



CITY OF MILES CITY AGENDA

*Regular Council Meeting
City Council Chambers*

*October 28, 2014
7:00 p.m.*

CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

1. APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES
 - a. City Council Meeting 10/14/2014
 - b. Public Safety Committee 10/20/2014
 - c. Finance Committee 10/22/2014
2. SCHEDULE MEETINGS
3. REQUEST OF CITIZENS & PUBLIC COMMENT
4. APPOINTMENTS
Solid Waste Board Member
5. PROCLAMATIONS
6. STAFF REPORTS
7. CITY COUNCIL COMMENTS
8. MAYOR COMMENTS
Set Date for First Council Meeting in November
MMIA Announces 2013-2014 Loss Control Awards
9. COMMITTEE RECOMMENDATIONS
10. BID OPENING
4-Wheel Drive Loader
BID AWARDS

11. **PUBLIC HEARINGS**

- A. **RESOLUTION NO. 3754:** A Resolution Pursuant To §7-6-4006 Of The Montana Code Annotated, Authorizing Amendment Of Final Budget For FY 2014-2015 To Increase The Budgeted Amount In Fund # 1000-009-410540-143 To Provide Funding For Health Insurance For The City Treasurer
- B. **ORDINANCE 1279:** An Ordinance Relating To The Creation Of The Miles City Downtown Urban Renewal District And Adopting An Urban Renewal Plan, Including A Tax Increment Provision

12. **UNFINISHED BUSINESS**

- A. **RESOLUTION NO. 3742:** *(Tabled at 10/14/14 Meeting)* A Resolution Of Intent To Establish An Economic Development Revolving Loan Fund For Business Retention And Expansion
- B. **RESOLUTION NO. 3754:** *(Second Reading)* A Resolution Pursuant To §7-6-4006 Of The Montana Code Annotated, Authorizing Amendment Of Final Budget For FY 2014-2015 To Increase The Budgeted Amount In Fund # 1000-009-410540-143 To Provide Funding For Health Insurance For The City Treasurer

13. **NEW BUSINESS**

- A. **Approval of Cowtown Ag Site Plan Review**
- B. **RESOLUTION NO. 3757:** A Resolution Approving A Letter Of Continuing Support To Neighborworks Montana And Its Grant Program For First Time Homebuyers Assistance
- C. **RESOLUTION NO. 3758:** A Resolution Granting A Revocable License To Living Way Fellowship Church, Authorizing The Encroachment Upon City Of Miles City Right-Of-Way For Missouri Avenue And South 7th Street For Purposes Of Constructing Off-Street Angled Parking For The Benefit Of Lots 1 - 5 In Block 88 Of The Original Townsite To The City Of Miles City, Commonly Known As 708 Missouri Avenue
- D. **ORDINANCE NO. 1279:** An Ordinance Relating To The Creation Of The Miles City Downtown Urban Renewal District And Adopting An Urban Renewal Plan, Including A Tax Increment Provision
- E. **Approve Letter of Impact from SEMDC to Governor Bullock**

14. **ADJOURNMENT**

Public comment on any public matter that is not on the agenda of this meeting can be presented under Request 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 on the matter. Public matter does not include contested cases and other adjudicative proceedings

REGULAR COUNCIL MEETING October 14, 2014
7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, October 14, 2014, in the City Hall 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 Roxanna Brush, Mark Ahner, Ken Gardner, Susanne Galbraith, Sheena Martin, John Hollowell and Jerry Partridge. Dwayne Andrews was excused.

Also present were Public Works Director Scott Gray, Utility Director Allen Kelm, City Attorney Dan Rice, Interim Fire Chief Cameron Duffin, Police Chief Doug Colombik, Grant Writer/Planner in Training Dawn Colton, Historic Preservation Officer Connie Muggli, Utility Billing Clerk Patti Bissell and City Clerk/Minute Recorder Lorrie Pearce.

PLEDGE OF ALLEGIANCE

Mayor Grenz led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

City Council Minutes: 9/23/2014

** *Councilperson Gardner moved to approve the minutes of the Regular Council Meeting of September 23, 2014, seconded by Councilperson Brush and **passed** unanimously, 7-0.*

Finance Committee Meeting: 10/1/2014

** *Councilperson Galbraith moved to approve with corrections the minutes of the Finance Committee Meeting of October 1, 2014, seconded by Councilperson Gardner and **passed** unanimously, 7-0.*

Human Resource Committee Meeting: 10/7/2014

** *Councilperson Brush moved to approve the minutes of the Human Resource Committee Meeting of October 7, 2014, seconded by Councilperson Galbraith and **passed** unanimously, 7-0.*

SCHEDULE MEETINGS

- Public Safety Committee: 6:00 Monday, October 20
- Planning Board Committee: 6:00 Thursday, October 16

- Planning Board Committee: 5:15 Tuesday, October 21
- Planning Board Committee: 6:00 Wednesday, October 22
- Planning Board Committee: 6:00 Wednesday, October 29

REQUEST OF CITIZENS & PUBLIC COMMENT

Executive Director Jim Atchison of South Eastern Economic Development updated the Council on the eleventh annual Energy Open Conference and golf tournament in Colstrip. He also updated Council on the 48 million dollar proposal that will be presented to Legislature.

Executive Director Mike Coryell of Miles City Economic Development updated the Council on their success stories.

- East Valley Drive water line construction
- RID #1 sewer project

APPOINTMENTS

None

PROCLAMATIONS

Mayor Grenz proclaimed October 15, 2014 as White Cane Safety Day, and the month of October as Domestic Violence Awareness Month.

STAFF REPORTS

Public Works Director Grey announced that there will be a flood meeting open to the public at the Miles City Community College, Room 106 on October 23rd from 6-8pm.

City Clerk Pearce reminded the Council that the first Council meeting in November is on Veterans Day.

CITY COUNCIL COMMENTS

John Hollowell

Asked if the letter of impact from SEMDC funding needed to be signed by Council or Mayor. Mayor Grenz thought that it would have a larger impact if signed by the whole Council. Councilperson Hollowell asked for the letter to be added to the next Council meeting agenda.

MAYOR COMMENTS

Mayor Grenz thought there might be some grant funding available for BNSF railroad quiet zones.

STANDING COMMITTEE RECOMMENDATIONS

Finance Committee Meeting: 10/1/2014 **Recommend increase in Part-Paid Firefighter Wages**

Councilperson Galbraith thought the wages were quite low, and said that you can get a job at McDonald's for \$10.00 an hour. She recommended the wage increase be included in Resolution No. 3750 and if it passes, the increase would use 57% of the budget line item for part paid firefighters.

BID OPENING

None

BID AWARDS

None

PUBLIC HEARINGS

- A. **ORDINANCE NO. 1273:** An Ordinance Enacting A New Section 20-11 Of The Code Of Ordinances Of The City Of Miles City, Entitled "Maintenance Of Public Right Of Way"

Mayor Grenz called for comments from proponents three times, then opponents three times and, hearing none, the hearing was closed.

- B. **ORDINANCE NO. 1274:** An Ordinance Enacting A New Section 22-151 Of The Code Of Ordinances Of The City Of Miles City, Entitled "Refusal To Submit To Alcohol/Drug Breath And/Or Blood Test"

Mayor Grenz called for comments from proponents three times, then opponents three times and, hearing none, the hearing was closed.

- C. **ORDINANCE NO. 1277:** An Ordinance Amending Ordinances 1073 And 1262 And Revising "Administration Rules Of The City Of Miles City Water And Sewer Services, Accounts, Delinquencies And Termination"

Mayor Grenz called for comments from proponents three times, then opponents three times and, hearing none, the hearing was closed.

- D. ORDINANCE NO. 1278:** An Ordinance Revising Section 11-77 Of The Code Of Ordinances Of The City Of Miles City, Montana, Adopting The 2012 International Fire Code, And Notice Of Intent

Mayor Grenz called for comments from proponents three times, then opponents three times and, hearing none, the hearing was closed.

- E. RESOLUTION NO. 3713:** A Resolution Of The City Council Of The City Of Miles City, Montana Establishing Administrative Fees And Charges For Processing Citations In City Court

Mayor Grenz called for comments from proponents three times, then opponents three times and, hearing none, the hearing was closed.

F. TIFD- Tax Increment Financing District

Mayor Grenz called for comments from opponents three times, there were none. Mayor Grenz called for comments from proponents.

- Executive Director Jim Atchison of South Eastern Economic Development thought the program should go forward if set up properly.
- Executive Director Mike Coryell of Miles City Area Economic Development was very supportive, but had concerns on the boundaries.
- Historic Preservation Commission Chairman Kathy Doedon said it would be good for the entire downtown, not just the historic buildings.

Mayor Grenz called for comments from proponents three times, and hearing none, the hearing was closed.

UNFINISHED BUSINESS

- A. ORDINANCE NO. 1273:** An Ordinance Enacting A New Section 20-11 Of The Code Of Ordinances Of The City Of Miles City, Entitled “Maintenance Of Public Right Of Way”

****** *Councilperson Ahner moved to approve Ordinance No. 1273, by title only, seconded by Councilperson Hollowell. After a brief discussion and on roll call vote, the motion passed by unanimous consent, 7-0. Ordinance No. 1273 was adopted.*

B. ORDINANCE NO. 1274: An Ordinance Enacting A New Section 22-151 Of The Code Of Ordinances Of The City Of Miles City, Entitled “Refusal To Submit To Alcohol/Drug Breath And/Or Blood Test”

*** Councilperson Gardner moved to approve Ordinance No. 1274, by title only, seconded by Councilperson Galbraith. On roll call vote, the motion passed by unanimous consent, 7-0. **Ordinance No. 1274 was adopted.***

C. ORDINANCE NO. 1277: An Ordinance Amending Ordinances 1073 And 1262 And Revising “Administration Rules Of The City Of Miles City Water And Sewer Services, Accounts, Delinquencies And Termination”

*** Councilperson Galbraith moved to approve Ordinance No. 1277 by title only, seconded by Councilperson Hollowell.*

*** Councilperson Hollowell moved to amend Ordinance No. 1277 to include the ACH payment form provided in the Council packet, seconded by Councilperson Galbraith. On roll call vote, the motion passed by unanimous consent, 7-0.*

*** Councilperson Galbraith’s original motion to approve Ordinance No. 1277, passed as amended on roll call vote 7-0. **Ordinance No. 1277 was adopted.***

D. ORDINANCE NO. 1278: An Ordinance Revising Section 11-77 Of The Code Of Ordinances Of The City Of Miles City, Montana, Adopting The 2012 International Fire Code, And Notice Of Intent

*** Councilperson Ahner moved to approve Ordinance No. 1278 and adopt as amended, by title only, seconded by Councilperson Gardner. After a brief discussion and on roll call vote, the motion passed by unanimous consent, 7-0. **Ordinance No. 1278 was adopted.***

E. RESOLUTION NO. 3713: A Resolution Of The City Council Of The City Of Miles City, Montana Establishing Administrative Fees And Charges For Processing Citations In City Court

*** Councilperson Galbraith moved to approve Resolution No. 3713 by title only, seconded by Councilperson Gardner. On roll call vote, the motion passed by unanimous consent, 7-0. **Resolution No. 3713 was adopted.***

13. NEW BUSINESS

A. RESOLUTION NO. 3742: A Resolution Of Intent To Establish An Economic Development Revolving Loan Fund For Business Retention And Expansion

Councilperson Hollowell asked if the City of Miles City would be the loan manager.

