Respectfully Submitted:

Susanna Galbraith, Chairperson

Connie L. Watts, Recorder

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION



STEVE BULLOCK
GOVERNOR

DIRECTOR'S OFFICE (406) 444-2074
TELEFAX NUMBER (406) 444-2684

STATE OF MONTANA

WATER RESOURCES DIVISION (406) 444-6601
TELEFAX NUMBERS (406) 444-0533 / (406) 444-5918
<http://www.dnrc.mt.gov>

1424 9TH AVENUE
PO BOX 201601
HELENA, MONTANA 59620-1601

January 28, 2013

Samantha Malenovsky, CFM
City of Miles City
PO Box 910
Miles City, MT 59301

Need to be on the agenda

Dear Samantha,

The Montana Department of Natural Resources & Conservation's Floodplain Management Section is pleased to announce that you have been selected as the first-ever recipient of the Lewis & Clark Local Floodplain Manager Award, 2013. This award recognizes outstanding individual efforts and contributions to floodplain management at the local level. The Lewis & Clark Local Floodplain Manager Award honors an individual responsible for the development of a successful and proactive local program or activity or one who has faced challenges to implement flood hazard reduction at the local level in the absence of sophisticated programs and support. You will be presented this award at the Association of Montana Floodplain Manager's (AMFM) annual conference, March 26-28, 2013, in Bozeman, Montana.

The City of Miles City local floodplain management program has unique components, and your efforts as the local floodplain administrator have yielded positive results for the community and serve as an example of effective floodplain administration for Montana communities participating in the National Flood Insurance Program (NFIP).

A second component of this award is that you will be formally nominated for the Association of State Floodplain Managers (ASFPM) national Larry R. Johnston Local Floodplain Manager Award for 2014. The LRJ Award recipient is invited to attend ASFPM's annual conference as their guest.

Congratulations for your successes in local floodplain management! The MT DNRC commends you for your hard work and achievements.

Sincerely,

Traci Sears
Briona Shipman

Traci Sears, CFM, NFIP/CAP Program Coordinator
Briona Shipman, CFM, Floodplain Training Coordinator
MT DNRC Floodplain Management Section
PO Box 201601
Helena, MT 59620-1601
406-444-6654
tsears@mt.gov
bshipman@mt.gov

STATE WATER PROJECTS
BUREAU
(406) 444-6646

WATER MANAGEMENT
BUREAU
(406) 444-6637

WATER OPERATIONS
BUREAU
(406) 444-0860

WATER RIGHTS
BUREAU
(406) 444-6610

ORDINANCE NO. 1249

AN ORDINANCE RESTRICTING THE BUDGETING AND EXPENDITURE OF GENERAL FUND CASH RESERVES

BE IT ORDAINED by the City Council of the City of Miles City, Montana as follows:

Section 1. There is added Section 2-232 to Article V of Chapter 2 of the Code of Ordinances of the City of Miles City, Montana, to read as follows:

Sec. 2-232 Restriction on budgeting and expenditures of General Fund cash reserves:

- a. In the preparation and adoption of the annual budget, no portion of the cash reserves of the General Fund shall be appropriated for any purpose other than for matching funds for anticipated grant funds for such fiscal year except pursuant to a resolution approved by a 2/3 majority of all members of the City Council.
- b. The provisions of §7-6-4031(2) notwithstanding, except for emergency appropriations made pursuant to Title 10, Chapter 3 MCA and §7-6-4032 MCA, no amended appropriation shall be made to the annual budget that would appropriate cash reserves of the General Fund unless such amendment is pursuant to a resolution approved by a 2/3 majority of all members of the City Council.
- c. General Fund cash reserves appropriated pursuant to subsections (a) and (b), above, shall not be transferred from the appropriation item for which they were approved to another appropriation item in the same fund pursuant to §7-6-4031(1) MCA unless such transfer is pursuant to a resolution approved by a 2/3 majority of all members of the City Council.

Section 2. This ordinance shall become effective thirty (30) days following its final passage.

Said ordinance read and put on its passage this 22nd day of January, 2013.

C.A. Grenz, Mayor

ATTEST:

Rebecca Stanton, City Clerk

FINALLY PASSED AND ADOPTED this 12th day of February, 2013.

C.A. Grenz, Mayor

ATTEST:

Rebecca Stanton, City Clerk

ORDINANCE NO. 1250

AN ORDINANCE REVISING SECTIONS 16-43 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY, MONTANA SO AS TO PROHIBIT THE DISCHARGE OF FIREARMS ON CITY OWNED OR LEASED LANDS WITHIN THREE (3) MILES OF THE CITY LIMITS EXCEPT AT APPROVED SHOOTING RANGES.

The City Council of the City of Miles City having determined that the discharge of handguns, rifles and shotguns on City owned or City leased lands within three (3) miles beyond the City limits of the City of Miles City, other than at approved shooting ranges, is disruptive to the peace and safety of the users of such lands;

BE IT ORDAINED by the City Council of the City of Miles City, Montana as follows:

Section 1. Section 16-43 of the Code of Ordinances of the City of Miles City, Montana is amended to read as follows:

“Sec. 16-43. - Discharge of firearms.

(a) It shall be unlawful for any person to willfully shoot or fire off a gun, pistol or any other firearm within the limits of the city.

(b) It shall be unlawful for any person to willfully discharge a handgun, rifle or shotgun upon any City owned or City leased property within three (3) miles beyond the City limits of the City of Miles City, including, but not limited to, Spotted Eagle Recreation Area, Frank Wiley Field, the City Wastewater Treatment plant and adjoining former lagoon area, the City Water Treatment Plant property and Pumping Plant Park, and the Industrial Site west of the City limits. This prohibition shall not apply to authorized users of the Miles City Police Department pistol range adjacent to the City Water Treatment Plant, nor to shotgun users of the trap shooting range at Spotted Eagle Recreation area during daylight hours. The Following Hunting exceptions apply: with permission obtained 24 hours in advance * from the Airport manager or the Waste Water Plant Manager/Operator, archery for big game hunting, shotgun and archery hunting of upland game birds, spring turkey and waterfowl on City owned property which is fenced outside of the runways at the Airport, and hunting access is also allowed at the Wastewater Plant, providing hunting access to the river.

** added in Committee*

(c) Any person who violates this section shall be punishable by a fine not exceeding \$500.00 or by imprisonment in the county jail for a period not exceeding 6 months, or both.

(d) Firearms may be discharged in an indoor or outdoor rifle, pistol, or shotgun shooting range located within the city limits if the shooting range is approved by the City Council.

(e) Subsections (a and b) do not apply if the discharge of a firearm is justifiable under Title 45, chapter 3, part 1, MCA.”

Section 2. This Ordinance shall become effective thirty (30) days after its final passage.

Said Ordinance read and put on its passage this 8th day of January, 2013.

C.A. Grenz, Mayor

ATTEST:

Rebecca Stanton, City Clerk

FINALLY PASSED AND ADOPTED this 12th day of February, 2013.

C.A. Grenz, Mayor

ATTEST:

Rebecca Stanton, City Clerk



February 1, 2013

Allen Kelm
Public Utilities Director
City of Miles City
17 South 8th Street
Miles City, MT 59301

Re: Strevell Area Street and Water Improvements
Bid Results and Finance Committee recommendation

AI:

Bids for the Strevell Area Street and Water Improvements project were opened at the January 22nd City Council meeting. Over the next week the bids were reviewed for completeness, accuracy and compliance with the instructions to bidders. The qualifications of the bidders were also reviewed to ensure that any apparent low bidder had sufficient experience in this type of work.

Results of this bid review were presented to the City's Finance Committee on January 29th. In addition to the discussion of the bid qualifications, an explanation of the City's budget for this work was given to the Committee. Bid Schedules were set up to allow maximum flexibility for the City to award certain schedules as the budget allowed. The Finance Committee determined there was adequate funding to award all schedules of this project. Because Western Municipal Construction was the apparent low bidder for all schedules, the Finance Committee decided to recommend to the City Council funding the entire project (Schedules A thru G) and awarding the project to Western Municipal Construction.

Western Municipal Construction was called after the Finance Committee meeting to discuss their bid and to ask them if they have any questions or concerns with their bid. Western Municipal indicated that they have no questions or concerns and they are looking forward to doing this job. They also stated that they would like to execute the Notice of Award and Contract Agreement quickly so they can concentrate their efforts on this project in Miles City.

Previous work experience of Western Municipal Construction was verified by calling the owners and engineers associated with projects they submitted.

Attached to this letter is a one-page summary of the bid results for your review. A full spreadsheet summary of all bids and item prices is also available.

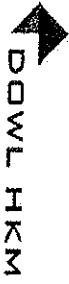
Also attached are the Notice of Award and three copies of the Contract Agreement. The Notice of Award is to be signed by the Mayor once it is approved by the City Council. The three copies of the Contract Agreement are to be sent to Western Municipal (unsigned) along with the Notice of Award (signed by the Mayor). If you prefer to send these documents back to me, I will forward them to Western Municipal with instructions for their execution.

Please let me know if you have any questions. Thank you.

A handwritten signature in black ink that reads "Andrew T. Marum".