Historic Preservation Officer Muggli explained the City would market and field applicants by CDBG RLF guidelines. She hopes that the City can work with the Economic Development groups to help with the loan packaging process, and is working with Attorney Rice to put together policies that will guide the City's workflow.

Councilperson Hollowell asked if that included making sure the loans are being paid and collecting the payments.

Historic Preservation Officer Muggli explained that the policies would set up the repayment process. The City would monitor repayment of loans. If a loan falls into arrears, the City may refer the troubled loan back to MCAEDC for further business and financial counseling to help the business get back on track.

Councilperson Brush asked if the proposed CDBG-ED RLF is for the Tax Increment Finance District or downtown.

Historic Preservation Officer Muggli replied that the RLF is for within the City limits or whatever boundaries the City decides upon. She said the CDBG-Ed program assistant suggested the City focus on the City, rather than the County as SEMDC serves Custer County, but the boundaries are up to the City to determine.

SEDC Executive Director Atchison said that SEMDC is very supportive of any attempt to bring back any funding, recruitment, and capacity building in eastern Montana, but recognize we all have limited resources and have to leverage scarce resources and form partnerships to make things work. SEMDC partners with MCAEDC to pay about 40% of MCAEDC's budget and Mr. Coryell spends about three hours per day in that role. Director Atchison stated that the SEMDC group has a proven track record of bringing loans into Miles City, and would like to work with The City of Miles City in the process. He thought that reinventing the wheel was not necessary. He added that his group is very capable of performing the administrative responsibilities of the City's RLF, and thought that if the City's staff took the whole process on by themselves, someone would get burnt out.

Mayor Grenz asked what the administration fee would be.

SEDC Director Atchison said on this grant they can go up to 8%, but could negotiate on the amount.

Mayor Grenz pointed out that 8% of \$400,000 is \$32,000 for each year the City applies, and that Mr. Atchison didn't mention what it would cost the City to have SEMDC administer the grant. He pointed out that the repayment of the loan plus 2% interest would come back to the City and grow to lend out again. Mayor Grenz asked Mr. Atchison if that interest would go to the City or to SEMDC under his plan. Mr. Atchison replied that they propose splitting the interest with the City. Mayor Grenz added that over time, with inflation and paying SEMDC the amount the City would have to lend would be reduced.

Councilperson Galbraith thought that Historic Preservation Officer Muggli was very capable of handling the paperwork and would like the interest and the administrative fees to go to The City of Miles City.

Historic Preservation Officer Muggli said the difference between a SEDG Revolving loan and a CDBG loan is that the City would retain all the interest and administrative fees to reloan within the City. This CDBG-ED RLF grant provides an additional, separate pool of money for the Miles City economy specifically. That will free up the SEMDC RLF capital reserve to lend in the other four counties they serve. Officer Muggli thanked Mr. Atchison for pointing out their qualification for providing the loan packaging services for the City. She added that The City of Miles City isn't looking at reinventing any redundant process. She said this is a separate grant the City must apply for and that Economic Development groups are not eligible to apply for these specific grants. The City will use examples from other cities in the State that have RLF's to create the required written policies and procedures. She explained further that the City will work to create a straightforward work process that will integrate Mr. Coryell's expertise in loan packaging. As the City supports SEMDC/MCAEDC financially, it remains to be determined if the current level of financial support is adequate to cover the loan packaging services Mr. Coryell would provide City RLF loan applicants, or if additional compensation is required. Officer Muggli pointed out the issue of competition between the City's and SEMDC's revolving loan funds. It has been proposed to SEMDC/MCAEDC that the City refer clients to Mr. Coryell for the City RLF, and that SEMDC/MCAEDC may also partner with the City's RLF for businesses that may request funding that exceed SEMDC's ability to loan the funds. Receiving this grant is leveraging scarce resources in an economy that can use all the resources it can get. That is why this is a great opportunity for The City of Miles City to create an additional pool to invest in the economy of the City.

Executive Director Jason Rittal of Eastern Plains Economic Development recommended having Miles City Area Economic Development manage the loan. He said by the time you figure the fees and banking charges, it just isn't good cash flow. He understands that the loan would be available to one company who is producing sixteen jobs and didn't think that would happen.

Historic Preservation Officer Muggli said all cities in Montana qualify for up to \$400,000 per year and can submit applications on behalf of multiple clients until that amount is used. The loan can be used for one company that is creating four jobs, and another company that is creating four more jobs. The company would get an appropriate amount of the grant according to the jobs created. She added that it is a block grant designated for Cities and is completely different from the block grant that SEDG is awarded.

Executive Director Coryell stressed that Miles City Area Economic Development is strongly supported by the community and very organized. They already have the process in place. He recommended to table the resolution so The City of Miles City, MCAED and SEDC can come up with a working and agreeable plan.

Historic Preservation Officer Muggli said this resolution is just so the Council can create the district. By approving the resolution it would give her permission to start the process of writing policies and spend approved staff time on the grant process. She emphasized that CDBG-ED does not require the redundant process of having SEMDC's Loan Committee review the loan. The CDBG-RLF is for gap financing only, thus the primary lenders provide the loan underwriting process. CDBG-ED has its own Loan Committee that reviews and approves the City's loan application. She recommended passing the resolution so she can move forward with policy and procedures.

Economic Development Board member Jack Reagan said that the Boards of both SEMDC and Miles City Development Council would have to approve any agreement between The City of Miles City and MCAED.

Historic Preservation Officer Muggli said that before the agreement is taken to either of the boards for approval there would have to be a policy to present. By passing the resolution it would give her permission to start writing the policy and procedures.

*** Councilperson Brush moved to table Resolution No. 3742, seconded by Councilperson Partridge. On roll call vote, the motion passed by a vote of 4-3, with Councilperson Galbraith, Partridge, and Ahner voting no.*

B. RESOLUTION NO. 3748: A Resolution Approving A Consulting Agreement Between The City Of Miles City And Land Solutions, LLC, A Montana Limited Liability Company, For Land Planning Services

Councilperson Ahner thought the contract should have three additional tasks in the scope of work:

- Update growth policy
- Assist in the preparation of an Annexation Plan
- Train and educate City Planner

Planner in Training Colton explained that the growth policy and annexation plan will be paid by CTEP. Her training will be completed through the work that herself and Director Gray perform.

*** Councilperson Brush moved to approve Resolution No. 3748 by title only, seconded by Councilperson Gardner.*

*** Councilperson Ahner moved to amend Resolution No. 3748, by adding to page 6, Exhibit A (1) Train and educate City Planner (2) Assist in the preparation of an Annexation Plan, seconded by Councilperson Partridge. On roll call vote, the motion passed by unanimous consent, 7-0.*

** Councilperson Brush's original motion to approve Ordinance No. 1277 passed as amended on roll call vote 7-0. **Resolution No. 3748 was adopted.***

C. RESOLUTION NO. 3749: A Resolution Authorizing The City Of Miles City To Enter Into A Montana Department Of Commerce Treasure State Endowment Program Contract For Improvements To The Wastewater Treatment Plant In Miles City, Montana

*** Councilperson Galbraith moved to approve Resolution No. 3749 by title only, seconded by Councilperson Partridge. After a brief discussion and on roll call vote, the motion passed by unanimous consent, 7-0. **Resolution No 3749 was adopted.***

D. RESOLUTION NO. 3750: A Resolution Establishing Wages And Salaries For City Employees For Fiscal Year 2014-2015

Councilperson Galbraith asked for the resolution to be revised for part paid firefighters as follows:

	<u>Current Pay Scale</u>	<u>Increased pay scale</u>
Probation Firefighter	\$7.90	\$9.00
Confirmed Firefighter	\$8.00	\$10.00
EMT Stipend	\$1.00	\$2.00
Firefighter 1	\$0.25	\$1.00
Firefighter 2	\$0.50	\$1.50
Firefighter 3	\$0.75	\$2.00

****** *Councilperson Galbraith moved to approve Resolution No. 3750, subject to adding the part paid firefighter wage increase, seconded by Councilperson Hollowell. On roll call vote, the motion passed by unanimous consent, 7-0. **Resolution No. 3750 was adopted.***

E. RESOLUTION NO. 3751: A Resolution Authorizing The City Of Miles City To Enter Into A Wireless Communication Easement Agreement With Unison Site Management LLC, A Delaware Limited Liability Company

****** *Councilperson Ahner moved to approve Resolution No. 3751 by title only, seconded by Councilperson Galbraith. After a long discussion and on roll call vote, the motion passed by a vote of 4-3. Councilpersons Martin, Partridge and Brush voted no. **Referred to Finance Committee***

F. RESOLUTION NO. 3752: A Resolution Declaring The City Council Intent To Create A Miles City Downtown Urban Renewal District With Tax Increment Authority; Declaring The Existence Of Blight Within The Miles City Downtown Urban Renewal Area

****** *Councilperson Brush moved to approve Resolution No. 3752 by title only, seconded by Councilperson Galbraith. On roll call vote, the motion passed by unanimous consent, 7-0. **Resolution No. 3752 was adopted.***

G. RESOLUTION NO. 3753: A Resolution Authorizing The City Of Miles City To Enter Into A Standard Agreement For professional Services With DOWL-HKM For Services Related To A Miles City Water & Sewer Capacity Study

****** *Councilperson Galbraith moved to approve Resolution No. 3753 by title only, seconded by Councilperson Gardner. After a brief discussion and on roll call vote, the motion passed by unanimous consent, 7-0. **Resolution No. 3753 was adopted.***

H. RESOLUTION NO. 3754: A Resolution Pursuant To 7-6-4006 Of The Montana Code Annotated, Authorizing Amendment Of Final Budget For FY 2014-2015 To Increase The Budgeted Amount In Fund Number 1000-09-410540-143 To Provide Funding For Health Insurance For The City Treasurer

Councilperson Galbraith explained that she wanted to bring this to the Council's attention again, because she had misspoke in the Council Meeting when the budget was approved. She said when Councilperson Brush amended a motion to approve insurance for the Mayor and Treasurer. She said that if the Treasurer's insurance was approved then the budget would be unbalanced. She had forgotten about the \$5000 raise which was not approved it would have been balanced.

Gardner said it comes down to what is best for the City. He had checked with the City of Forsyth and the City of Glendive, both Treasurers were making good money. He said the Treasure has been in the positon for 9 years and he wondered if the City could pay a portion of the insurance.

Mayor Grenz said that the Forsyth and Glendive positions are both full time jobs, and right now our Treasurer's position is part time. He said he would support the Treasurer getting insurance if it was full time. He added that the Treasure's wages has doubled since Mr. Moorehead has been in that office.

The consensus of the Council was that if one elected position receives insurance or pay raises, then all elected positions should receive them. Most thought it should be investigated during budget time.

****** *Councilperson Galbraith moved to approve Resolution No. 3754 by title only, seconded by Councilperson Martin. On roll call vote, the motion passed by a vote of 4-3, with Councilpersons Martin, Ahner and Brush voting no.*

I. RESOLUTION NO. 3755: A Resolution Authorizing The City Of Miles City To Enter Into A Net Profits Agreement With Unison Site Management, LLC, A Delaware Limited Liability Company

****** *Councilperson Ahner moved to refer Resolution No. 3755 to the Finance Committee, seconded by Councilperson Galbraith. The motion passed by a vote of 6-1, with Councilperson Brush voting no. Referred to Finance Committee*

J. RESOLUTION NO. 3756: A Resolution Revising City Of Miles City Personnel Policies Regarding Employment Information And Employee Benefits

Councilperson Brush said this Resolution comes to the Council with a favorable recommendation from the Human Resource Committee.

****** *Councilperson Galbraith moved to approve Resolution No. 3756 by title only, seconded by Councilperson Gardner. On roll call vote, the motion passed by unanimous consent, 7-0. Resolution No. 3756 was adopted.*

K. SITE PLAN APPROVAL: WST (Water Science Technologies)- HWY 12E & Sprandel Lane

Director Al Kelm said the East Valley Drive water line is not going to go as far as where the WST building is being built. The Custer County Water and Sewer District is looking at contracting with Spencer Jarrett to install a fire hydrant so services can be applied at a later date. He has also asked Brady Smith, property owner, to send a set of the building plans to the City.

****** *Councilperson Galbraith moved to approve Water Science Technologies site plan with additional approval from the State Fire Marshall and State Building Officer and that the conditions on the staff report are complete, seconded by Councilperson Hollowell. On roll call vote, the motion passed by unanimous consent, 7-0*

L. APPROVAL OF SEPTEMBER CLAIMS

****** *Councilperson Hollowell moved to approve September claims, seconded by Councilperson Galbraith. On roll call vote, the motion passed by unanimous consent, 7-0*

ADJOURNMENT.

****** *Councilperson Ahner moved to adjourn the meeting, seconded by Councilperson Brush and passed unanimously, 7-0.*

The meeting was adjourned at 9:15 p.m.

C.A. Grenz, Mayor

Lorrie Pearce, City Clerk

Public Safety Committee Meeting October 20, 2014

The Public Safety Committee met Monday, October 20, 2014, at 6:00 pm in the City Hall Conference Room. Present were Chairperson Mark Ahner and Committee Member Sue Galbraith. Committee Member Jerry Partridge was excused. Committee Member Roxanna Brush was present at 6:25 p.m. Also present was Committee Recorder/HR/Payroll Officer Billie Burkhalter.

Chairperson Ahner brought the meeting to order.

- ** Due to lack of a quorum, *Committee Member Galbraith moved to adjourn the meeting at 6:25 p.m., seconded by Committee Member Ahner and passed unanimously, 2-0.* Committee Member Roxanna Brush then joined the meeting and Committee Member Galbraith rescinded her motion, Chairperson Ahner rescinded his second and the meeting was brought to order at 6:25 p.m.

REQUEST FROM LIVING WAY FELLOWSHIP CHURCH TO INSTALL DIAGONAL PARKING AT 708 MISSOURI AVENUE

Chairperson Ahner explained to the Committee that Eldon Toews, Pastor at Living Way Fellowship Church, has requested to install diagonal parking on 708 Missouri Ave and on 7th Street. They would need to take out 13.5 feet of the boulevards to accomplish this.

Chairperson Ahner stated he met with Police Chief Doug Colombik and Public Works Director Scott Gray to see if they would have any issues with this request. Both did not have any problems, as long as the sight distance from the corners of South Montana and Missouri Ave. and 7th Street and Missouri Ave. is at least 25 feet from those intersections. It was also noted by Public Works Director Gray that the Church would be required to install a sidewalk on 7th Street prior to putting in the diagonal parking on that side.

- ** *Councilperson Galbraith moved to recommend to Council to approve the request from Living Way Fellowship Church to install diagonal parking at 708 Missouri Ave, subject to the guidelines by the Public Works Director of installation of a sidewalk on 7th Street and leaving a 25 foot space on each side of the intersection. Committee member Brush seconded the motion, which then passed unanimously, 3-0.*

REQUEST OF CITIZENS

- None.

ADJOURNMENT

** Having no more business to come before the Committee, *Committee Member Galbraith moved to adjourn the meeting, seconded by Committee Member Brush and passed unanimously, 3-0.* The meeting was adjourned at 6:40 p.m.

Respectfully Submitted:

Public Safety Committee Chairperson:

Billie D. Burkhalter, Recorder

Chairperson Mark Ahner

Finance Committee Meeting October 22, 2014

The Finance Committee met Wednesday, October 22, 2014, at 12:00 p.m. in the City Hall Conference Room. Chairperson Galbraith called the meeting to order. Members present were Sheena Martin, John Hollowell and Dwayne Andrews.

Also present was Councilperson Mark Ahner and City Clerk/Minute Recorder Lorrie Pearce.

REQUEST OF CITIZENS & PUBLIC COMMENT

None

NEW BUSINESS

- A. **RESOLUTION NO. 3751:** A Resolution Authorizing The City Of Miles City To Enter Into A Wireless Communication Easement With Unison Site Management LLC, A Delaware Limited Liability Company

Chairperson Galbraith distributed an offer for the lease of the property from Crown Castle, whom already has the lease on the property in question.

There were many concerns of the Committee:

- Does Crown Castle already have a lease on the property?
- The area defined was in question.
- With Unison's agreement the Airport would forfeit any interest in the property.
- The contract can be terminated only by Unison.
- Straight 50 year contract, no option to look at contract in years to come.
- The contract didn't have the number of square footage or acreage.
- The dollar amount that is really offered is not on the contract. It shows \$10 on the agreement.
- Didn't think the "net profit" would bring in much profit to the Airport.
- The contract was all good for Unison, but not for the Airport.
- Thought that the offer received from Crown Castle was better for the Airport.

The consensus of the Committee was that there is not enough information to make a decision.

- ** *Councilperson Andrews moved to postpone Resolution No. 3751, seconded by Councilperson Hollowell. The motion passed by unanimous consent 4-0.*

B. RESOLUTION NO. 3755: A Resolution Authorizing The City of Miles City To Enter Into A Net profits Agreement With unison Site Management, LLC, A Delaware Limited Liability Company

Resolution No. 3755 is associated with Resolution No. 3751; no decision could be made at this time.

*** Councilperson Hollowell moved to postpone making a decision on Resolution No. 3755, seconded by Chairperson Galbraith. The motion passed by unanimous consent, 4-0.*

ADJOURNMENT.

*** Councilperson Hollowell moved to adjourn the meeting, seconded by Chairperson Galbraith and passed unanimously, 4-0.*

The meeting was adjourned at 12:25 p.m.

Suzanne Galbraith Chairperson

Lorrie Pearce City Clerk

MMIA Announces 2013/2014 Loss Control Awards

Helena, MT – Montana Municipal Interlocal Authority (MMIA) has awarded the City of Miles City the 2013/2014 Liability Loss Control Award for Second Class Cities. The City of Miles City has achieved this honor by controlling their losses to achieve the lowest claim expenditures in their class.

The Loss Control Awards are given to those members of MMIA's Liability and Workers' Compensation Coverage Programs that have experienced the lowest claim expenditures over the previous five years. Member municipal classes are established by population size per Montana law into: First Class Cities (population 10,000 and up); Second Class Cities (5,001 to 9,999); Third Class Cities (1,001 to 5,000); and Towns (up to 1,000). Low incurred dollars can represent significant cost savings not only to the municipality itself, but also to the entire MMIA pool of cities and towns. The Loss Control Awards recognize members of all classes who have achieved such success.

The MMIA is a risk-retention pool that provides Liability, Workers' Compensation, Property and Employee Health coverage programs to its members, the cities and towns of Montana. The pool is self-funded and owned by the 124 cities and towns participating in it. MMIA is run by a Board of Directors that is made up of 15 locally elected officials or employees from member municipalities across the state. The MMIA office is located in Helena, MT.

ADVERTISEMENT FOR BID

Sealed bids for the purchase of a **Current Production Model of a 4-Wheel Drive Loader** will be received by the City of Miles City at City Hall, 17 S. 8th Street, Miles City, Montana 59301 at the office of City Engineering and Operations (second floor, City Hall) until 5:00 p.m. local time on Tuesday, October 28, 2014 and then publicly opened and read aloud at the City Council Meeting held at 7:00 p.m.

The Contract Documents including specifications for this equipment may be obtained from the office of City Engineering and Operations or by calling 406-234-3493 (fax 406-234-6392), or the above address.

Bid security in the amount of ten percent (10%) of the bid must accompany each bid in accordance with the Instruction to Bidders. No Bid may be withdrawn after the scheduled time for the public opening of Bids. Bids are to remain open for 30 days.

The City of Miles City has the right to award the Contract to the lowest, responsible, responsive bidder and reserves the right to reject any and all bids and to waive irregularities, as discussed in the Contract Documents.

Signed: _____

C.A. Grenz, Mayor
City of Miles City
Miles City, Montana 59301

First Publication: October 10, 2014

Second Publication: October 16, 2014

Third Publication: October 23, 2014

Send Affidavit of publication and invoice to City Hall-Engineering Department

RESOLUTION NO. 3754

A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AMENDMENT OF FINAL BUDGET FOR FY 2014-2015 TO INCREASE THE BUDGETED AMOUNT IN FUND # 1000-009-410540-143 TO PROVIDE FUNDING FOR HEALTH INSURANCE FOR THE CITY TREASURER

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2014-2015 to provide funding for health insurance to the City Treasurer, as permitted by §7-6-4006 MCA;

AND WHEREAS, such amendment of the final budget will result in an overall increase in appropriation authority within such fund,

AND WHEREAS the provisions of §7-6-4006 MCA require public hearing upon any budget amendment resulting in an overall increase in appropriation authority,

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

The appropriations for the Final Budget for Fiscal Year 2014-2015 for General Fund No. 1000 shall be increased in the following amount:

Fund No. 1000-009-410540-143 (General Fund No. 1000, City Treasurer, Health Insurance), in the sum of \$5,020.00, or \$627.50 per month beginning the month of November, 2014;

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2014-2015 on the 28th day of October, 2014, at 7:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4128 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 14TH DAY OF OCTOBER, 2014.

C. A. GRENZ, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF
MILES CITY, MONTANA, THIS 28TH DAY OF OCTOBER, 2014.

C. A. GRENZ, Mayor

ATTEST:

Lorrie Pearce, City Clerk

ORDINANCE NO. 1279

AN ORDINANCE RELATING TO THE CREATION OF THE MILES CITY DOWNTOWN URBAN RENEWAL DISTRICT; AND ADOPTING AN URBAN RENEWAL PLAN, INCLUDING A TAX INCREMENT PROVISION.

Recitals:

WHEREAS, The Miles City Downtown Urban Renewal Plan (the Plan) is a plan that will address land use and economic issues in the downtown area. This plan provides goals and objectives to be implemented to attract investment and greater economic activity.

WHEREAS, the City of Miles City adopted Resolution 3705 on July 8, 2014 determining the existence of blight in the district as well as the intent to create an urban renewal district with a tax increment provision included,

WHEREAS, the City of Miles City adopted Resolution 3752 on October 14, 2014 declaring the intent to create an urban renewal district with a tax increment provision included and amended the boundaries of said Urban Renewal District,

WHEREAS, this Council on October 28th, 2014, conducted a public hearing on a proposal to consider an urban renewal plan on specified property to be designated "The Miles City Downtown Urban Renewal District", and to adopt the urban renewal plan, as authorized by Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended.

WHEREAS, within the district there is substantial structural deterioration, long-term land vacancy, and significant infrastructure needs. Commercial buildings in the district are vacant or deteriorated and need demolition. Sidewalks are cracked or nonexistent, alleys are deteriorated, and, in general, much of the area is below city standards. Montana Code 7-15-4206(2) provides statutory guidance to determine the eligibility of an area of a city to be deemed as blighted. This continued lack of investment requires that action be taken by both public and private parties.

WHEREAS, the Property is depicted on the attached Exhibit A and legally described on the attached Exhibit B (each of which is hereby incorporated herein and made a part hereof).