DOWL HKM
Andrew T. Marum, P.E.
(406) 234-6666

406-234-6666 ■ 406-234-7065 (fax) ■ 713 Pleasant ■ Miles City, Montana 59301 ■ www.dowlhkm.com



Engineer: DOWL HKM
 713 Pleasant
 Miles City, MT 59301
 Ph. 406-234-6666
 Fax 406-234-7065

Owner: City of Miles City

Bidder	Schedule A	Schedule B	Schedule C	Schedule D	Schedule E	Schedule F	Schedule G	Total A - C	Total A - E	Total A - G
Western Municipal Const.	\$285,000.00	\$747,611.00	\$275,580.00	\$184,685.00	\$342,180.00	\$298,880.00	\$271,529.00	\$1,308,191.00	\$1,835,056.00	\$2,405,465.00
Jackson Contractor Group	\$426,600.00	\$583,274.50	\$288,965.00	\$205,375.00	\$337,865.00	\$305,740.00	\$288,220.00	\$1,298,839.50	\$1,842,079.50	\$2,436,039.50
JEM Construction	\$196,000.00	\$571,737.00	\$372,086.00	\$228,155.00	\$421,188.00	\$393,038.00	\$346,637.00	\$1,139,823.00	\$1,789,166.00	\$2,528,841.00
COP Construction	\$164,400.00	\$517,424.00	\$501,089.00	\$224,145.00	\$520,264.00	\$397,647.00	\$373,453.00	\$1,182,913.00	\$1,927,322.00	\$2,698,422.00
Nelcon	\$525,000.00	\$723,926.50	\$346,882.00	\$196,640.00	\$431,873.00	\$372,073.00	\$357,662.00	\$1,595,788.50	\$2,224,301.50	\$2,954,036.50
Average	\$319,400.00	\$628,794.60	\$356,916.40	\$207,800.00	\$410,674.00	\$353,475.60	\$327,500.20	\$1,305,111.00	\$1,923,585.00	\$2,604,560.80

* ... Over spent expenditure

Claim Line #	Check	Invoice #/Inv Date/Description	Vendor #/Name/	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
121995	72287S	1721	MID RIVERS TELEPHONE CORP	2,778.36					
1	121995	01/10/13	TELEPHONE/INTERNET/CABLE/LD	178.49			1000 6 410300	345	101000
4	121995	01/10/13	TELEPHONE/INTERNET/CABLE/LD	288.13			2850 105 420140	345	101000
5	121995	01/10/13	TELEPHONE/INTERNET/CABLE/LD	135.61			2985 15 450330	345	101004
9	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	37.45			1000 1 410200	345	101000
10	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	58.98			1000 3 410500	345	101000
11	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	19.52			1000 3 410500	347	101000
12	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	11.09			1000 4 411100	345	101000
13	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	341.74			1000 5 420140	345	101000
14	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	65.60			1000 5 420140	347	101000
15	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	285.97			1000 5 420160	345	101000
16	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	168.29			1000 7 420460	345	101000
17	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	135.60*			1000 7 420460	347	101000
18	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	11.09			1000 9 410540	345	101000
19	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	44.45			1000 13 460433	345	101000
20	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	37.60			1000 13 460433	347	101000
21	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	40.03			1000 21 440600	345	101000
22	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	84.02			1000 36 411020	345	101000
23	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	26.36			2394 18 420531	345	101000
24	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	73.93			2510 107 430220	345	101000
25	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	39.25			2520 108 430220	345	101000
26	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	81.13			5210 22 430530	345	101000
27	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	80.25*			5210 22 430530	347	101000
28	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	43.41			5210 23 430550	345	101000
29	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	11.40			5210 23 430550	347	101000
30	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	53.59			5210 25 430510	345	101000
31	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	19.52*			5210 25 430510	347	101000
32	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	53.57			5310 29 430610	345	101000
33	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	19.51*			5310 29 430610	347	101000
34	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	43.40			5310 31 430630	345	101000
35	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	11.40			5310 31 430630	347	101000
36	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	38.43			5310 33 430640	345	101000
37	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	45.60*			5310 33 430640	347	101000
38	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	115.88			5510 10 420730	345	101000
39	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	28.24			5510 10 420730	347	101000
40	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	38.43			6040 910 430220	345	101000
41	121741	12/30/12	TELEPHONE/INTERNET/CABLE/LD	11.40			6040 910 430220	347	101000

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122090	72305S	2450 POSTMASTER (UTILITIES)	950.00					
1	121791	01/31/13 WATER/SEWER BILLS:POSTAGE	950.00*			5210 25 430510	311	101000
122091	72306S	368 TUMBLEWOOD DEVELOPMENT INC	2,750.00					
1	121792	01/31/13 SANITARIAN CONTRACT SERV	2,750.00			2270 37 440140	350	101000
122095	72307S	2910 TONGUE RIVER ELECTRIC	449.07					
1	121818	01/31/13 SOUTHGATE LIGHTING CHARGES	401.84			2450 51 430263	341	101000
2	121818	01/31/13 911 POWER & TOWER LIGHTS	47.23		15248	2850 105 420140	341	101000
122098	72308S	316 DATA IMAGING SYSTEMS, INC	2,215.00					
1	122023	01/31/13 MANAGED SERVICES;DATA BKP	295.47			1000 3 410500	360	101000
24201								
2	122023	01/31/13 MANAGED SERVICES;DATA BKP	110.82*			5210 25 430510	360	101000
3	122023	01/31/13 MANAGED SERVICES;DATA BKP	110.82*			5310 29 430610	360	101000
4	122023	01/31/13 MANAGED SERVICES;DATA BKP	65.67			1000 1 410200	360	101000
5	122023	01/31/13 MANAGED SERVICES;DATA BKP	153.01			1000 36 411020	360	101000
6	122023	01/31/13 MANAGED SERVICES;DATA BKP	44.00			5210 23 430550	360	101000
7	122023	01/31/13 MANAGED SERVICES;DATA BKP	43.34			5310 31 430630	360	101000
8	122023	01/31/13 MANAGED SERVICES;DATA BKP	63.04			2510 107 430220	360	101000
9	122023	01/31/13 MANAGED SERVICES;DATA BKP	24.95			2520 108 430220	360	101000
10	122023	01/31/13 MANAGED SERVICES;DATA BKP	73.88			1000 9 410540	360	101000
11	122023	01/31/13 MONTHLY CITY SILO	70.00			1000 3 410500	360	101000
12	122023	01/31/13 MONTHLY CITY SILO	70.00*			5210 25 430510	360	101000
13	122023	01/31/13 MONTHLY CITY SILO	70.00*			5310 29 430610	360	101000
14	122023	01/31/13 COMPUTER	900.00			1000 201 431200	214	101000
15	122023	01/31/13 MONTHLY CITY SILO:BLDG INSP	120.00			2394 18 420531	350	101000
122099	72285S	1970 MONTANA DAKOTA UTILITIES	21,770.95					
1	122099	01/07/13 ELECTRIC/GAS	188.94			1000 13 460433	341	101000
2	122099	01/07/13 ELECTRIC/GAS	56.29			1000 13 460433	344	101000
3	122099	01/07/13 ELECTRIC/GAS	17.50*			1000 13 460433	533	101000
4	122099	01/07/13 ELECTRIC/GAS	399.05		15545	2220 16 460100	341	101000
5	122099	01/07/13 ELECTRIC/GAS	201.90		15545	2220 16 460100	344	101000
6	122099	01/07/13 ELECTRIC/GAS	9,606.56			2400 46 430263	341	101000
7	122099	01/07/13 ELECTRIC/GAS	4,092.95			2400 46 430263	533	101000
8	122099	01/07/13 ELECTRIC/GAS	1,756.79			2420 48 430263	341	101000
9	122099	01/07/13 ELECTRIC/GAS	664.90			2420 48 430263	533	101000
10	122099	01/07/13 ELECTRIC/GAS	124.39			2430 49 430263	341	101000
11	122099	01/07/13 ELECTRIC/GAS	266.11			2470 72 430263	341	101000
12	122099	01/07/13 ELECTRIC/GAS	304.12			2470 72 430263	533	101000

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13	122099	01/07/13	ELECTRIC/GAS	2,850.10			5210 22 430530	341	101000
14	122099	01/07/13	ELECTRIC/GAS	1,241.35			5210 22 430530	344	101000
122100	72284S	999999	DICK ANDERSON CONSTRUCTION	147,188.25					
1	122100	01/07/13	HAYNES LIFT STATION	147,188.25		15667	5310 32 430690	940	102240
122101	72286S	999999	WILLIAMS BROTHERS CONSTRUCTION	75,710.25					
1	122101	01/07/13	PAY APPLICAITON #2	75,710.25		15665	5310 33 430640	940	102240
2									
122102	72296S	771	DEPT OF REVENUE	1,486.75					
1	122102	01/07/13	DICK ANDERSON WITHHOLDING	1,486.75		15668	5310 32 430690	940	102240
2									
122103	72296S	771	DEPT OF REVENUE	764.75					
1	122103	01/07/13	WILLIAMS BROS WITHHOLDING	764.75		15666	5310 33 430640	940	102240
2									
122104	72309S	2170	NALCO CHEMICAL CO	233.00					
1	122104	01/07/13	H-1 TITRANT	233.00		15392	5210 80 430540	222	101000
97113433									
122105	72310S	902	ENERGY LABORATORIES INC	2,511.75					
1	122105	01/07/13	LAB TESTING	507.75		15389	5210 80 430540	352	101000
321250656,321250768									
321250862									
321251093									
321251446									
321251710									
320150029									
2	122105	01/07/13	LAB TESTING	2,004.00		15389	5310 33 430640	352	101000
122106	72311S	639	CUSTER CO HEALTH DEPT	26.00					
1	122106	01/07/13	INFLUENZA & IZ INJECTION	26.00		15391	5210 22 430530	350	101000
68470									
122107	72288S	277	COMDATA	11,504.71					
1	122107	01/10/13	December 1-31 2012 billing	92.84			5210 22 430530	231	101000
20184415									
2	122107	01/10/13	December 1-31 2012 billing	92.84			5210 80 430540	231	101000
3	122107	01/10/13	December 1-31 2012 billing	142.30			5310 32 430690	231	101000
4	122107	01/10/13	December 1-31 2012 billing	60.99			5310 33 430640	231	101000
5	122107	01/10/13	December 1-31 2012 billing	369.48			1000 13 460433	231	101000
6	122107	01/10/13	December 1-31 2012 billing	2,484.36			2510 107 430220	231	101000
7	122107	01/10/13	December 1-31 2012 billing	621.09			2520 108 430220	231	101000
8	122107	01/10/13	December 1-31 2012 billing	578.37			5210 23 430550	231	101000