WHEREAS, an urban renewal plan entitled the Miles City Urban Renewal Plan is attached hereto as Exhibit C (which is hereby incorporated herein and made a part hereof) (the "Plan"). The Plan contains a tax increment provision and will govern the operation and administration of the District.

WHEREAS, the Plan has been reviewed and approved by the City of Miles City Planning Board, as evidenced by the Board meeting minutes of October 28, 2014.

Ordinance:

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

1. Findings. This Council hereby finds, determines and declares, based on the comments received at the public hearing and other studies and information available to this Council, that:

- the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential;
- inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality; inappropriate or mixed uses of land or buildings;
- defective or inadequate street layout;
- faulty lot layout in relation to size, adequacy, accessibility, or usefulness; unsanitary or unsafe conditions;
- deterioration of site;
- improper subdivision or obsolete platting;
- the existence of conditions that endanger life or property by fire or other causes;
- The Plan conforms to the Growth Policy or parts thereof of the policy for the municipality as a whole.
- The plan will afford maximum opportunity, consistent with the needs of the City as a whole, for the rehabilitation or redevelopment of the district by private investment.

2. Plan Adoption. The Plan is hereby adopted and approved in all respects including the provision and application of tax increments as provided in Sections 7-15-4282 through 7-15-4293 of the Act as provided therein.

3. Effective Date. This Ordinance shall be in full force and effect from and after the date that is 30 calendar days after the date set forth below.

PASSED by the City Council on first reading October 28, 2014.

CITY OF MILES CITY:

BY: _____
Chris Grenz, Mayor

ATTEST:

BY: _____
Lorrie Pearce, City Clerk

PASSED, ADOPTED AND APPROVED on second reading November 11, 2014.

CITY OF MILES CITY:

BY: _____
Chris Grenz, Mayor

ATTEST:

BY: _____
Lorrie Pearce, City Clerk

**EXHIBIT A
MAP OF URBAN RENEWAL AREA**



EXHIBIT B

LEGAL DESCRIPTION OF URBAN RENEWAL AREA

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

EXHIBIT C

MILES CITY URBAN RENEWAL PLAN

(Separate document)

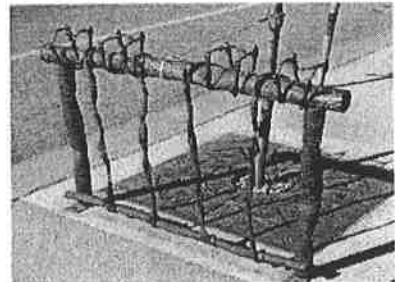
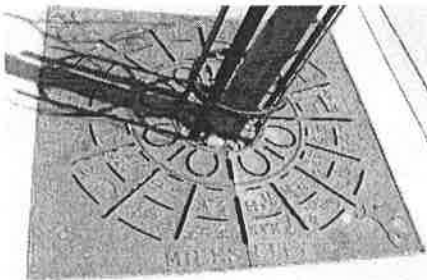
CITY OF MILES CITY

DOWNTOWN URBAN RENEWAL PLAN

Adopted

Ordinance 1279

October 28, 2014



Contents

BACKGROUND AND STATEMENT OF PURPOSE3
INTRODUCTION4
HISTORY6
EXECUTIVE SUMMARY7
DEFINITIONS 12
PRIOR POLICY AND REDEVELOPMENT EFFORTS 15
PROPOSED DISTRICT ATTRIBUTES 17
 BOUNDARY DESCRIPTION 18
 MAP 19
 DETERMINATION OF BLIGHT 20
 HOUSING 20
 PUBLIC INFRASTRUCTURE AND FACILITIES 21
 INFILL DEVELOPMENT 21
 CONFORMANCE TO THE GROWTH POLICY 22
 CURRENT ZONING 22
 TAX INCREMENT FINANCING 22
GOALS AND OBJECTIVES 24
 GOAL One: Create Vibrant Historic Downtown Business District 24
 Goal Two: Attract and Retain Work Force 25
 Goal Three: Historic Resources 26
 Goal Four: Housing for all income levels 26
 Goal Five: Infrastructure 27
 Goal Six: Transportation 27
PUBLIC INVOLVMENT 28
ADMINISTRATION 29
ANNUAL BUDGET 29
 APPENDIX B: PROPERTY OWNERS 32
 APPENDIX C: STATE STATUTES 37
 APPENDIX D: LIST OF PARTICIPANTS 38

BACKGROUND AND STATEMENT OF PURPOSE

During a Community Discussion hosted at the Miles City Library in August of 2012 to discuss the impact of regional energy development, the group also voiced concerns about the increasing number of vacant properties in the Miles City's Main Street business district. The loss of green space for new business construction near Interstate 94 on South Haynes Avenue to accommodate energy growth was a stark contrast to the deterioration of a beautiful Historic Main Street District lacking in similar development. The Director of the City's Historic Preservation Office responded by proposing the "Revitalize Downtown" project to City Council and the Historic Preservation Commission. The Miles City Preservation Commission plays a major role in the City's planning process as an advisory Board to the City which reviews and comments on planning programs undertaken by the city, through the city zoning commission and the city/county planning board on matters relative to historic resources such as land use, economic development, municipal improvements, housing and other public programs. The Director and Commission scheduled a second Community Discussion in November of 2012 to focus on the concerns of the community specific to the Historic Main Street District. The findings of that meeting are attached as Appendix A, Project Priorities Matrix.

The Miles City Revitalize Downtown (MCRD) project is designed to answer the growing concern voiced by the community over the ongoing deterioration of the iconic business district which represents our City's cultural heritage and a significant economic asset. It is a primary goal of the MCRD project level the playing field between redevelopment and greenfield development.

A broader collaboration between the City, the Miles City Area Economic Development Council, Miles City Housing Authority, Fort Keogh Livestock and Range Research Station and other area service groups, the MCRD project works to design strategies, financial incentives, and provide technical assistance that will address the specific barriers or challenges to development in the Main Street Historic District, Miles City's primary business corridor. The Revitalize Downtown team refers recommendations to the City Council for consideration in supporting economic development in historic downtown Miles City.

The Urban Renewal Plan with a Tax Increment Finance option is one of many initiatives of the Revitalize Downtown project. The strategy to provide capital resources and leverage existing funds is a critical component of the larger effort to incentivize redevelopment in the city's main business corridor. TIF District revenue can be packaged with other funding mechanisms which include, but are not limited to grant match dollars, New Market Tax Credits, Historic Preservation Tax Credits, EPA Brownfields dollars, Montana Board of Investment Loans, Montana Department of Transportation planning and construction dollars, and Montana Board of Investment Infrastructure loans.

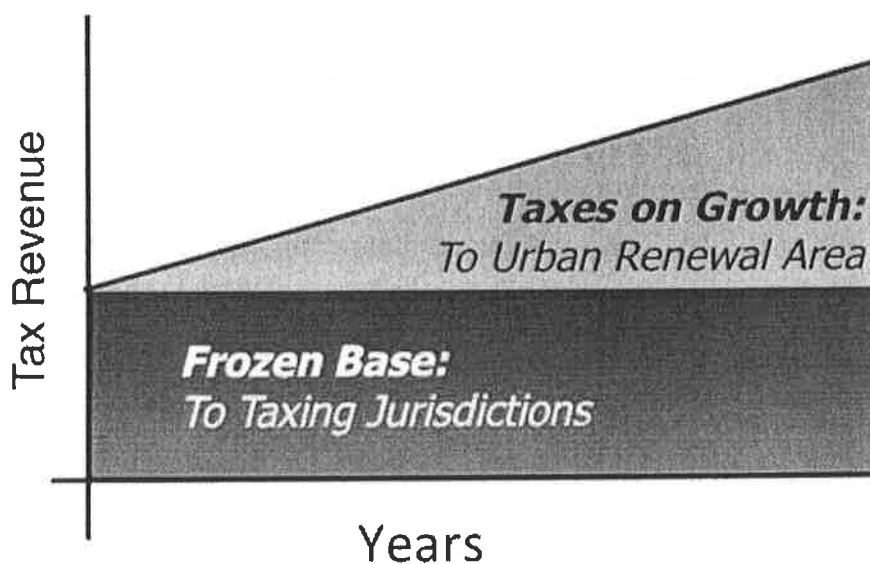
To implement the Tax Increment Finance District Initiative, the City sought grants from the Montana Community Development Block Grant-Economic Development program, the Montana Main Street programs and private sources to fund a Tax Increment Finance District Feasibility Study, and to proceed with creation of the district should it prove feasible. On April 22, 2014, the city contracted with Zeier Consulting, LLC to conduct the Feasibility Study and advise the City Council in creating the District should it prove feasible.

On June 24, 2014, the Miles City Council adopted **Resolution 3686** approving the Feasibility Determination for the proposed Miles City Downtown Urban Renewal District with the option for Tax Increment Financing and authorized Zeier Consulting, LLC of Billings, Montana to conduct a professional study for the purpose of determining if blight exists within the downtown Miles City area. The Study conducted determined that blight exists in the area in accordance with Urban Renewal Law (7-15 Parts 42 & 43 M.C.A.). Based on the findings of the Zeier Study, the City Council adopted **Resolution 3705**, "declaring the intent to create the Miles City Downtown Urban Renewal District with Tax Increment Authority; and declaring the existence of blight within the Miles City Downtown Urban Renewal area". The Council directed Zeier Consulting to prepare the Miles City Downtown Urban Renewal Plan. This Plan is the result of that effort.

INTRODUCTION

The State of Montana has provided local municipalities with the Urban Renewal Plan process through Montana Code Annotated Title 7 Chapter 15 Part 42 & 43. Montana Urban Renewal as it is known

provides for a process known as Tax Increment Finance. This process allows a municipality to designate a certain area of the city that is infrastructure deficient or blighted as an Urban Renewal District. A base tax value is determined for that District and tax revenue continues to be distributed to all taxing jurisdictions (including the City) based on that value. The City also receives any incremental property tax revenues generated in the Urban Renewal District for planning and redevelopment activities. The incremental tax revenues generated in the district must be spent within the district for infrastructure improvements as incentives to encourage redevelopment in the District. After an initial 15 year term the base values reset to the current level and all other taxing jurisdiction then receives the base values and the incremental revenues generated. See illustration below.



HISTORY

Miles City and the region have a rich and colorful history. Downtown Miles City is a unique place that is steeped in the history of the west. Our history extends back to the days of the dinosaurs and nomadic hunters following the herd migrations. The first modern group to make their home here permanently appears to have been the Crow Indians. They were followed by fur trappers, the Lewis & Clark Expedition and other early explorers.

Miles City as we know it today was established at the confluence of two iconic rivers, the Yellowstone and the Tongue, in 1877, in response to Custer's defeat at the Battle of the Little Bighorn. The fort was built to carry out the political decision to remove the native peoples to reservations during the Great Sioux Wars. This ultimately made way for increasing numbers of settlers from all over the world, cattle barons and farmers alike that found our region inviting.

As a civilian settlement around the Fort Keogh military outpost, the city immediately began to flourish as a regional trade hub on the frontier. At that time, steamboats and bull trains were the means of travel, commerce and shipping. Early buildings were of log or locally milled lumber construction. The early log and lumber buildings provided great fuel for fires; and Miles City experienced a number of major fires in the early business district.

As they rebuilt the city's core business district, the founding fathers encouraged the City's role as a regional trade center and planned accordingly. They designed the city based on the concept that "looking prosperous would attract prosperity".