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9	122107	01/10/13	December 1-31 2012 billing	578.37			5310 31 430630	231	101000
10	122107	01/10/13	December 1-31 2012 billing	86.35			6040 910 430220	231	101000
11	122107	01/10/13	December 1-31 2012 billing	684.67			5610 87 430300	231	101000
12	122107	01/10/13	December 1-31 2012 billing	669.07			1000 7 420460	231	101000
13	122107	01/10/13	December 1-31 2012 billing	1,248.30			5510 10 420730	231	101000
14	122107	01/10/13	December 1-31 2012 billing	3,584.59			1000 5 420140	231	101000
15	122107	01/10/13	December 1-31 2012 billing	47.78			1000 21 440600	231	101000
16	122107	01/10/13	December 1-31 2012 billing	40.27			1000 5 420160	231	101000
17	122107	01/10/13	December 1-31 2012 billing	123.04			1000 1 410200	370	101000
122110	72289S	999999	CMG CONSTRUCTION	159,602.17					
1	122110	01/10/13	#6-FINAL PAYMENT CENEX/DICKINS	159,602.17			5210 23 430550	957	102113
122111	72290S	771	DEPT OF REVENUE	1,612.14					
1	122111	01/10/13	1% FINAL PAYOUT AHANU	1,612.14			5210 23 430550	957	102113
122112	72291S	373	MASTERCARD	16,114.32					
1	122112	01/11/13	OFFICE SUPPLIES	33.59*			1000 3 410500	210	101000
2	122112	01/11/13	OP EXP	30.95*			1000 3 410500	220	101000
3	122112	01/11/13	POSTAGE	28.75*			1000 3 410500	311	101000
4	122112	01/11/13	OFFICE SUPPLIES	145.00*			1000 4 411100	210	101000
5	122112	01/11/13	OFFICE SUPPLIES	668.68			1000 5 420140	210	101000
6	122112	01/11/13	SM ITEMS OF EQUIP	1,462.06			1000 5 420140	214	101000
7	122112	01/11/13	OP EXP	120.86*			1000 5 420140	220	101000
8	122112	01/11/13	R & M SUPPLIES	576.13			1000 5 420140	230	101000
9	122112	01/11/13	POSTAGE	26.87			1000 5 420140	311	101000
10	122112	01/11/13	OFFICE SUPPLIES	140.80			1000 5 420160	210	101000
11	122112	01/11/13	SM ITEMS OF EQUIP	12.99			1000 7 420460	214	101000
12	122112	01/11/13	OP EXP	350.16*			1000 7 420460	220	101000
13	122112	01/11/13	R & M SUPPLIES	259.77			1000 7 420460	230	101000
14	122112	01/11/13	GAS/OIL	56.55			1000 7 420460	231	101000
15	122112	01/11/13	POSTAGE	7.00			1000 7 420460	311	101000
16	122112	01/11/13	TELEPHONE	41.59			1000 7 420460	345	101000
17	122112	01/11/13	BOOKS	218.15			1000 7 420460	382	101000
18	122112	01/11/13	OP EXP	163.00			1000 8 411230	220	101000
19	122112	01/11/13	R & M SUPPLIES	157.30			1000 8 411230	230	101000
20	122112	01/11/13	OP EXP	108.17			1000 13 460433	220	101000
21	122112	01/11/13	CHEMICALS/LAB	103.99			1000 13 460433	222	101000
22	122112	01/11/13	R & M SUPPLIES	492.86			1000 13 460433	230	101000
23	122112	01/11/13	R & M VEHICLES	58.20			1000 13 460433	363	101000
24	122112	01/11/13	TRAINING SERVICES	154.90			1000 13 460433	380	101000
25	122112	01/11/13	OP EXP	161.20			1000 21 440600	220	101000

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26	122112	01/11/13	OFFICE SUPPLIES	6.17			1000 201 431200	210	101000
27	122112	01/11/13	OFFICE SUPPLIES	-22.01			2220 16 460100	210	101000
28	122112	01/11/13	JANITORIAL SUPPLIES	94.63			2220 16 460100	224	101000
29	122112	01/11/13	POSTAGE	95.13			2220 16 460100	311	101000
30	122112	01/11/13	OFFICE SUPPLIES	40.78*			2394 18 420531	210	101000
31	122112	01/11/13	POSTAGE	45.00			2394 18 420531	311	101000
32	122112	01/11/13	OFFICE SUPPLIES	289.59			2510 107 430220	210	101000
33	122112	01/11/13	SM ITEMS OF EQUIP	57.65			2510 107 430220	214	101000
34	122112	01/11/13	OP EXP	28.08			2510 107 430220	220	101000
35	122112	01/11/13	R & M VEHICLES	619.62			2510 107 430220	363	101000
36	122112	01/11/13	OFFICE SUPPLIES	71.02			2520 108 430220	210	101000
37	122112	01/11/13	R & M SUPPLIES	14.41			2520 108 430220	214	101000
38	122112	01/11/13	R & M VEHICLES	154.91			2520 108 430220	363	101000
39	122112	01/11/13	OFFICE SUPP	49.54			2850 105 420140	210	101000
40	122112	01/11/13	OP EXP	186.70			2850 105 420140	220	101000
41	122112	01/11/13	POSTAGE	93.14			2850 105 420140	311	101000
42	122112	01/11/13	OFFICE SUPP	49.25			5210 22 430530	210	101000
43	122112	01/11/13	OP EXP	128.30			5210 22 430530	220	101000
44	122112	01/11/13	R & M SUPPLIES	59.52			5210 22 430530	230	101000
45	122112	01/11/13	POSTAGE	3.15			5210 22 430530	311	101000
46	122112	01/11/13	R & M VEHICLES	411.93			5210 22 430530	363	101000
47	122112	01/11/13	OFFICE SUPP	160.00			5210 23 430550	210	101000
48	122112	01/11/13	SM ITEMS OF EQUIP	36.02			5210 23 430550	214	101000
49	122112	01/11/13	OP EXP	51.34			5210 23 430550	220	101000
50	122112	01/11/13	CLOTHING & UNIFORMS	94.99			5210 23 430550	226	101000
51	122112	01/11/13	R & M SUPPLIES	9.95			5210 23 430550	230	101000
52	122112	01/11/13	CURB STOP REPLACEMENT	1,814.32			5210 23 430550	235	102270
53	122112	01/11/13	CONSUMABLE TOOLS	49.77			5210 23 430550	241	101000
54	122112	01/11/13	R & M VEHICLES	687.98			5210 23 430550	363	101000
55	122112	01/11/13	OFFICE SUPPLIES	49.24			5210 80 430540	210	101000
56	122112	01/11/13	OP SUPPLIES	343.76			5210 80 430540	220	101000
57	122112	01/11/13	CHEMICALS/LAB	349.10			5210 80 430540	222	101000
58	122112	01/11/13	R & M SUPPLIES	64.02			5210 80 430540	230	101000
59	122112	01/11/13	POSTAGE	3.80			5210 80 430540	311	101000
60	122112	01/11/13	OFFICE SUPPLIES	33.60			5310 29 430610	210	101000
61	122112	01/11/13	OFFICE SUPPLIES	160.00*			5310 31 430630	210	101000
62	122112	01/11/13	SM ITEMS OF EQUIP	36.02			5310 31 430630	214	101000
63	122112	01/11/13	CLOTHING & UNIFORMS	94.98			5310 31 430630	226	101000
64	122112	01/11/13	R & M SUPPLIES	10.47			5310 31 430630	230	101000
65	122112	01/11/13	CONSUMABLE TOOLS	38.30			5310 31 430630	241	101000
66	122112	01/11/13	R & M VEHICLES	687.98			5310 31 430630	363	101000
67	122112	01/11/13	OFFICE SUPPLIES	7.99			5310 32 430690	210	101000

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68	122112	01/11/13 OP EXP	94.82			5310 32 430690	220	101000
69	122112	01/11/13 R & M SUPPLIES	71.04			5310 32 430690	230	101000
70	122112	01/11/13 OFFICE SUPP	11.99			5310 33 430640	210	101000
71	122112	01/11/13 OP EXP	142.22			5310 33 430640	220	101000
72	122112	01/11/13 CHEMICALS/LAB	37.54			5310 33 430640	222	101000
73	122112	01/11/13 R & M SUPPLIES	80.40			5310 33 430640	230	101000
74	122112	01/11/13 POSTAGE	5.70			5310 33 430640	311	101000
75	122112	01/11/13 R & M VEHICLES	411.93			5310 33 430640	363	101000
76	122112	01/11/13 OFFICE SUPPLIES	104.85			5310 33 430640	210	101000
77	122112	01/11/13 SM ITEMS OF EQUIP	46.97			5310 33 430640	214	101000
78	122112	01/11/13 OP EXP	249.72			5310 33 430640	220	101000
79	122112	01/11/13 CHEMICALS/LAB	439.22			5310 33 430640	222	101000
80	122112	01/11/13 GAS/OIL	56.55			5310 33 430640	231	101000
81	122112	01/11/13 TELEPHONE	100.00			5310 33 430640	345	101000
82	122112	01/11/13 PROFESSIONAL SERVICES	523.00*			5310 33 430640	350	101000
83	122112	01/11/13 R & M SUPPLIES	12.99*			6040 910 430220	230	101000
84	122112	01/11/13 OP EXPENSES	647.81			5610 87 430300	230	101000
85	122112	01/11/13 OP EXPENSES	74.61*			5610 87 430300	220	101000
86	122112	01/11/13 TELEPHONE	163.30			5610 87 430300	345	101000
122113	72292S	999999 ERIC LEGGATE	582.00					
1	122113	01/15/13 TRAVEL-MLEA-BASIC ACADEMY BOZE	582.00			1000 5 420140	370	101000
122114	72293S	320 GOOGLE INC.	3,200.00					
1	122114	01/15/13 12 MONTHS-GOOLE APP 200057146	400.00*			1000 5 420160	350	101000
2	122114	01/15/13 12 MONTHS-GOOLE APP	200.00			1000 3 410500	350	101000
3	122114	01/15/13 12 MONTHS-GOOLE APP	50.00			5210 25 430510	350	101000
4	122114	01/15/13 12 MONTHS-GOOLE APP	50.00			5310 29 430610	350	101000
5	122114	01/15/13 12 MONTHS-GOOLE APP	399.00			1000 7 420460	350	101000
6	122114	01/15/13 12 MONTHS-GOOLE APP	301.00			5510 10 420730	350	101000
7	122114	01/15/13 12 MONTHS-GOOLE APP	50.00			1000 1 410200	350	101000
8	122114	01/15/13 12 MONTHS-GOOLE APP	150.00*			2250 36 411020	350	101000
9	122114	01/15/13 12 MONTHS-GOOLE APP	800.00			1000 5 420140	350	101000
10	122114	01/15/13 12 MONTHS-GOOLE APP	212.50			5210 22 430530	350	101000
11	122114	01/15/13 12 MONTHS-GOOLE APP	212.50*			5310 33 430640	350	101000
12	122114	01/15/13 12 MONTHS-GOOLE APP	87.50			5210 23 430550	350	101000
13	122114	01/15/13 12 MONTHS-GOOLE APP	87.50			5310 31 430630	350	101000
14	122114	01/15/13 12 MONTHS-GOOLE APP	120.00			2510 107 430220	350	101000
15	122114	01/15/13 12 MONTHS-GOOLE APP	30.00			2520 108 430220	350	101000
16	122114	01/15/13 12 MONTHS-GOOLE APP	50.00*			1000 9 410540	350	101000

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122115	72294S	2865 DEPT OF ENVIRONMENTAL QUALITY	70.00					
1	122115	01/16/13 water testing fee 551300159	35.00			5210 22 430530	380	101000
2	122115	01/16/13 water testing fee551300159	35.00			5210 80 430540	380	101000
122116	72295S	1859 MLEA	2,400.00					
1	122116	01/16/13 BASIC ACADEMY-EISELE, LEGGATTE	2,400.00			1000 5 420140	380	101000
122117	72297S	1571 MACS FRONTIERLAND	14,600.00					
1	122117	01/24/13 08 FORD -CO PRISONER TRANSPORT	14,600.00			4000 501 410100	940	101000
122118	72298S	1970 MONTANA DAKOTA UTILITIES	18,093.29					
1	122118	01/24/13 ELEC/GAS/RENTAL	248.86			1000 7 420460	341	101000
2	122118	01/24/13 ELEC/GAS/RENTAL	244.39			1000 7 420460	344	101000
3	122118	01/24/13 ELEC/GAS/RENTAL	336.78			1000 8 411230	341	101000
4	122118	01/24/13 ELEC/GAS/RENTAL	613.62			1000 8 411230	344	101000
5	122118	01/24/13 ELEC/GAS/RENTAL	1,629.74			1000 13 460433	341	101000
6	122118	01/24/13 ELEC/GAS/RENTAL	632.06			1000 13 460433	344	101000
7	122118	01/24/13 ELEC/GAS/RENTAL	25.14			1000 21 440600	341	101000
8	122118	01/24/13 ELEC/GAS/RENTAL	59.97			1000 21 440600	344	101000
9	122118	01/24/13 ELEC/GAS/RENTAL	1,731.18			2420 48 430263	341	101000
10	122118	01/24/13 ELEC/GAS/RENTAL	664.90			2420 48 430263	533	101000
11	122118	01/24/13 ELEC/GAS/RENTAL	122.37			2430 49 430263	341	101000
12	122118	01/24/13 ELEC/GAS/RENTAL	1,125.50			2440 50 430263	341	101000
13	122118	01/24/13 ELEC/GAS/RENTAL	566.34			2470 72 430263	341	101000
14	122118	01/24/13 ELEC/GAS/RENTAL	57.33			2480 47 430263	341	101000
15	122118	01/24/13 ELEC/GAS/RENTAL	69.65			2510 107 430220	341	101000
16	122118	01/24/13 ELEC/GAS/RENTAL	105.07			2510 107 430220	344	101000
17	122118	01/24/13 ELEC/GAS/RENTAL	11.56			2520 108 430220	341	101000
18	122118	01/24/13 ELEC/GAS/RENTAL	26.27			2520 108 430220	344	101000
19	122118	01/24/13 ELEC/GAS/RENTAL	744.13			5210 22 430530	341	101000
20	122118	01/24/13 ELEC/GAS/RENTAL	28.91			5210 23 430550	341	101000
21	122118	01/24/13 ELEC/GAS/RENTAL	65.67			5210 23 430550	344	101000
22	122118	01/24/13 ELEC/GAS/RENTAL	28.91			5310 31 430630	341	101000
23	122118	01/24/13 ELEC/GAS/RENTAL	65.67			5310 31 430630	344	101000
24	122118	01/24/13 ELEC/GAS/RENTAL	1,042.01			5310 32 430690	341	101000
25	122118	01/24/13 ELEC/GAS/RENTAL	19.36*			5310 32 430690	344	101000
26	122118	01/24/13 ELEC/GAS/RENTAL	4,887.11			5310 33 430640	341	101000
27	122118	01/24/13 ELEC/GAS/RENTAL	248.85			5510 10 420730	341	101000
28	122118	01/24/13 ELEC/GAS/RENTAL	244.38			5510 10 420730	344	101000
29	122118	01/24/13 ELEC/GAS/RENTAL	901.15			5610 87 430300	341	101000
30	122118	01/24/13 ELEC/GAS/RENTAL	825.08			5610 87 430300	344	101000

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31	122118	01/24/13	ELEC/GAS/RENTAL	483.96			6040 910 430220	341	101000
32	122118	01/24/13	ELEC/GAS/RENTAL	237.37			6040 910 430220	344	101000
122121	72299S	1010	STOCKMAN BANK	140.00					
1	122121	01/25/13	N.S.F. CHAMBERLAIN	70.00			5210 25 430510	810	101000
2	122121	01/25/13	N.S.F. CHAMBERLAIN	70.00			5310 29 430610	810	101000
122122	72312S	147 A+	ELECTRIC MOTOR REPAIR, INC	100.00					
1	122122	01/31/13	REPAIR & MAIN SERV INV 6832	100.00			5310 32 430690	360	101000
122123	72313S	256	BARNEYS BLOCKS & HEADS	30.00					
1	122123	01/31/13	TURN ROTORS INV 7803	30.00			1000 5 420140	230	101000
122124	72314S	999999	ICAN SECURITY EDUCATORS INC	120.95					
1	122124	01/31/13	HANDBOOKS INV 1966	120.95*			1000 5 420140	220	101000
122125	72315S	3291	BIG SKY CARWASH	36.05					
1	122125	01/31/13	OPERATING SUPPLIES36.051000005	36.05*			1000 5 420140	220	101000
122128	72316S	4011	BIG SKY LINEN	220.37					
1	122128	01/31/13	CONTRACTED REPAIR & MAIN	16.06			1000 5 420140	360	101000
2	122128	01/31/13	CONTRACTED REPAIR & MAIN	20.11			5210 80 430540	360	101000
3	122128	01/31/13	CONTRACTED REPAIR & MAIN	22.80			5310 33 430640	360	101000
4	122128	01/31/13	CONTRACTED REPAIR & MAIN	99.54			1000 8 411230	220	101000
5	122128	01/31/13	CONTRACTED REPAIR & MAIN	61.86			6040 910 430220	220	101000
122129	72304S	523	CITY SERVICE, INC.	3,787.98					
1	122129	01/07/13	FUEL TRUCK LEASE DEC, JAN	3,700.00*			5610 87 430300	220	101000
2	122129	01/07/13	TERMINAL MAINT	87.98			5610 87 430300	230	101000
122130	72317S	237	CPI COLLECTION PROFESSIONALS INC	79.78					
1	122130	01/31/13	COLLECTIONS WTR/SWR DEC	39.89			5210 25 430510	350	101000
2	122130	01/31/13	COLLECTIONS WTR/SWR DEC	39.89			5310 29 430610	350	101000
122131	72318S	4001	CRITELLI COURIERS, INC.	192.94					
1	122131	01/31/13	POSTAGE INV18549	166.00			2880 39 460100	311	101020
2	122131	01/31/13	TRANSFERS INV18661	26.94			5210 80 430540	352	101000
122132	72319S	790	DPC INDUSTRIES	57.00					
1	122132	01/31/13	OPERATING SUPPLIES	45.00			5210 80 430540	222	101000
2	122132	01/31/13	OPERATING SUPPLIES	12.00			5310 33 430640	222	101000

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122133	72320S	870 EAST MAIN ANIMAL CLINIC	329.00					
1	122133	01/31/13 CONTRACTED SERVICES	81.00		15773	1000 21 440600	350	101000
2	122133	01/31/13 CONTRACTED SERVICES	248.00		15787	1000 21 440600	350	101000
122134	72321S	291 ECOLAB PEST ELIMINATION DIVISION	156.60					
1	122134	01/31/13 OPERATING SUPPLIES	50.00*			1000 7 420460	220	101000
2	122134	01/31/13 OPERATING SUPPLIES	50.00			5510 10 420730	220	101000
3	122134	01/31/13 REPAIR & MAIN SUPP	56.60			5610 87 430300	230	101000
122135	72322S	999999 EMERGENCY VEHICLE PARTS &	207.62					
1	122135	01/31/13 REPAIR & MAIN SUPP	207.62			5510 10 420730	230	101000
122136	72323S	4010 FELT, MARTIN, FRAZIER & WELDON,	175.00					
1	122136	01/31/13 CONTRACTED SERVICES	175.00			1000 3 411101	350	101000
122137	72324S	1145 GRAINGER INC	213.25					
1	122137	01/31/13 REPAIR & MAIN SUPP	213.25			5210 80 430540	230	101000
122138	72325S	1896 HAWKINS, INC	1,768.41					
1	122138	01/31/13 REPAIR & MAIN SUPP	1,768.41			5210 80 430540	230	101000
122139	72326S	999999 HEARING CONNECTION	120.00					
1	122139	01/31/13 HEARING TESTING	120.00			1000 7 420460	350	101000
122140	72327S	4018 HEALTH-E-WEB	69.00					
1	122140	01/31/13 AMBULANCE BILLING	69.00			5510 10 420730	350	101000
122141	72328S	1330 HOLY ROSARY HEALTH CENTER	975.44					
1	122141	01/31/13 PHYSICALS	500.94			1000 7 420460	350	101000
2	122141	01/31/13 SUPPLIES	474.50*			5510 10 420730	222	101000
122142	72329S	999999 HOLY ROSARY HEALTHCARE	20.00					
1	122142	01/31/13 HEALTH FAIR	20.00			2985 15 450330	220	101004
122143	72330S	1986 JACKS BODY SHOP	1,666.45					
1	122143	01/31/13 2008 CROWN VIC, VIN#1252	1,413.45		15774	1000 5 420140	366	101000
		Est ID #2535						
2	122143	01/31/13 VEHICLE TOW	253.00*		15785	1000 5 420140	220	101000
		3662, 3672						

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122144	72331S	1407 KADRMAS LEE & JACKSON INC	4,532.18					
1	122144	01/31/13 CONTRACTED SERVICES	765.00			2850 105 420140	350	101000
2	122144	01/31/13 AIP3-30-0055-013 2011	3,767.18			5610 87 430376	938	101000
122145	72300S	1182 DOWL HKM INC.	7,286.91					
1	122145	01/29/13 RIVERSIDE PARK PROJ BAL &7	301.59			1000 13 460433	936	101000
2	122145	01/29/13 RIVERSIDE PARK PROJ INV 10	3,912.32			1000 13 460433	936	101000
3	122145	01/29/13 RIVERSIDE PARK PROJ INV 11	2,028.60			1000 13 460433	936	101000
4	122145	01/29/13 RIVERSIDE PARK PROJINV 12	869.40			1000 13 460433	936	101000
5	122145	01/29/13 RIVERSIDESURVEY ELEVATION REPO	175.00			1000 13 460433	936	101000
122146	72332S	721 DALES CLEANING SERVICE	875.00					
1	122146	01/31/12 JANITORIAL SERV	325.00			2220 16 460100	360	101000
2	122146	01/31/12 JANITORIAL SERV	550.00			1000 8 411230	360	101000
122147	72333S	408 BRENNTAG PACIFIC, INC.	5,203.14					
1	122147	01/31/12 ICE SLICER INV1271068	4,162.51			2510 107 430220	220	101000
2	122147	01/31/12 ICE SLICER INV1271068	1,040.63			2520 108 430220	220	101000
122148	72334S	1120 GLADER ELECTRIC CO	537.30					
1	122148	01/31/12 FUSES	58.10		15882	2440 50 430263	360	101000
69620								
2	122148	01/31/12 PARKS HOIST	163.16		15882	1000 13 460433	360	101000
69619								
3	122148	01/31/12 LIGHT OUT	119.00		15896	2430 49 430263	360	101000
69692								
4	122148	01/31/12 SHOP LIGHTS	78.82		15896	2510 107 430220	363	101000
70089								
5	122148	01/31/12 SHOP LIGHTS	19.70		15896	2520 108 430220	363	101000
6	122148	01/31/12 SHOP LIGHTS	49.26		15896	5210 23 430550	363	101000
7	122148	01/31/12 SHOP LIGHTS	49.26		15896	5310 31 430630	363	101000
122149	72335S	999999 SETH LOCKIE	53.00					
1	122149	01/31/12 REIMB CDL	53.00			1000 13 460433	220	101000
122150	72336S	999999 SCOTT GRAY	82.39					
1	122150	01/31/12 CELL PHONE REIMB	65.91			2510 107 430220	345	101000
2	122150	01/31/12 CELL PHONE REIMB	16.48			2520 108 430220	345	101000