Architects were hired and as the city fathers tried to outdo each other, a city featuring impressive architecture of enduring materials, beautiful homes, parks, landscapes and walkways was built.

The concept worked. Leighton and Jordan, early businessmen, were the largest supplier of ranch and home goods in the entire Northwest Territories. Other businesses and trades were attracted to the growing city, and Miles City was, for a time, the second-largest banking center in Montana

and held the record for the most millionaires per capita. Miles City has served as eastern Montana's largest city, providing hospitality, commerce, education, cultural, recreation, medical, government, and other services to a large rural region for over 135 years.

Their legacy is a beautiful downtown district constructed with enduring materials and inspiring architecture that reflects our proud cultural heritage which was listed on the National Register of Historic Places in 1989.

Extending from Riverside Park to the railroad underpass, Main Street features an array of stunning architectural styles that reflect a prosperous past. Always a source of great pride in the community, sadly, the downtown historic district can now only be described as blighted.

The efforts of the community has led to the development of policies and plans to help preserve this history and plan carefully to incorporate new development into the downtown. This careful, well-conceived, and transparent planning process is a critical component to the success of this Urban Renewal Plan.

EXECUTIVE SUMMARY

A vibrant downtown area is a vital component of a healthy community. The Downtown area of Miles City has undergone significant change in the last fifty years due to several factors affecting the economic viability of the area, including but not limited to:

- Miles City began to experience a long, slow deterioration of the downtown business corridor following construction of the Interstate highway system and rerouting of State highways in the 1960s. Without the automobile traffic to support them, numerous businesses located on Main either closed due to lack of business or migrated to higher traffic areas near the Interstate highway exits on South Haynes Avenue hoping to increase sales.
- Declining economic conditions also contributed to the decrease in business in the main business district and eventually other retail and service businesses followed or closed up shop completely.

- The Main Street District experienced a series of devastating fires between 1980 and 2009 which left an impact as well. During that time, the City lost many successful businesses and historically significant buildings on Main Street. There has been some rebuilding, though there are still parcels that have been left as vacant and underutilized.
- This shift has been accelerated in recent years as more businesses have either closed or left Main Street.
- The result is that the Main Street business corridor is no longer viewed as an attractive location due to lack of traffic, resulting in a decline in business investment in the Downtown. This lack of development is evidenced in the high ratio of empty storefronts and declining real estate transactions in the Downtown.

During the 1980's the local Historical Society worked diligently to list the Main Street District. It was hoped that designation as a historic district would help incentivize preservation of the buildings through tax credits. Economic conditions at the time were not conducive to redevelopment, even with the tax incentives for commercial properties. The Main Street District originally included ninety-nine buildings (99), sixty (60) of which were considered contributing buildings and thirty-nine (39) non-contributing buildings. Based on a recent survey of the district, only fifty-five (55) of the ninety-nine original buildings listed on the Historic Register remain standing. Of those, only thirty-three (33) of the original sixty (60) "contributing" buildings have survived and remain mostly intact historically. Unfortunately, the downtown district often goes overlooked by new businesses or potential investors, primarily because of the fear that the cost of having to renovate these older buildings far outweighs the cost of simply building brand new. The fact that the downtown district has become a seemingly low traffic area (due to the migration and closures of businesses) does nothing to convince businesses to open their doors downtown. The overall appeal of the city core has deteriorated significantly discouraging any possibility of new business investments.

Per MCA 7-15-4206(2)(a),(i), and (j), the downtown is eligible for inclusion on an Urban Renewal Area with a TIF District provision as a solution to address its current market and physical deterioration, the deterioration of site and site improvements, as well as a diversity of ownership that makes consensus on any potential redevelopment activities challenging and difficult.

The study of the Miles City Downtown core began with a data review process evaluating current property values within the Main Street Historic District and adjacent City neighborhoods, followed by site inspections throughout those portions of the City included in proposed TIF boundaries. The process continued with interviews with property owners and stakeholders. As part of this plan there have been meeting held with:

- City Council Members
- Downtown property owners
- Downtown business owners
- Business owners that have relocated out of the downtown
- City Staff that are responsible for maintaining and improving public infrastructure.
- Local economic development staff

There is a consensus that there is significant opportunity to be had for the redevelopment of the downtown core. The downtown is not meant to compete with the Haynes development and this plan is not meant to suggest that. The downtown needs to leverage the available tools, such as a TIF District, to provide property and business owners a level playing field to develop businesses that are viable. The South Haynes corridor experiences high transient traffic by offering regional residents and travelers food, lodging, automotive and truck sales and repair, and box store goods. This captured market demographic represents an opportunity for Main Street businesses to offer complimentary goods and services that will attract and retain that demographic.

The initial feasibility portion of this planning process has determined the plan for a TIFD in Miles City relates directly to the likelihood that such a District will successfully address the slow economic decline of the area and encourage investment in the main business corridor. The findings of this initial study concluded that the creation of a TIFD in Miles City has a high chance of success due to the following facts:

- The downtown is eligible under Montana Statute for an Urban Renewal District with a TIF provision.
- There are significant issues with multiple properties in the downtown such as empty storefronts, infrastructure deficiencies, and lack of investment that can be addressed in the Urban Renewal Planning process.
- There is an upswing in the regional economy due to energy development in the Bakken area, and as a result there is increased market interest in Miles City to locate businesses as evidenced in the development of the South Haynes corridor.
- The increased volume of Interstate traffic to and from the Bakken region creates an economic environment which provides additional opportunity to capture a market share for businesses offering goods and services complimentary to those offered in the business areas serving the Interstate exits into the City.
- There is an increased demand for housing across all income levels in the region.
- The downtown area generates higher per square foot tax revenues than large paved areas in surrounding business districts.
- Re-use of existing infrastructure which is already in place and is financially viable.
- The City is located in Census Tract 30017962000 making it eligible for New Market Tax Credits.
- The business corridor is listed on the National Register of Historic Places making a high percentage of properties eligible for Historic Preservation Tax Credits.
- The City's unique history in combination with cultural and tourism events such as the Bucking Horse Sale, the Bluegrass Festival and other local events make it a platform for creating a travel destination.
- The City is home to a number of stable economic drivers that attract a diverse regional and national demographic to the city such as the Community College, Fort Keogh Research Station, Miles City Livestock Commission, Range Riders, the Art Center and the Eastern Montana Fair which provides an opportunity for business to capture a portion of the existing market share.

- The redevelopment of a downtown area has already seen significant investment from the public sector in the form of land use regulation changes such as rezoning to allow for mixed use buildings, a Brownfields project to eliminate environmental issues as a barrier to redevelopment, and the willingness to begin the discussion of an Urban Renewal Plan with a Tax Increment District provision.

There is a significant amount of interest from the community for the redevelopment of the downtown core. The proposed Urban Renewal District and its corresponding Urban Renewal Plan will be a critical element in the redevelopment of Downtown. The Urban Renewal Plan is an ideal vehicle for the capturing of public input from property owners and public officials to set the long term vision of the Downtown area. The process to be undertaken is to be a transparent and public process that captures all input that is important to the Urban Renewal Plan. What the Downtown can be reinvented as and how to get there is the whole point of an Urban Renewal Plan and is perhaps the most important component of this project. Only through the Urban Renewal Planning process can the goals and objectives of the community be realized.

DEFINITIONS

MCA 7-15-4206. Definitions.

The following terms, wherever used or referred to in part 43 or this part, have the following meanings unless a different meaning is clearly indicated by the context:

- (1) "Agency" or "urban renewal agency" means a public agency created by 7-15-4232.
- (2) "Blighted area" means an area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, that substantially impairs or arrests the sound growth of the city or its environs, that retards the provision of housing accommodations, or that constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:
 - (a) the substantial physical dilapidation, deterioration, age obsolescence, or defective construction, material, and arrangement of buildings or improvements, whether residential or nonresidential;
 - (b) inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;
 - (c) inappropriate or mixed uses of land or buildings;
 - (d) high density of population and overcrowding;
 - (e) defective or inadequate street layout;
 - (f) faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
 - (g) excessive land coverage;
 - (h) unsanitary or unsafe conditions;
 - (i) deterioration of site;
 - (j) diversity of ownership;
 - (k) tax or special assessment delinquency exceeding the fair value of the land;
 - (l) defective or unusual conditions of title;
 - (m) improper subdivision or obsolete platting;
 - (n) the existence of conditions that endanger life or property by fire or other causes; or
 - (o) any combination of the factors listed in this subsection (2).
- (3) "Bonds" means any bonds, notes, or debentures, including refunding obligations, authorized to be issued pursuant to part 43 or this part.
- (4) "Clerk" means the clerk or other official of the municipality who is the custodian of the official records of the municipality.
- (5) "Federal government" means the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.
- (6) "Local governing body" means the council or other legislative body charged with governing the municipality.
- (7) "Mayor" means the chief executive of a city or town.

- (8) "Municipality" means any incorporated city or town in the state.
- (9) "Neighborhood development program" means the yearly activities or undertakings of a municipality in an urban renewal area or areas if the municipality elects to undertake activities on an annual increment basis.
- (10) "Obligee" means any bondholder or agent or trustee for any bondholder or lessor conveying to the municipality property used in connection with an urban renewal project or any assignee or assignees of the lessor's interest or any part of the interest and the federal government when it is a party to any contract with the municipality
- (11) "Person" means any individual, firm, partnership, corporation, company, association, joint-stock association, or school district and includes any trustee, receiver, assignee, or other person acting in a similar representative capacity.
- (12) "Public body" means the state or any municipality, township, board, commission, district, or other subdivision or public body of the state.
- (13) "Public officer" means any officer who is in charge of any department or branch of the government of the municipality relating to health, fire, building regulations, or other activities concerning dwellings in the municipality.
- (14) "Public use" means:
 - (a) a public use enumerated in 70-30-102; or
 - (b) a project financed by the method provided for in 7-15-4288.
- (15) "Real property" means all lands, including improvements and fixtures on the land, all property of any nature appurtenant to the land or used in connection with the land, and every estate, interest, right, and use, legal or equitable, in the land, including terms for years and liens by way of judgment, mortgage, or otherwise.
- (16) "Redevelopment" may include:
 - (a) acquisition of a blighted area or portion of the area;
 - (b) demolition and removal of buildings and improvements;
 - (c) installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the area the urban renewal provisions of this part in accordance with the urban renewal plan; and
 - (d) making the land available for development or redevelopment by private enterprise or public agencies, including sale, initial leasing, or retention by the municipality itself, at its fair value for uses in accordance with the urban renewal plan. If the property is condemned pursuant to Title 70, chapter 30, the private enterprise or public agencies may not develop the condemned area in a way that is not for a public use.
- (17) (a) "Rehabilitation" may include the restoration and renewal of a blighted area or portion of the area in accordance with an urban renewal plan by:
 - (i) carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements;
 - (ii) acquisition of real property and demolition or removal of buildings and improvements on the property when necessary to eliminate unhealthful, unsanitary, or unsafe conditions, to lessen density, to reduce traffic hazards, to eliminate obsolete or other uses detrimental to the public welfare, to otherwise remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities;
 - (iii) installation, construction, or reconstruction of streets, utilities, parks, playgrounds,

and other improvements necessary for carrying out in the area the urban renewal provisions of this part; and

(iv) subject to 7-15-4259(4), the disposition of any property acquired in the urban renewal area, including sale, initial leasing, or retention by the municipality itself, at its fair value for uses in accordance with the urban renewal plan.