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122151	72337S	716 DANA KEPNER CO	4,752.00					
1	122151	01/31/12 WTR METERS	4,752.00			5210 23 430550	220	101000
122152	72338S	1638 MARIC SALES	1,954.75					
1	122152	01/31/12 REPAIR & MAIN SUPP INV11589	1,954.75			5310 31 430630	230	101000
122153	72339S	288 MILES CITY AREA CHAMBER OF	69.40					
1	122153	01/31/12 POSTAGE	69.40			2985 15 450330	311	101004
122154	72340S	999999 MED-TECH RESOURCES	183.72					
1	122154	01/31/12 SMALL EQUIP	183.72			5510 10 420730	214	101000
122155	72341S	1661 DOROTHY MEIDINGER	150.00					
1	122155	01/31/13 CONTRACTED SERVICES	150.00			5610 87 430300	350	101000
122157	72342S	999999 MFFTC	1,200.00					
1	122157	01/31/13 TESTING	1,200.00			1000 7 420460	334	101000
122158	72301S	999999 BUCKY JOHNSON	100.00					
1	122158	01/31/13 USED PERS CRD FOR CTY EQUIP	50.00			5210 23 430550	231	101000
2	122158	01/31/13 USED PERS CRD FOR CTY EQUIP	50.00			5310 31 430630	231	101000
122159	72343S	1810 MILES CITY VET SERVICE	132.50					
1	122159	01/31/13 K-9 EXAM/VACCINATIONS	100.00		15783	1000 5 420140	350	101000
		1/18/13						
2	122159	01/31/13 K-9 EXAM	32.50		15772	1000 5 420140	350	101000
		0139926						
122160	72344S	268 MILES CITY SANITATION INC.	43.00					
1	122160	01/31/13 GARBAGE SERVICES	43.00		15778	1000 5 420140	346	101000
		31101349						
122161	72345S	1737 MC AREA SOLID WASTE DISTRICT	69.00					
1	122161	01/31/13 ANIMAL DISPOSAL	40.00		15780	1000 21 440600	220	101000
		3507A, 3543A						
2	122161	01/31/13 DEMO	22.00		128100	1000 13 460433	220	101000
		,129237						
3	122161	01/31/13 HOSE DISPOSAL	7.00		15672	5310 31 430630	360	101000
		129415						

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122162	72346S	2125 MONTANA RURAL WATERS	350.00					
1	122162	01/31/13 D HARRIS, A KELM: MRW CONF	52.50		15676	5210 22 430530	380	101000
2	122162	01/31/13 D HARRIS, A KELM: MRW CONF	52.50		15676	5210 80 430540	380	101000
3	122162	01/31/13 D HARRIS, A KELM: MRW CONF	42.00		15676	5310 32 430690	380	101000
4	122162	01/31/13 D HARRIS, A KELM: MRW CONF	28.00		15676	5310 33 430640	380	101000
5	122162	01/31/13 D HARRIS, A KELM: MRW CONF	105.00		15676	5210 23 430550	380	101000
6	122162	01/31/13 D HARRIS, A KELM: MRW CONF	70.00		15676	5310 31 430630	380	101000
122163	72302S	999999 BARNEY MURNIN	444.00					
1	122163	01/31/13 TRAVEL:MLEA, PHASE II & III	444.00			1000 5 420140	370	101000
122164	72347S	4009 PITNEY BOWES RESERVE ACCOUNT	1,000.00					
1	122164	01/31/13 POSTAGE ACCOUNT	1,000.00*			1000 3 410500	311	101000
122165	72303S	1970 MONTANA DAKOTA UTILITIES	19,666.52					
1	122165	01/31/13 ELECTRIC/GAS	440.56		15555	2220 16 460100	341	101000
2	122165	01/31/13 ELECTRIC/GAS	411.69		15555	2220 16 460100	344	101000
3	122165	01/31/13 ELECTRIC/GAS	9,466.55			2400 46 430263	341	101000
4	122165	01/31/13 ELECTRIC/GAS	4,092.95			2400 46 430263	533	101000
5	122165	01/31/13 ELECTRIC/GAS	3,260.81			5210 22 430530	341	101000
6	122165	01/31/13 ELECTRIC/GAS	1,993.96			5210 22 430530	344	101000
122166	72348S	1721 MID RIVERS TELEPHONE CORP	2,974.13					
1	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	177.52			1000 6 410300	345	101000
4	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	288.13			2850 105 420140	345	101000
5	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	92.91			2985 15 450330	345	101004
9	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	37.45			1000 1 410200	345	101000
10	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	58.98			1000 3 410500	345	101000
11	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	19.52			1000 3 410500	347	101000
12	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	11.09			1000 4 411100	345	101000
13	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	321.08			1000 5 420140	345	101000
14	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	65.60			1000 5 420140	347	101000
15	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	285.97			1000 5 420160	345	101000
16	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	168.29			1000 7 420460	345	101000
17	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	135.60*			1000 7 420460	347	101000
18	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	11.09			1000 9 410540	345	101000
19	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	44.45			1000 13 460433	345	101000
20	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	37.60			1000 13 460433	347	101000
21	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	40.03			1000 21 440600	345	101000
22	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	84.02			1000 36 411020	345	101000
23	122166	01/31/13 TELEPHONE/INTERNET/CABLE/LD	26.36			2394 18 420531	345	101000

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24	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	73.93			2510 107 430220	345	101000
25	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	39.25			2520 108 430220	345	101000
26	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	81.13			5210 22 430530	345	101000
27	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	80.25*			5210 22 430530	347	101000
28	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	43.41			5210 23 430550	345	101000
29	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	11.40			5210 23 430550	347	101000
30	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	53.59			5210 25 430510	345	101000
31	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	19.52*			5210 25 430510	347	101000
32	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	53.57			5310 29 430610	345	101000
33	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	19.51*			5310 29 430610	347	101000
34	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	43.40			5310 31 430630	345	101000
35	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	11.40			5310 31 430630	347	101000
36	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	38.43			5310 33 430640	345	101000
37	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	45.60*			5310 33 430640	347	101000
38	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	115.88			5510 10 420730	345	101000
39	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	28.24			5510 10 420730	347	101000
40	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	38.43			6040 910 430220	345	101000
41	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	11.40			6040 910 430220	347	101000
42	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	37.60*			2985 15 450300	347	101000
43	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	94.44			5610 87 430300	345	101000
44	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	36.74			5610 87 430300	319	101000
45	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	37.60			5610 87 430300	347	101000
46	122166	01/31/13	TELEPHONE/INTERNET/CABLE/LD	53.72			2220 16 460100	345	101000
122167	72349S	999999	ALLEN KELM	345.27					
1	122167	01/31/13	MEALS/LDGNG: WTR CONF-GR FLS	345.27		15683	5210 23 430550	370	101000
122168	72350S	4011	BIG SKY LINEN	51.34					
1	122168	01/31/13	MOP/RUGS	33.18		15895	1000 8 411230	220	101000
	76040,72202	(CREDIT)							
2	122168	01/31/13	MOP/RUGS	20.62		15895	6040 910 430220	220	101000
	76041								
3	122168	01/31/13	MOP/RUGS	16.06		15789	1000 5 420140	360	101000
	76032								
4	122168	01/31/13	MOP/RUGS	-18.52		18595	1000 8 411230	220	101000
	72202								
122169	72351S	498	CENTURY LINK	1,965.87					
1	122169	01/31/13	911 PHONE SYSTEM	1,965.87		15276	2850 105 420140	345	101000

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For the Accounting Period: 1/13

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* ... Over spent expenditure

Claim Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
122170	72352S	4001 CRITELLI COURIERS, INC.	198.00					
1	122170	01/31/13 TRANSPORT BOOKS CONTRACT 18706	198.00		1557	2880 39 460100	311	101000
122171	72353S	700 CUSTER COUNTY WATER & SEWER	11,867.91					
1	122171	01/31/13 WATER/SEWER COLLECTIONS	11,867.91			7980 211020		101000
122172	72354S	999999 DAVE HARRIS	345.27					
1	122172	01/31/13 TRAVEL:GR FLS CONF	103.58		15682	5210 22 430530	370	101000
2	122172	01/31/13 TRAVEL:GR FLS CONF	103.58		15682	5210 80 430540	370	101000
3	122172	01/31/13 TRAVEL:GR FLS CONF	55.24		15682	5310 32 430690	370	101000
4	122172	01/31/13 TRAVEL:GR FLS CONF	82.87		15682	5310 33 430640	370	101000
122173	72355S	1286 DENNIS HIRSCH	2,429.30					
1	122173	01/31/13 JAN BLDG PERMITS	2,429.30		15892	2394 18 420531	350	101000
122174	72356S	999999 DICK ANDERSON CONSTRUCTION	177,270.14					
1	122174	01/31/13 HAYNES AVE LIFT STATION 3	177,270.14		15680	5310 32 430690	940	102280
122175	72357S	1139 GOLDEN NEEDLE DESIGNS INC.	30.00					
1	122175	01/31/13 LOCKER NAME PLATES (PD) 1719	30.00*		15784	1000 5 420140	220	101000
122176	72358S	4012 HEATHER ROOS	60.00					
1	122176	01/31/12 SPRVSR CELL PHNE:DEC/JAN 153/154	60.00		15277	2850 105 420140	345	101000
122177	72359S	999999 JACKSON CONTRACTOR GROUP, INC.	3,632.20					
1	122177	01/31/13 RIVERSIDE PK PATH PRJ APP #1	3,632.20		15887	1000 13 460433	936	101000
122178	72360S	1047 MARILYNN FORMAN	350.00					
1	122178	01/31/13 PD CLEANING	350.00		15786	1000 5 420140	350	101000
122179	72361S	1533 LOCAL TECHNICAL ASSISTANCE	140.00					
1	122179	01/31/13 REG:SFTY CONGRESS: 1-2013 2657	112.00		15894	2510 107 430220	380	101000
2	122179	01/31/13 REG:SFTY CONGRESS: 1-2013	28.00		15894	2520 108 430220	380	101000