(b) Rehabilitation may not include the development of the condemned area in a way that is not for a public use if the property is condemned pursuant to Title 70, chapter 30.

(18) "Urban renewal area" means a blighted area that the local governing body designates as appropriate for an urban renewal project or projects.

(19) "Urban renewal plan" means a plan for one or more urban renewal areas or for an urban renewal project. The plan:

(a) must conform to the growth policy if one has been adopted pursuant to Title 76, chapter 1; and

(b) must be sufficiently complete to indicate, on a yearly basis or otherwise:

(i) any land acquisition, demolition, and removal of structures; redevelopment; improvements; and rehabilitation that is proposed to be carried out in the urban renewal area;

(ii) zoning and planning changes, if any, including changes to the growth policy if one has been adopted pursuant to Title 76, chapter 1;

(iii) land uses, maximum densities, building requirements; and

(iv) the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

(20) (a) "Urban renewal project" may include undertakings or activities of a municipality in an urban renewal area for the elimination and for the prevention of the development or spread of blight and may involve redevelopment in an urban renewal area, rehabilitation or conservation in an urban renewal area, or any combination or part of redevelopment, rehabilitation, or conservation in accordance with an urban renewal plan.

(b) An urban renewal project may not include using property that was condemned pursuant to Title 70, chapter 30, for anything other than a public use.

PRIOR POLICY AND REDEVELOPMENT EFFORTS

The Revitalize Downtown project has already achieved significant traction up to the creation of the Urban Renewal District. Since the inception of the Revitalize Downtown Project, the City of Miles City has accomplished the following:

- Applied for a Community Wide Brownfields Assessment Grant in 2012 and 2013, working with all city departments to develop a plan to integrate Brownfields into ongoing City Planning and Permitting activities and Comprehensive Planning efforts underway within the city.
- Worked with the EPA and the Great Northern Development Corporation of Wolf Point, Montana to perform Targeted Brownfields Assessments and clean-up of hazardous materials in local properties;
- Adopted Ordinance #1252: the Historic Mixed Use Zoning District on June 11, 2013 which creates “a new zoning district giving more flexibility for historic buildings, allowing commercial and residential usage within individual buildings within the historic district”. This revision broadens the definition of “historic district” to include other satellite properties individually listed on the National Register that are not located within a designated Historic District in Miles City. Regulations for enforcement will be drafted in accordance with the City’s growth policy;
- Became Montana Main Street program Affiliate Member, allowing the city access to additional funding and specialized technical assistance available through that program
- Educating the community on leveraging capital using Historic Preservation and New Market Tax Credit programs and the EPA’s Brownfields programs that are available to the City of Miles City.
- Significantly increased the budget and schedule of the Historic Preservation Department to manage the Revitalize Downtown and other related projects
- Obtained a Targeted Brownfields Assessment Grant for a downtown property owner, and will work with the owner to qualify for EPA Brownfields funding for environmental clean-up

There are currently three prior projects underway that represent the City's commitment to the Revitalize Downtown Project. Phase I of the Riverside Park renovations which included installing historic lighting fixtures along newly designed pathways is complete and Phase II is in the planning stage. In addition, the acquisition and restoration of the historic Northern Pacific Depot continues to move forward and the West End project is in the planning phase. The West End project will improve the Interstate exit route leading into the city at the western entrance into town with signage, lighting and landscaping, directing additional customer traffic to Main Street businesses. These projects will use a combination of state and federal funding along with private investment, and will contribute to the first impression formed by all visitors, will increase the appeal and functionality of the Urban Renewal District and incentivize investment in the area.

PROPOSED DISTRICT ATTRIBUTES

The boundaries of the Tax Increment Finance District (TIFD) are designed to surround the City's main business corridor, the Historic Main Street District, with a mixture of properties that create a balance between the population demographic and income levels, commercial and residential use, vacant land suitable for new construction and properties viable for adaptive re-use, renovation and expansion. The boundaries were drawn based on condition of existing infrastructure balanced by the need for additional infrastructure, existing multimodal transportation routes, traffic flow patterns, building conditions and population demographics among other factors. Careful consideration was given to the opportunities for potential economic development within the boundaries, with the primary goal of creating an incubator that will create customer traffic sufficient to support a healthy downtown business district. It is important to note that a key factor driving boundary selection was to strike a balance between properties with the potential to create Increment Revenue through development, and properties that would benefit from expenditure of increment revenue. The potential of extending the benefit beyond the boundaries drove many of the decisions in boundary selection.

The TIF District includes the historic Washington Middle School and Custer County High School, which serve not only the population of the district, but the whole community. This provides the School Board with opportunities to access Tax Increment revenues throughout the life of the District for building and infrastructure projects. The district includes the fraternal orders that played a significant role in the early economic development of the city. These include the Elks Lodge, the Eagles Lodge and the Masonic Temple. The historic Custer County Courthouse is also located within the district, providing the county the opportunity to propose projects to preserve the beautiful landmark building. Of equal importance, as community partners and stakeholders in the Tax Increment District, increased property values from new development within the TIFD will ultimately accrue to both the County and School Districts at sunset of the District, supporting long term capital improvement planning capability for each. The District is also designed to include important parks and recreation facilities that serve the whole community. Riverside Park, the Oasis, Denton Connor Sports Complex serve young and old alike and are an important part of the City's social fabric.

The proposed Urban Renewal District (District) is approximately 168.82 acres in size, with a 2013 total taxable market value of \$52,397,861. Total real property acreage in Miles City is 487.06 with a current cycle reappraisal value of \$216,570,297. The Urban Renewal District is approximately 34.66% of the land area of the City of Miles City. Historically, the City expanded east from the banks of the Tongue River as far north as the Yellowstone River and included the primary transportation corridors of that period, the intersection of state highways 12 and 59, and the Northern Pacific and Milwaukee Railroads. The District's infrastructure was primarily designed during the period of 1878 and 1910 and shapes the character and ambiance of the City through its historic significance in building this country. The median property tax in Custer County, Montana is \$1,207 per year for a home worth the median value of \$86,700. Custer County collects, on average, 1.39% of a property's assessed fair market value as property tax.

BOUNDARY DESCRIPTION

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

Beginning at the intersection of Tatro Street and 7th St, continuing east on Tatro Street along the northern border of the City's easement right of way setback to the municipal limits, paralleling the city limits south and east to the intersection of Ullman St and Gordon St, continuing east on Gordon Street along the northern border of the City's easement right of way setback to the intersection of Gordon St and Woodbury St, continuing South on Woodbury along the eastern border of the City's easement right of way setback to the intersection of Woodbury St. and Leighton Blvd, continuing west on Washington St along the southern border of the City's easement right of way setback to the intersection of Washington St and 10St, continuing south on 10th St along the eastern border of the City's easement right of way setback to the intersection of 10th and Pleasant St, continuing east along the northern border of the City's easement right of way setback to the intersection of Pleasant St and N Center Ave, continuing South on N Prairie Ave along the eastern border of the City's easement right of way setback to the intersection of N Prairie Ave and Main St, continuing east on Main Street along the northern border of the City's easement right of way setback to the intersection of Main St and S Lake Ave, continuing south along the eastern border of the City's easement right of way setback to the intersection of S Lake Ave and Fort St, continuing west on Fort Street along the southern border of the City's easement right of way setback to the intersection of Fort St and S Montana Ave, continuing southwest on Montana Street along the southwestern border of the City's easement right of way setback to the intersection of S Montana Ave, Pearl Street and 10th St, continuing northwest on 10th St along the southern border of the City's easement right of way setback to the intersection of 10th St and S Montana Ave and Atlantic Ave, continuing southwest on Atlantic along the southeastern border of the City's easement right of way setback to the intersection of Atlantic and NueVu, continuing southeast on NueVue along the eastern border of the City's easement right of way setback to the

intersection of NueVu and Yellowstone, continuing southwest on Yellowstone along the southern border of the City's easement right of way setback to the city limits and the Tongue River, following the municipal limits west, north, and east to the intersection of Dike Rd and Wilderness Rd, continuing northeast on Wilderness Rd to the intersection of Wilderness Rd and Hubbell St, continuing east on Hubbell St. along the northern border of the City's easement right of way setback to the intersection of Hubbell St and 6th St, continuing north on 6th St along the western border of the City's easement right of way setback to the intersection of 6th and William St, continuing east on William St along the northern border of the City's easement right of way setback to the intersection of William St and 7th St, continuing north on 7th St along the western border of the City's easement right of way setback north to the intersection of 7th St and Tatro Street.

MAP



DETERMINATION OF BLIGHT

There is a statutory requirement that the municipality make a determination of blight prior to the creation of an urban renewal district. The area in the district contains a great deal of blight. Within the district there is substantial structural deterioration, long-term land vacancy, and significant infrastructure needs. Several of the commercial buildings in the district are vacant or deteriorated and are in need of demolition. Many of the sidewalks are cracked or nonexistent, alleys are deteriorated, and, in general, much of the area is below city standards. Montana Code 7-15-4206(2) provides statutory guidance to determine the eligibility of an area of a city to be deemed as blighted. Specifically MCA 715-4206(a)(i)(j)(n) are all items that relate to the condition of the proposed Miles City Downtown Urban Renewal District. The continued lack of investment requires that action be taken by both public and private parties. Portions of the district fall into the blighted, neglected and under-utilized categories. The Miles City Council declared its intention to create a Miles City Downtown Urban Renewal District and have adopted Resolution No. 3705 approved July 8th, 2014 that determines that blight exists in the district.

HOUSING

Housing in Miles City has always been seen as challenging. The stable population base with small increments of growth over the last few decades have led to a situation where there is no elasticity in the market to absorb the demand for housing. The shortage of available housing is present at all income levels, not just the low to moderate income levels. The recent development and unqualified success of large amounts of rental housing have proven that a need exists that is not being met with the current housing stock. The use of the available resources from this plan and the other efforts to attract and incentivize new housing in the district is an important component of the Urban Renewal Plan.

The adjacency to amenities and services is seen as the next best thing in residential development. This national and state trend to provide housing that meets the needs of all

demographics is an opportunity to capitalize on the unique nature of the downtown area. The Urban Renewal District is in a perfect position to take advantage of this trend. The higher density residential development adjacent to the downtown as well as the opportunity to redevelop the historic structures in the downtown core are an excellent opportunity. The benefit would be twofold: the property would be redeveloped and generate income, and a critical housing need would be met.

PUBLIC INFRASTRUCTURE AND FACILITIES

In numerous discussions with stakeholders and city officials, it is determined that the public infrastructure of the district is in need of repair and upgrade. This infrastructure includes streets, alleys, curb and gutter, sidewalks, public and private utilities, storm sewers, street lighting, traffic signals and other traffic capacity upgrades. In addition, the district includes Custer County High School, Washington School and the Custer County Courthouse. Tax increment dollars can be utilized to make improvements to public buildings. It is important to recognize and involve the locally affected taxing jurisdictions and partner with them through the Urban Renewal Planning process to promote collaboration and cooperation.

The development of public infrastructure is seen as an important element of the plan not only because of the eligibility for TIF funds but also for the benefits to the public. The thought is that public investment can attract further private investment that will in turn provide increased property tax revenues and in turn more funds in the TIF district to continue the cycle.

INFILL DEVELOPMENT

An important consideration is the concept of infill development. Infill can be defined as the development or redevelopment of properties in an area that take advantage of currently existing infrastructure. Things such as streets and utility connections are expensive improvements to make and are not getting any less expensive. The availability and adjacency of existing infrastructure is an important attribute to capitalize on. This availability is an advantage to a potential project but is often seen as an impediment to many project stakeholders. By partnering with potential projects in the district the city can take advantage of the

infrastructure that it already has as opposed to requiring significant new investment or worse yet not having the budget to maintain new infrastructure. Examples of infill projects can include the development of single family and two family homes on currently vacant residential areas of the district, the development of as higher density residential uses, and the redevelopment of currently existing structures that have potential for redevelopment. It is also important to consider the context of new development. The historic structures that are in the district may require some type protection in the form of design standards or guidelines. In some cases it may be more economical to demolish structures that are beyond saving.

CONFORMANCE TO THE GROWTH POLICY

Montana Code Annotated 7-15-4213 requires that any urban renewal plan is found by the local Planning Board to be in conformance with the currently adopted Growth Policy. The City of Miles City Planning Board has found that this Urban Renewal Plan is in conformance with the 2006 Growth Policy. To illustrate this point, there is a specific recommendation on page 33 of the 2006 Growth Policy that states “Create a tax-increment district encompassing the Main Street Historic District”

CURRENT ZONING

The current zoning of the proposed district is consistent with the objective of redeveloping the district. In addition to the recently adopted Historic Mixed Use Zoning category, the district is composed of a mix of commercial and residential zoning districts. There is a significant movement to remove any actual regulatory impediment to the redevelopment of properties with redevelopment uses in mind. Prior to this change it was not allowable for different uses such as commercial and residential to exist in the same structure. The zoning of the district is consistent with the Growth Policy as per Montana Code Annotated 7-15-4213.

TAX INCREMENT FINANCING

Montana Code Annotated 7-15-4282-4294 authorizes the utilization of Tax Increment Financing in an Urban Renewal District. The City of Miles City intends to utilize Tax Increment Financing in

the Miles City Urban Renewal District. The base year for the calculation of incremental values generated is to be 2014 and base values are to be calculated as of January 1, 2014.

Tax Increment revenues generated

Montana Code Annotated specifies what TIF revenues may be used for. It is important to note that the Committee will make recommendations as to the utilization of the funds the City of Miles City Council is ultimately responsible for these funds. No funds may be spent without their approval. To clarify further, the citation is reproduced below.

7-15-4288. Costs that may be paid by tax increment financing. The tax increments may be used by the local government to pay the following costs of or incurred in connection with an urban renewal area or targeted economic development district as identified in the urban renewal plan or targeted economic development district comprehensive development plan:

(1) land acquisition;

(2) demolition and removal of structures;

(3) relocation of occupants;

(4) the acquisition, construction, and improvement of public improvements or infrastructure, including streets, roads, curbs, gutters, sidewalks, pedestrian malls, alleys, parking lots and offstreet parking facilities, sewers, sewer lines, sewage treatment facilities, storm sewers, waterlines, waterways, water treatment facilities, natural gas lines, electrical lines, telecommunications lines, rail lines, rail spurs, bridges, publicly owned buildings, and any public improvements authorized by Title 7, chapter 12, parts 41 through 45; Title 7, chapter 13, parts 42 and 43; and Title 7, chapter 14, part 47, and items of personal property to be used in connection with improvements for which the foregoing costs may be incurred;

(5) costs incurred in connection with the redevelopment activities allowed under 7-15-4233;

(6) acquisition of infrastructure-deficient areas or portions of areas;

(7) administrative costs associated with the management of the urban renewal area or targeted economic development district;

(8) assemblage of land for development or redevelopment by private enterprise or public agencies, including sale, initial leasing, or retention by the local government itself at its fair value;

(9) the compilation and analysis of pertinent information required to adequately determine the needs of the urban renewal area or targeted economic development district;

(10) the connection of the urban renewal area or targeted economic development district to existing infrastructure outside the area or district;

(11) the provision of direct assistance to secondary value-adding industries to assist in meeting their infrastructure and land needs within the area or district; and

(12) the acquisition, construction, or improvement of facilities or equipment for reducing, preventing, abating, or eliminating pollution.

GOALS AND OBJECTIVES

GOAL One: Create Vibrant Historic Downtown Business District

Objectives:

- Provide access to capital through small business lending programs, grants and grant writing services, create funding for locally driven economic development
- Assist potential business and property owners in leveraging existing capital through programs such as Historic Preservation Tax Credits, New Market Tax Credits, HUD and EPA Brownfields dollars, Community Development Block Grant programs, Montana Board of Investment Loans, Montana Department of Transportation planning and construction dollars, and Montana Board of Investment Infrastructure loans, and others.
- Develop and promote programs that provide technical assistance to potential investors in the Urban Renewal District
- Create funding for locally driven economic development utilizing Tax Increment Finance

Revenue, and Revolving Loan Fund grants

- Leverage public funds with other resources. Utilizing the resources available to capture other money is a critical item. Money follows plans
- Perform a market analysis of the district to determine the most appropriate marketing plan and strategies
- Develop Business Recruitment and Retention Plan in coordination with local economic development entities Prioritize the recruitment of business entities planning on long term investment in alignment with community needs and values.
- Capitalize and promote the regional nature of the economy as a place for goods and services for a large part of the eastern Montana economy
- Pursue programs that increase the number of well-paying jobs and raise the standard of living for all citizens
- Promote a vibrant local business climate that will encourage expansion of existing businesses and attract new ventures
- Work with local businesses, Chamber of Commerce, and other area service groups to promote local recreational cultural resources in support of making the area a tourist/recreational destination
- Link renovation and adaptive reuse of historic structures and existing buildings with economic development and housing development

Goal Two: Attract and Retain Work Force

Create an environment that provides all demographics the opportunity to thrive in the local economy and preserves the small town charm of Miles City. It has been said that the greatest export from Miles City is its youth.

Objectives:

- Create a sense of place that allows for all demographics to thrive in the local economy
- Develop strategies and provide business opportunities that will encourage Miles City's educated youth and young professionals to return home to raise their families and start their businesses.

- Develop strategies and provide opportunities for vocational trades to grow and expand within the local economy.
- Stem the tide of this demographic that have traditionally left and have not returned.
- Support, and coordinate with, the efforts of the local educational community, business leaders, governmental officials and economic development entities to ensure our local educational resources are focused on meeting communities employment training needs

Goal Three: Historic Resources

Recognize the importance of preserving our historic resources for the future economic health of the community as a whole.

Objectives:

- Continue to Promote historic preservation as a key element in developing the tourism segment of Miles City economy
- Maintain and enhance existing tourist attractions and develop new venues that encourage tourists to visit and extend their stay
- Continue to promote and support cultural events and arts programming
- Develop Design Guidelines and/or Standards in the Historic Main Street District and other areas of the downtown core to preserve the architectural character of the area
- Work to create a regulatory framework that will protect our historic resources and community fabric as redevelopment occurs, such as demolition and bonding ordinances to ensure completion of business construction, and local historic overlay districts, ADA accessibility, infill construction and renovations to existing historic structures.
- Remove perceived or actual barriers to redevelopment via a case study review of recent development and how it occurred and what part of those processes can be improved.

Goal Four: Housing for all income levels

Objectives:

- Preserve and rehabilitate the existing supply of affordable housing

- Pursue programs that assist with first time homeownership and private property improvements
- Create more affordable housing and work towards new and replacement housing
- Encourage more live-work environments.
- Encourage and incentivize a diverse housing stock with enough supply to meet current demand
- Recognize the market demand for affordable downtown apartments, and condominium units as in town residence for farmers and ranchers and retirees looking for housing alternatives that better suit their needs and lifestyles

Goal Five: Infrastructure

Enhance Safety and Visual Appeal of Community to improve the image of the community, instill a sense of community pride and improve the quality of life for residents

Objectives:

- City streets and alleys maintained at safe standards, pursue funding and partnerships with other agencies and groups to make needed infrastructure improvements to make the downtown environment “business friendly”
- Test and evaluate existing water, sewer, gas and other utility services and make needed improvements, replace as needed
- Strengthen and improve infrastructure and services with pedestrian amenities such as public restrooms, ADA accessibility.
- Continue to improve and expand the city’s park network
- Well-maintained network of safe and interconnected ADA compliant sidewalks
- Create cleaner and more inviting entrances to the district through signage and design elements
- Enhance community aesthetics that ultimately make the community more attractive to new businesses
- Provide for greater enforcement of regulatory language currently in force
- Investigate the Business Improvement District process to provide for a funding mechanism for the maintenance of public spaces

Goal Six: Transportation

Provide a safe and secure transportation network to include adequate parking

Objectives:

- Utilize available resources to leverage all funding sources to improve the pedestrian connectivity of the downtown and the surrounding residential development. Capitalizing on the adjacent residential properties as customers for the downtown area is a natural fit
- Provide a safe and secure intermodal transportation network to include bicycles, wheelchair access, automobile, and truck traffic to prove each their own place in the same network to ensure safety
- Conduct a parking study to determine that adequacy of the current parking facilities and if and how it can be improved.

PUBLIC INVOLVMENT

As part of the planning process, a public discussion was held October 9th to gather public input from property owners in the district and other stakeholders. The meeting was well attended and provided needed feedback as to what types of things the public would like in the district. These improvements included:

- Increased availability of parking
- Development of office space
- More specialty and boutique retail
- Redevelopment of niche lodging to increase the downtown census
- More eating and drinking establishments

This Urban Renewal Plan is to be viewed as a living document that can respond to new opportunities and changing economic, social and demographic conditions within the community. The City will continue the ongoing planning necessary to incorporate and accommodate new information and conditions as they arise. It is the City's hope and intent that active public involvement will assist in determining priorities, and generate projects that will enhance the community as it evolves to encompass change.

ADMINISTRATION

The Downtown Miles City Urban Renewal District will be administered by the City of Miles City Historic Preservation Office. A steering committee consisting of downtown property owners, representatives of local finance institutions, and city officials will be charged with developing administrative and fiscal policy and direction during the initial creation phase. Following adoption of the plan, this committee will transition into a term appointed Board responsible for advising the City Council as to the expenditure of TIF dollars generated in the district. The HPO will provide staff support to the steering committee and will facilitate the implementation of the Urban Renewal Plan. This is a key component of any successful Urban Renewal District.

ANNUAL BUDGET

The Miles City Urban Renewal District Steering Committee shall prepare an annual program budget that accurately reflects anticipated revenues and operating expenditures, allocating budget for projects aligned with goals of the Plan. The Budget shall be managed in accordance with sound fiscal management policy developed by the Steering Committee, in accordance with City Policies and municipal fund management principles and subject to audit as required. Program and budget may be amended during the course of the fiscal year, to meet changing opportunities, subject to review and approval by the City Council of the City of Miles City.