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16:00:17

CITY OF MILES CITY
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* ... Over spent expenditure

Claim Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
122190	72372S	999999 ONE STOP BUSINESS LICENSING	420.00					
1	122190	01/31/13 ANNUAL BUS LICENSE 2013	420.00*		16306	5610 87 430300	220	101000
122191	72373S	374 PCS MOBILE	5,345.55					
1	122191	01/31/13 NETMOTION PREM MAINT	5,345.55		15275	2850 105 420140	220	101000
		29349						
122192	72374S	3229 ROLLING RUBBER	17.00					
1	122192	01/31/13 TIRE REPAIR	17.00		16226	5510 10 420730	230	101000
		37435						
122193	72375S	999999 SOCIETY FOR HUMAN RESOURCES	165.00					
1	122193	01/31/13 MEMBERSHIP	165.00*			1000 3 410500	334	101000
		4559111						
122194	72376S	4013 SOLE STONE REIMB SERVICES	133.96					
1	122194	01/31/13 AMB MEDICAL SUPPLIES	133.96*		16227	5510 10 420730	222	101000
		4868						
122195	72377S	286 STANLEY CHIROPRACTIC OFFICE	210.00					
1	122195	01/31/13 CDL PHYSICALS (2)	140.00		15893	1000 13 460433	360	101000
		130131, 130129						
2	122195	01/31/13 CDL PHYICAL	56.00		15893	2510 107 430220	360	101000
3	122195	01/31/13 CDL PHYICAL	14.00		15893	2520 108 430220	360	101000
122196	72378S	3029 US BANK TRUST - SPA LOCKBOX	9,096.67					
1	122196	01/31/13 POLICE CAR PMT	8,870.36*			1000 5 490500	610	101000
2	122196	01/31/13 POLICE CAR PMT	226.31			1000 5 490500	620	101000
122197	72379S	3039 UTILITIES UNDERGROUND LOCATION	62.65					
1	122197	01/31/13 LOCATES	31.33		15673	5210 23 430550	360	101000
		2125072						
2	122197	01/31/13 LOCATES	31.32		15673	5310 31 430630	360	101000
		2125072						
122198	72380S	3029 US BANK TRUST - SPA LOCKBOX	13,117.85					
1	122198	01/31/13 AMBULANCE PAYMENT	12,469.94			5510 10 490500	602	101000
2	122198	01/31/13 AMBULANCE PAYMENT	647.91			5510 10 490500	629	101000

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Claim Details
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* ... Over spent expenditure

Claim Line #	Check	Invoice #/Inv Date/Description	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
122199	72381S	999999	UTILITY SPECIALTIES, INC	235.00					
1	122199	01/31/13	CHL CYLINDER	235.00		15382	5210 80 430540	230	101000
5827									

Total: 783,003.46

783,003.46

Fund/Account	Amount
1000 GENERAL	
101000 Cash - Operating	\$51,715.29
101140 Cash Rev'd-Nefsy/Others- AC	\$322.14
2220 LIBRARY	
101000 Cash - Operating	\$1,999.67
2250 Planning & Community Serv	
101000 Cash - Operating	\$150.00
2270 Health	
101000 Cash - Operating	\$2,750.00
2394 BUILDING CODE ENFORCEMENT	
101000 Cash - Operating	\$2,737.80
2400 LTG M D#165-(Gen City)	
101000 Cash - Operating	\$27,259.01
2420 LTG M D#167-(MilesAddn Etc)	
101000 Cash - Operating	\$4,817.77
2430 LTG M D#171-(Balsam Est)	
101000 Cash - Operating	\$365.76
2440 LTG M D#172-(Main Str)	
101000 Cash - Operating	\$1,183.60
2450 LTG M D#195-(SG-Trico)	
101000 Cash - Operating	\$401.84
2470 LTG M D#202-(SG-MDU&NV)	
101000 Cash - Operating	\$1,136.57
2480 LTG M M#173-(Milestown Estates)	
101000 Cash - Operating	\$57.33
2510 STR MAINT DIST #204	
101000 Cash - Operating	\$10,357.36
2520 STR MAINT DIST #205	
101000 Cash - Operating	\$2,625.82
2850 911 EMERGENCY	
101000 Cash - Operating	\$10,994.29
2880 LIBRARY GRANTS	
101000 Cash - Operating	\$198.00
101020 Cash - Op/ILL	\$166.00
2985 RETIRED SENIOR VOLUNTEER PROG (RSVP)	
101000 Cash - Operating	\$37.60
101004 RSVP Non-Federal Cash Operating	\$317.92
4000 General Fund Capitol Improvement Fund	
101000 Cash - Operating	\$14,600.00
5210 WATER UTILITY	
101000 Cash - Operating	\$24,580.89
102113 Cash - NE Water Line Proj	\$161,214.31
102270 Cash - Curb Stop Replacement Fee	\$1,814.32
5310 SEWER UTILITY	
101000 Cash - Operating	\$15,887.12
102240 Cash - Replacement & Depreciation	\$225,150.00
102280 WWtr Treatment Plant-Phase I	\$179,060.75
5510 AMBULANCE FUND	
101000 Cash - Operating	\$16,584.42
5610 AIRPORT OPERATING	
101000 Cash - Operating	\$11,647.16
6040 PUBLIC WORKS	
101000 Cash - Operating	\$1,002.81

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CITY OF MILES CITY
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Fund/Account	Amount
7980 CUSTER CO WATER & SEWER DISTRICT 101000 Cash - Operating	\$11,867.91
Total:	\$783,003.46

RESOLUTION NO. 3579

A RESOLUTION AUTHORIZING THE CITY OF MILES CITY TO APPLY FOR THE MONTANA DEPARTMENT OF COMMERCE MONTANA MAIN STREET PROGRAM AS AN AFFILIATE MEMBER.

WHEREAS, Section 2-346(a) of the Miles City Code of Ordinances recognizes cultural heritage and historic preservation as qualities essential to human need and the physical beauty, economic health and quality of life;

AND WHEREAS, the Main Street Historic District has suffered losses in recent years due to fires, Business relocations', and closures, that impact the City's cultural heritage, historic preservation, and city tax revenues;

AND WHEREAS, the Miles City Preservation Office, the Miles City Area Economic Development Council, the Miles City Area Chamber of Commerce, and Fort Keogh have begun developing methods to improve investment and economic development in the Main Street Historic District;

AND WHEREAS, these groups' efforts would be strengthened by the coordination, technical assistance, resources, expertise, and services provided with an Affiliate Membership in the Montana Main Street Program.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Miles City, Montana as follows:

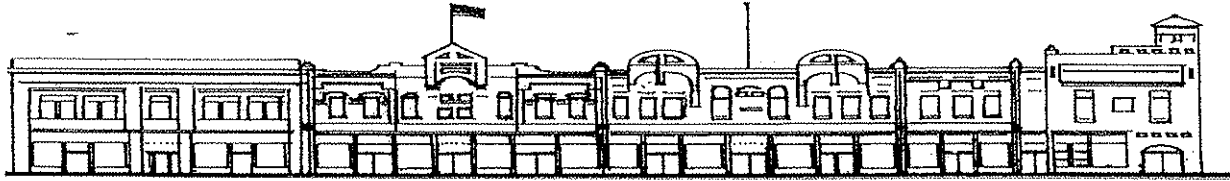
1. The City, by and through the Miles City Preservation Office is authorized and encouraged to apply for membership to the Montana Department of Commerce Montana Main Street Program as affiliate member and,
2. The Mayor of the City of Miles City, upon written approval of the City Attorney, is hereby empowered and authorized to certify said Application on behalf of the City of Miles City.

SAID RESOLUTION PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 12TH DAY OF FEBRUARY, 2013.

C.A. Grenz. Mayor

ATTEST:

Rebecca Stanton, City Clerk



HISTORIC PRESERVATION COMMISSION
CITY OF MILES CITY

February 7, 2013

Chris A. Grenz, Mayor
Miles City Council Members

Re: RESOLUTION NO. 3579

A RESOLUTION AUTHORIZING THE CITY OF MILES CITY TO APPLY FOR THE MONTANA DEPARTMENT OF COMMERCE MONTANA MAIN STREET PROGRAM AS AFFILIATE MEMBER

Dear Mr. Mayor and Council Members:

I have provided the following information for your consideration in reference to Resolution 3579:

Background

In August of 2012, the Miles City Historic Preservation Office, the Miles City Area Economic Development Council, the Miles City Area Chamber of Commerce, and Fort Keogh combined their resources to begin planning a project to “Revitalize Downtown”. The group formed with the goal to address the ongoing loss of business in the downtown business corridor due to fires, migration to South Haynes and business closures due to the recent difficult economic conditions.

Since that time, this group has worked to develop methods to incentivize investment and attract potential investors in order to improve economic development in the Main Street Historic District. That effort has included writing grants, conducting community discussion groups and planning workshops and seminars to raise public awareness and increase knowledge of the financial feasibility of investing in the downtown business district. Through these activities we have built a strong local awareness and support of our efforts as evidenced in the numerous letters of support submitted to strengthen our Brownfields Assessment Grant application.

All of the local entities on the “Revitalize Downtown” project committee have approached local economic development for years by utilizing many of the strategies captured in the trademarked “Four Point Approach” based on the “Eight Principles” promoted by the Main Street Program. So, to incorporate those guidelines into our current effort will not require any major organizational shift for our group, or for Miles City.

Joining the Main Street Program as an Affiliate Member will allow the community to utilize the technical services and grant funding available through the MT Department of Commerce Main Street Program. The technical assistance and funding offered by MMS, along with the Brownfields Assessment funding, Preservation Tax Credits, SBA business lending and the

excellent marketing of Miles City accomplished by the Chamber of Commerce, provides the "bones" of a great incentive program to offer to potential investors in our downtown corridor.

The Montana Main Street Program is under the new directorship of Tash Wisemiller, and is undergoing a significant change in its approach to serving the communities of Montana. The following information is provided for your reference in learning about the program from the State's Department of Commerce web-site.

Regards,

Connie Muggli
Historic Preservation Officer

Montana Main Street Program

<http://mtmainstreet.mt.gov/default.mcpX>

The Montana Main Street Program, established in 2005 and currently serving nineteen communities across the state, is administered by the Community Development Division of the Montana Department of Commerce. The Montana Main Street Program helps communities strengthen and preserve their historic downtown commercial districts by focusing on economic development, urban revitalization, and historic preservation through long-range planning, organization, design, and promotion.

Using the National Trust Main Street Center Four Point Approach™ to downtown revitalization, the Montana Main Street Program provides a range of services and assistance to communities striving to enhance economic and business vitality while maintaining local historic integrity, quality of life, and a sense of place. Such goals are best met by uniting larger community ideas and efforts with program organization, coordination, and resources. Formed in 1980, the National Trust Main Street Center has formed a network of over 2,000 communities, rehabilitated hundreds of thousands of buildings, and has created more than 100,000 new jobs.

The Montana Main Street program offers technical assistance and expertise to member communities and awards competitive grant funding to communities actively working on community downtown revitalization, economic development, and historic preservation.

1. **Mission**

The mission of the Montana Department of Commerce's Main Street program is to be a coordinating resource for communities seeking to revitalize their historic downtown commercial districts and to provide technical assistance and expertise to communities of all sizes, based on their individual needs.

2. **Vision**

Healthy, vibrant downtowns help recruit new residents, businesses, and tourists, and help retain the people who already live and work there. Main Street helps communities strengthen and preserve their historic downtowns by focusing on economic development, through organization, design, and promotion.

3. **Guiding Principles**

We will:

- accomplish our mission through teamwork.
- follow the guidelines of the National Trust Main Street Center.
- value tradition, but encourage and embrace change.
- provide the best possible, personalized service to all.
- make decisions in the best interest of our communities.
- work in partnership with our communities, their town governments and civic and historical preservation organizations.

Services

Main Street **helps communities strengthen and preserve their historic downtowns by focusing on economic development, through organization, design, and promotion.** Main Street works on these four points because each is vital to successful downtown development. What good is a promotion that draws hundreds of people downtown if all they see are dirty, vacant buildings? What good are building rehabilitations if they are not filled with viable businesses? What good are downtown improvements if they are not promoted and people don't know what goods and services is available downtown? *To help meet the needs of Montana's communities, the Montana Main Street program has two separate levels of membership: Designated and affiliated.*

Designated communities

Designated communities have a paid staff person to oversee the local Main Street organization, board of directors, and volunteers. These Main Street organizations can be stand-alone non-profits or can be incorporated into an existing organization such as a chamber of commerce or downtown association. Depending on their needs, they will receive a package of services the first year that concentrates on building the capacity of the organization. Services can include Main Street 4-point training, board development, fundraising, volunteer recruitment, and annual work plan development. Subsequent years will focus on issue-specific downtown development and historic preservation technical assistance, delivered by a wide range of experts. In addition, residents in designated communities can attend regional workshops at no charge, and our annual downtown development and historic preservation conference at a reduced fee.

Affiliated communities

Affiliated communities do not need to have paid staff, and any organization in the community can request technical assistance. Each affiliated community will receive **one on-site technical training per year, and residents are also welcome to attend our regional workshops at no charge,** and our annual conference at a reduced fee. In order to provide the downtown development and historic preservation technical-assistance communities want, they will be required to fill out a short application, explaining what the community's Main Street priorities are.

There is no requirement for an Affiliate Community to ever become a Designated Community. Affiliated Communities can remain affiliated indefinitely. In Montana, most of our communities are Affiliates and accomplish great amounts and quality of work while never considering a Designated status. Other communities, after a few years of successes, determine that they would very much like to organize as a Designated Community, since it gives an organizational approach to their local efforts.

Our only requirements for Affiliates would be to submit reinvestment reports biannually (one to two pages) so that we can showcase community efforts across the state, to find a volunteer base in the community, and to have the city and other downtown organizations involved in a wider support network. The Montana Main Street Program can help as much as Miles City decides is necessary, but ultimately, the goals of your Affiliate Community are set by your community.

AFFILIATED COMMUNITIES

ANACONDA	DEER LODGE	SHERIDAN
BILLINGS	GREAT FALLS	TERRY
BOULDER	KALISPELL	TOWNSEND
DILLON	LEWISTOWN	WHITEHALL
GLASGOW	LIBBY	
GLENDIVE	SHELBY	

The Four Point Approach™

Communities across the country are using the Main Street approach to revitalize their traditional business districts, whether they have officially designated Main Street programs or just incorporate Main Street into existing economic development, historic preservation, city management, or community planning programs. It's a technical assistance program that concentrates on four major areas: Organization, Promotion, Design, and Economic Restructuring.

It can be structured in different ways, but most Main Street programs are freestanding, nonprofit organizations with a board of directors. Each local Main Street program consists of business and property owners, residents, city officials, financial institutions, schools, civic groups, preservationists, media, etc. Most of the work of the Main Street program is done by volunteers, often with the direction of a paid executive director.

The four major areas of the Main Street program are:

1) **Organization**

How do you get everyone in the community working toward the goal of revitalizing your Main Street? In general, organizational duties consist of raising money for projects and administration, recruiting volunteers, managing staff and volunteers, and managing the finances.

2) **Promotion**

How do you attract potential shoppers, investors, and entrepreneurs? By marketing each commercial district's unique characteristics, Main Street programs have launched promotional strategies that create a positive image through advertising, special events, retail promotions, and marketing campaigns, which are carried out by local volunteers.

3) **Design**

How do you get Main Street back into top-notch physical shape? Main Street communities have discovered that capitalizing on their best assets such as historic buildings and traditional downtown layout is just part of the story. An inviting atmosphere created through window displays, parking areas, signs, sidewalks, street lights, and landscaping conveys a visual impression of Main Street: what it is and what it has to offer.

4) **Economic Restructuring**

How do you find a new niche for Main Street and its businesses? By helping existing businesses and by recruiting new ones to respond to today's market, Main Street programs help convert unused space into productive property and sharpen the competitiveness of merchants and other business owners.

The Eight Principles

While the Main Street approach provides the format for successful revitalization, implementation of the four-point approach is based on eight principles that pertain to all areas of the revitalization effort:

Comprehensive process - Community business district revitalization is a complex process and cannot be accomplished through a single project. For successful long-term revitalization, a comprehensive approach must be used.

Incremental in nature - Small projects and simple activities lead to a more sophisticated understanding of the revitalization process and help to develop skills so that more complex problems can be addressed and more ambitious projects undertaken.

Community empowerment - Local leaders must have the desire and the will to make the project successful. The National Main Street Center and the Montana Main Street program will provide direction, ideas and training, but continued and long-term success depends upon the involvement and commitment of the community.

Public/private partnerships - Both the public and private sectors have a vital interest in the economic health and physical viability of traditional commercial districts. Each sector has a role to play, and each must understand the other's strengths and limitations so that an effective partnership can be forged.

Identifying and capitalizing on existing assets - Business districts must capitalize on the assets that make them unique. Every district has unique qualities like distinctive buildings and human scale that give people a sense of belonging. These local assets must serve as the foundation for all aspects of the revitalization program.

Quality - Quality must be emphasized in every aspect of the revitalization program. This applies equally to each element of the program, from storefront design to promotional campaigns to educational programs.

Change - Changes in attitude and practice are necessary to improve current economic conditions. Public support for change will build as the program grows.

Implementation-oriented - Activity creates confidence in the program and ever-greater levels of participation. Frequent, visible changes are a reminder that the revitalization effort is under way. Small projects at the beginning of the program pave the way for larger activities as the revitalization effort matures



JANETTE KRUTZFELDT JONES
ERICA D. GRIFFITH
*WILLIAM J. KRUTZFELDT

507 Pleasant Street
Miles City, Montana 59301
Tel: 406/234-1222 Fax: 406/234-5864
Email: jkjones@middrivers.com
*Of Counsel

MEMO

To: City Council Of Miles City, Mayor Grenz
From: Erica D. Griffith, Assistant City Attorney
Re: Leasing City Lands
Date: 2-8-2013

1)The City of Miles City is required to publish its intent to sell or lease City Property; and 2) The City Council may use its discretion when reviewing purchase/lease proposals, as long as the Council acts in the Best Interest of the City when awarding a lease/purchase proposal.

The City Council of Miles City must follow Resolution No. 2989, Resolution No. 3364 and M.C.A. Section 7-8-4201 when leasing or selling city lands. The procedure is summarized as follows:

1. The City must give notice of its intent to lease or sell city Real property by publication for four weeks. The Notice shall solicit written proposals for the lease or purchase of the property.
2. Upon the deadline when all proposals are submitted, the Finance Committee shall review the proposals, conduct interviews as necessary, and make its recommended action to City Council.
3. The Council shall take what action it deems in the best interest of the City. The Council is not required to accept any written proposal for lease or purchase.
4. All leases, sales, transfers, exchanges or donations of City real property must be made by ordinance or resolution, and must be passed by a two-thirds vote of all the members of City Council. (Except as provided by in M.C.A. 7-8-4201(3))

The City may not “grandfather in” an applicant, or suspend the rules requiring publication of a notice unless it revisits the bidding process in a new resolution.

Montana Code Annotated 2011

[Previous Section](#) [MCA Contents](#) [Part Contents](#) [Search](#) [Help](#) [Next Section](#)

7-8-4201. Disposal or lease of municipal property. (1) Subject to the provisions of subsection (2), the city or town council may sell, dispose of, donate, or lease any property belonging to the city or town.

(2) (a) Except for property described in subsection (3), the lease, donation, or transfer must be made by an ordinance or resolution passed by a two-thirds vote of all the members of the council.

(b) Except for property acquired by tax deed or property described in subsection (3), if the property is held in trust for a specific purpose, the sale or lease must be approved by a majority vote of the electors of the municipality voting at an election called for that purpose. The election must be held in conjunction with a regular or primary election.

(3) If a city or town owns property containing a historically significant building or monument, the city or town may sell or give the property to nonprofit organizations or groups that agree to restore or preserve the property. The contract for the transfer of the property must contain a provision that:

(a) requires the property to be preserved in its present or restored state upon any subsequent transfer; and

(b) provides for the reversion of the property to the city or town for noncompliance with conditions attached to the transfer.

(4) This section may not be construed to abrogate the power of the board of park commissioners to lease all lands owned by the city that were acquired for parks within the limitations prescribed by [7-16-4223](#).

(5) A city or town may donate land or sell the land at a reduced price to a corporation for the purpose of constructing:

(a) a multifamily housing development operated by the corporation for low-income housing;

(b) single-family houses. Upon completion of a house, the corporation shall sell the property to a low-income person who meets the eligibility requirements of the corporation. Once the sale is completed, the property becomes subject to taxation.

(c) improvements to real property or modifying, altering, or repairing improvements to real property that will enable the corporation, subject to the restrictions of Article X, section 6, of the Montana constitution, to pursue purposes specified in the articles of incorporation of the corporation, including the sale, lease, rental, or other use of the donated land and improvements.

(6) Land that is transferred pursuant to subsection (5) must be used to permanently provide low-income housing. The transfer of the property may contain a reversionary clause to reflect this condition.

History: En. Subd. 62, Sec. 5039, R.C.M. 1921; amd. Sec. 1, Ch. 115, L. 1925; amd. Sec. 1, Ch. 20, L. 1927; re-en. Sec. 5039.61, R.C.M. 1935; amd. Sec. 1, Ch. 35, L. 1937; R.C.M. 1947, 11-964; amd. Sec. 14, Ch. 311, L. 1979; amd. Sec. 1, Ch. 305, L. 1993; amd. Sec. 38, Ch. 387, L. 1995; amd. Sec. 4, Ch. 202, L. 1999; amd. Sec. 7, Ch. 170, L. 2009.

Provided by Montana Legislative Services

RESOLUTION NO. 2989

**A RESOLUTION PROVIDING FOR PROCEDURES TO MANAGE AND MONITOR
LEASES OF PROPERTY OWNED BY THE CITY OF MILES CITY**

WHEREAS, the City of Miles City owns various lands, facilities and improvements;

AND WHEREAS, the City desires to lease these lands, facilities and improvements for the benefit of the general community, to provide for appropriate area for the location of industrial businesses and similar entities, to manage special use properties, and to generate appropriate public revenues therefrom;

AND WHEREAS, the City Council of the City of Miles City desires to establish procedures to monitor and manage such various leases;

AND WHEREAS, the City of Miles City desires to establish a fair and consistent policy with which to administer the leasing of such lands, facilities and improvements;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Miles City, Montana as follows:

1. **Lease Administrator.** The Mayor shall designate a lease administrator to administer the leasing of City owned property, including, but not limited to, the Industrial Site tracts. The lease administrator shall have the following responsibilities:

- a. develop and maintain a record of each leased property containing, at a minimum:
 - (1) an appropriately signed and acknowledged standard form of lease together with a copy of the resolution of the City Council approving such lease;
 - (2) a legal description of the leased parcel;
 - (3) a map of the leased parcel;
 - (4) proof of insurance in compliance with the lease;
 - (5) a listing of City services provided to the property;
 - (6) a brief description of the use for which the property was leased;
 - (7) the full name, address and telephone number of the current lessee;
 - (8) any approved assignments of the lease together with a copy of the resolution of the City Council approving such assignment;
 - (9) all correspondence associated with the parcel including all notices of lease violations;
 - (10) all inspection reports as to compliance with lease terms by lessee;
 - (11) an historical record of lease payments upon the parcel;

- b. serve as the single point of contact for current leaseholders and for lessees desiring to lease City property;
- c. develop and present to the City Council an annual lease status report and recommendations as to changes in leases or lease policies;
- d. conduct on-site inspections of leased tracts at least annually to verify compliance with lease terms, use for stated lease purpose, occupancy and use by named lessee or approved assignee, condition of leased property, proof of complying insurance, and any environmental degradation; and
- e. such other and further duties and responsibilities as the Mayor or Council may assign from time to time.

2. **Lease Standards.** Leases granted by the City of Miles City shall comply with the following general standards, unless expressly excepted by action of the City Council:

- a. The term of the lease shall be for a period between one to five years. Renewable leases shall be permitted. Leases with terms greater than five years or with renewal options beyond five years shall include an inflation escalation clause increasing the annual rental by ten percent (10%) per five year term, assessed at five year intervals.
- b. The termination dates for leases shall be set for June 30, to coincide with the City's fiscal year. The first year of a lease shall require prorated rentals through June 30 of the subsequent year, due upon commencement of the lease, and subsequent rentals shall be for annual periods from July 1 to June 30, payable in advance on July 1 of each year of the lease term.
- c. The minimum base rate for new Industrial Site leases shall be established from time to time by the City Council. Industrial Site leases entered into for FY 2003-2004 shall utilize the following minimal rentals:

Tracts with Highway 10 & 12 frontage	\$.03 per square foot per year
Tracts with paved road frontage	\$.02 per square foot per year
Tracts with gravel road frontage	\$.015 per square foot per year

Rates above these minimal base rates may be charged based on the cost of city services or city owned improvements provided as part of the lease.

Rates for leases of City owned property outside of the Industrial Site will be evaluated on a case by case basis.

- d. Lease may provide special considerations for lessee investment in tract cleanup, land surface improvements, or improvements to city service systems.
- e. Governmental entities, or nonprofit corporations that are determined to be of special benefit to the greater Miles City community, may receive more favorable lease terms or lease rental rates. Any nonprofit entity seeking such benefits shall file with the Lease Administrator a copy of its IRS tax exempt determination and any determination by the IRS that such entity qualifies as a charity.
- f. Leases shall prohibit assignment and subleasing unless prior written approval is obtained from the City Council. If a Lessee desires to eliminate or modify these standards and the Council is agreeable, then the rental provisions may be revised upward from the minimal base rates, or other provisions for rental adjustment may be included in the lease to assure that the City is receiving fair market value for the leasehold.

3. **Minimum Documentation for New Leases.** New applications to lease City property, or requests to modify improvements on existing leases, or requests to change the use of existing leases must submit documentation in support of the proposal. At a minimum, the documentation shall include:

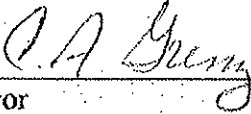
- a. Legal description of the property;
- b. Brief description of the intended use or changes in existing use to the property;
- c. Plot plan showing multiple uses, if any;
- d. Scaled site plan showing:
 - 1. all existing and proposed improvements, both permanent and temporary;
 - 2. engineering plans for new improvements or modifications to existing improvements;
 - 3. existing and proposed utilities; and
 - 4. site drainage.

- e. Description of any extraordinary requirements for physical access, security, water, sanitary sewer, waste storage or disposal or other public utility or environmental need;
- f. Listing of federal, state, and local permits required for construction or operation;
- g. Proposals to amend boundaries of existing parcels must be surveyed at the applicant's expense;
- h. Site preparation for new leases will be the responsibility of the applicant;
- i. Applicants claiming a public benefit resulting from the proposed use of the property must submit credible evidence of that benefit. Public benefit includes, but is not limited to, public safety, environmental protection, economic development and public use.

4. **Variation from Standards.** The above standards are intended as general guidelines for the Lease Administrator and potential lessees. Nothing herein shall preclude the approval by the City Council of a lease that varies from the above standards should the Council determine that such lease is in the best interests of the City.

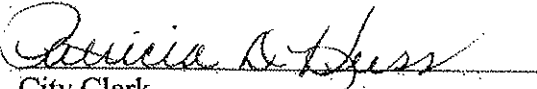
5. **Effective Date.** This Resolution shall become effective immediately upon its passage.

SAID RESOLUTION FINALLY PASSED AND ADOPTED AS AMENDED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 10th DAY OF FEBRUARY, 2004.



Mayor

ATTEST:



City Clerk

RESOLUTION 3364

A RESOLUTION ESTABLISHING PROCEDURES FOR THE SALE OR LEASE OF CITY LANDS

WHEREAS, the City of Miles City ("*the City*") owns certain lands that are available for lease or sale;

AND WHEREAS, the City desires to establish a uniform procedure that provides public notice of lands for sale or lease, and seeks to obtain a fair return and reasonable compensation to the City from such leases or sales;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY as follows:

Section 1. Notice of Intent to Sell or Lease City Real Property. The City shall give notice of its intent to lease or sell City real property by publication in a newspaper of general circulation in the county, once each week, for four (4) consecutive weeks, with at least five (5) days between each publication. The notice shall solicit written proposals for the lease or purchase of such property and give a date and time by which all such proposals must be deposited with the City Lease Administrator. The notice shall give the legal description of any tract of real property offered for lease or sale, a description of any improvements included within such lease or sale, and the amount of annual rental currently paid for such real property. If the property is offered for lease under a standard form of lease, the notice shall state that the standard form of lease is available for review at the City Lease Administrator's office, setting forth the name, telephone number and business address of the City Lease Administrator.

Section 2. Appraisal. If real property considered for sale by the City has an estimated fair market value in excess of \$25,000.00, prior to the consideration of any sale of such property, the City shall have it appraised by a qualified real estate appraiser.

Section 3. Transmittal of Offers to Finance Committee. Following the date and time specified in the published notice for submission of written proposals, the City Lease Administrator shall transmit a copy of all written proposals timely received, to the chair of the Finance Committee of the City Council.

Section 4. Review and Recommendation of Finance Committee. The Finance Committee shall then meet, review all such proposals, conduct such interviews of proposed lessees *or purchasers* as it deems necessary, and shall pass on to the City Council all such proposals, with the Committee's recommendations for action thereon.

Section 5. Council Consideration. Upon receipt of the recommendation of the Finance Committee, the City Council shall take such action upon such proposed leases *or purchase* as it deems in the best interests of the City. Nothing herein shall be construed as requiring the Finance Committee or the City Council to accept any written proposal for lease or purchase.:

Section 7. Payment of Costs Incidental to Transfer. Unless otherwise agreed by resolution of the City Council, applicants to purchase City lands shall pay all charges incident to the conveyance and transfer of the lands from the City to the purchaser, including counsel fees incurred by the City, fees of the closing agent, recording fees, title insurance premiums, survey expenses, platting expenses, appraisal fees (if required), financing costs and expenses of applicant, and all applicable federal, state, and local taxes which may be incurred or imposed by reason of such conveyance and transfer and by reason of the delivery of said deed and other instruments. Such charges shall be paid by the applicant as they are incurred by the City and are payable by the applicant whether or not the transaction closes. In addition, the City may require the applicant to provide a deposit for the payment of such costs prior to their being incurred.

Section 6. Two-Thirds Majority Vote Required to Lease or Sell. Except for real property described in §7-8-4201(3) MCA, all leases, sales, transfers, exchanges or donations of City real property must be made by an ordinance or resolution passed by a two-thirds vote of all the members of the City Council.

Section 7. Provisions Are Supplemental to Provisions on Industrial Site Leases. The procedures set forth herein are supplementary to the provisions set forth in Resolution 2989 as to leases in the Industrial Site.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 14TH DAY OF AUGUST, 2012.

C.A. Grenz, Mayor

ATTEST:

Rebecca Stanton, City Clerk