APPENDIX A: PROJECT PRIORITY MATRIX

**Community Discussion:
Preserving Our Cultural Heritage in Our Downtown Historic District
Miles City Eagles Lodge
November 8, 2012 ~ 7:00pm – 9:00pm**

Discussion Topic	Table One	Table Two	Table Three	Table Four
1. What makes Miles City feel like a hometown to you and/or contributes to the bond that you feel for your community?	Social aspects: Friends, Family, Events (weddings, graduations, holidays shared with family & friends	Western Culture, History and Traditions Small town spirit Friendliness, open & Welcoming to visitors Self-reliant & Independent people Friendliness/neighbors Shared values	Size of community – small Values are relative to size, Ag-based, rural community, Sense of open space, Familiar landscapes Friendliness	Common Values Shared history of, and vision for community we live in
2. What aspects of downtown Miles City’s cultural heritage do you value and feel are important to preserve for future generations to enjoy?	Familiar Landscapes & Familiar Landmarks Buildings – Iconic (old)	Landmarks Traditional Downtown Events: Parades, BHS, Holiday Stroll, Fall Festival, Hayrides Locally owned businesses – not a bunch of franchises Western Culture – stores reflect – Saddlery, Hats, Saddles Preserve Neon Signs	Downtown shopping Walkability/Friendliness Bar’s unique neon signage Architecture – Buildings tell the story of our history Denton Field Oasis	Architecture – “Cityscape” Walkability vs Haynes Ave Preserve Riverside Park, Enhance West – Ft. Keogh Entrance to Fifth St, Denton Field, Cook Lake, Art Center, Depot Movie Theater Trees downtown Benches Parks
3. What values or factors do you feel are unique to our community and would like downtown Miles City to reflect and support?	Community Values, Rebuild vibrancy, Business show pride of ownership (clean up!), Local support of merchants, Preserve Past but be open to new ideas/reuse – not static	Community Pride, Inviting, Clean, well maintained features Cultural History/Heritage Cultural events - BHS	First Impressions important Historic Features Open/friendly small town Safe town Community Pride: Clean, well maintained	Values Historic features Friendly, Miles City represents small town rural America Western Heritage – Cowboy Code Independence is an asset not a liability

<p>4. What types of things could be downtown that support those values, for example, what kinds of businesses, social venues, activities. What about those that reflect the values the group agreed were important?</p>	<p>Value Western Culture but not commercialized Clean/open – busy people (vibrancy) Residences – if people live downtown it creates business opportunities and supports family values:</p> <ul style="list-style-type: none"> • Local markets • Splash pads/kids • Indoor pool at Oasis <p>Support local businesses West End Project – direct business traffic</p>	<p>Hotels – Olive and one more Anchor Stores Main Attracts Mid-downtown public restrooms & Other services for walkers</p>	<p>Restore old buildings, Successful Businesses (as opposed to fly-by-night) Residential – which will increase vibrancy, use</p>	<p>Spirit & drive to rebuild after fires Maintain Verdant Landscape Use existing resources Promote Downtown West End project to capture business traffic (Leverage west end while Haynes under construction) Historic Lighting – other pedestrian friendly amenities Develop existing buildings for maximum return Recruit Stable Businesses General Blight Vandalism Weeds/Trash</p>
<p>4a. What types of things could be downtown that DON'T support the values the group thinks are important, and why don't they?</p>	<p>Height restrictions on new construction</p>	<p>No more casinos No more Beauty Salons</p>	<p>Eliminate empty storefronts, vacant buildings</p>	
<p>Group Discussion 5. How could we continue working together on this? What can we do beyond this community conversation to keep the dialogue going?</p>	<p>Fragmented community communication: Many separate groups w/different projects affects sustainability of community</p> <p>Coordinate common goals: Different groups communicate different projects better</p>			
<p>Discussion Format:</p>	<p>Four tables of five participants and one scribe which captured the work of each table for each question Facilitator led discussion and captured each table's work and disseminated to full group</p>			

APPENDIX B: PROPERTY OWNERS

600 CAFE INC	BRODSTON INC	DELUXE MOTORS INC
600 INC	BROWN MURRAY S	DJS PROPERTIES LLC
607 HOLDINGS LLC	BROWN SHEILA A CO TRUSTEE	DKS INVESTMENTS LLC
ADAMS LINDA J	BRUCE BILLY PAGE	DOBSTAFF DEANNA K
ADRIAN GREGORY W	BRYAN BEN A JR	DOEDEN JERRY D & KATHERINE F
AERIE 885 FRATERNAL ORDER OF EAGLES	BRYAN BENNY	DOLATTA JAMES E
ALLEN NELLIE MAE	BUFORD PAMELA	DOUBLE S DEVELOPMENT
ALLISON KARLA K	BUNDY JANE & DUANE E	DOUBLE S DEVELOPMENT LLC
AMELINE RUSSELL D	BYRNE DONALD L & SHIRLEY	DUFFY DUANE & KARLA
ANDERSON BETTY	C J G PARTNERSHIP LLP	DUFFY DUANE M & KARLA J
ANDERSON SPENCER P & KRISTEN L	CAREY MICHAEL J	DUFFY JANETTE
ANJOLI INC	CARLSON PROPERTIES LLC	EASTERN MONTANA COMMUNITY
APL-J PROPERTIES LLC	CARR JOHN R	MENTAL HEALTH CENTER
ARMSTRONG DOUGLAS & JACKIE L	CDH HOLDINGS LLC	EASTERN MONTANA INDUSTRIES
ARMSTRONG MARIE	CENEX INC	EBERT EDITH C
ARNOLD DANIEL K & PATRICIA	CHERRY DONALD J	EISELE NICHOLAS P & ROBYN S
ARNOLDT LAWRENCE E EDDIE	CHS INC	ELDER SCOTT WELDON
AT HOME MANAGEMENT LLC	CITY OF MILES CITY	ENGINEERING PROPERTIES LLC
BALSAM E G & L W	CLARK GARY L & JOANNE L	ERLENBUSCH LAVERN & LINDA
BARBOUR ELIZABETH RAE	CLARKE TOM PROPERTIES INC	ETCHEMENDY JAMES MICHAEL &
BAUMGARDNER RAYMOND T	COLLINS PETER	JAMIE
BEACON CARTER SERVICE	COLLINS PETER M	FARMERS UNION OIL COMPANY OF
BEALS BYRON E	COLLINS PETER MICHAEL	WORDEN MONTANA
BEAN PROPERTIES LLC	CONLEY MICHAEL W & SHERI L	FERRIS SHELBY S
BECKER DENISE M	CONLEY RENEE FORMERLY LOWRIMORE RENEE	FIECHTNER JACK
BECKMAN STEVEN R & NICOLE M	CONLEY RONALD	FIECHTNER JACK & DAVID
BENNERT LAWRENCE W III & LINDA A	COWTOWN AG SUPPLY LLC	FIECHTNER JACK L & DAVID
BENNETT LARRY E	CREMER JAMES CRAIG & DANNETTE M	FILLAFAER CURTIS
BERGERSON BONNIE L	CRIDLAND GARY L & BERNADETTE	FILLAFAER CURTIS L
BIG SKY PHARMACY	CURTIS PAMELA L	FILLAFAER CURTIS L & NELSON JUNE
BIG SKY PROPERTY RENTALS LLC	CUSTER CO COMMUNITY BROADCASTING CORP	FILLER JOHN T & CATHY R
BIG SKY TRUCK AND AUTOMOTIVE REPAIR LLC	CUSTER COUNTY	FIRST BAPTIST CHURCH
		FIRST INTERSTATE BANK OF
		COMMERCE

BLOTSKY MARNIE L	CUSTER COUNTY CONFERENCE OF THE SOCIETY OF CHRISTIAN LEADERSHIP	FIRST PRESBYTERIAN CHURCH
BLUE ROCK DISTRIBUTING CO	CUSTER COUNTY HIGH SCHOOL	FIRST SECURITY BANK
BOHLMAN SHERRY	DALAKOW CRAIG J	FIRST SECURITY BANK & TRUST OF MC
BOSS RENTALS LLC	DALBEC JOSEPH N & GERALDINE A	FIRST UNITED METHODIST CHURCH
BOTTRELL FAMILY INVESTMENTS LTD PTSHP	DANE JO ANN A	FLEMING TAB J & SANTOS A
BOVEE TRUMAN A III & JUDY K	DARVIAL DERON A	FLOTKOETTER RICHARD
BOYT GEORGE E & TAMMY JO	DAUGHERTY BOBBY D & KAREN A	FLOTKOETTER RICHARD A
BRADLEY BOB B & COLVIN JOHN C	DAVIS BERTHA & MORAN ANNA	FOSSIL DEVELOPMENT COMPANY LLC
BRADLEY JACK WHITNEY	DAVIS LORN & LUDWIG DAWN D	FRANKS SHORT STOP II LLC
BREWER WALTER THOMAS	DEANDA ARMANDO & MERRY J	FRARE MITCH & MONTY
BRIGGS WILLIAM C	DEIBEL JACK & MARY LOU	FREDERICK DALE C & ERNA JILL
		KUCHYNKA STEPHANIE
FREEBIRD II LLC	HINEBAUCH AMANDA M	L N REAL ESTATE LLC
FREEDMAN DAVID S & MELISSA A	HOLMEN C BRYAN & SHANNON M	LAAKSO CHARLES E
FRIEND DANIEL P & NICOLE C	HOLOM ALAN M & LINDA S	LAMACH WILLIAM A & JACQUELINE A
G & T MCFARLAND LLC	HORAN STEVEN J & LINDA M	LAMBRIGHT ERNEST & CONNIE
GALBRAITH SUSANNE M	HORIZONS UNLIMITED LLC	LANCHBURY DONNA
GAPPA SUMMER L & JIM M	HORTON JOYCE TOOKE	LANDERS JADE & KYLEIGH
GASKILL DELORES STEINER	HOVERSON WILLIAM S & JOANN K	LANDMARK LAND COMPANY LLC
GEDROSE DAVID T & MARILYN L	HOWARD JAMES O	LANDRY DANIEL A
GEORGE ROBERT E & SUZANNE M & NICKOLAS R	HOWE EARL L & PAULA S	LANEY CANDUS E
GERGEN EDWARD J & REBECCA L	INGRAHAM MARC ALYN & ASHLEY CAMILIA	LAWRENCE WAYNE B
GILBERTSON NANCY P	INNOVATIVE MARKETING SOLUTIONS LLC	LAWRENCE WAYNE B & MARIAN C
GILBERTSON THOMAS M	INTEGRITY REALTY OF MILES CITY LLC	LEATHERBERRY ALFRED L
GM PETROLEUM DISTRIBUTORS	JACK'S BODY SHOP INC	LEGGATE ERIC J
GOOKIN JIMMY G	JAMES T FLINN POST 1579	LEIDHOLT DUSTIN ALLEN
GORDON DIANA M	JAMES T FLINN POST NO 1579	LEIGHTON HOUSE LLC
GORDON JEROME R & DIANA E	JARRETT MIKE & DELLA J	LILES LEVI P
GREEN THELMA EVALYN AKA GREEN EVALYN T	JAS BEN C & DORIE LOU	LONE BUCKAROO INC
GREER GLEN CHARLES & CHERI LEA	JERREL JOSEPH H	LONG JOHN J & RACHEL I
GRENZ CHERYL S & MICHAEL C	JGOFF LLC	LOSINSKI GREGORY J & LINDA
GRENZ CHRIS A & GLORIA	JM PROPERTIES LLC	LOSINSKI GREGORY J & LINDA R
GRESENS IRA & JOANN	JOHNSON ANTHONY P & KARLA K	LOWRIMORE RENEE

HAGEMAN AARON DEAN	JOHNSON JOHN B & CATHERINE M K	LUCAS JAMES P
HANSON TERRY J & DEBORAH L	JOHNSON LOREN C	LUND ROBERT L
HARDEN LINDA SUE	JONES COREY L & JANETTE KRUTZFELDT	MACKEY HERBERT C & HOUT-MACKEY PATRICIA
HARDESTY REAL ESTATE LLP	JUHL TRACEY L	MADSEN KEN
HARDY BERNARD E & EDYTHE M TRUSTEES	KANENWISCHER MARVIN & JOANN	MAIER DUANE L & DEBORAH A
HARMS MERIAH J	KEMPTON CORA	MANGEN ELECTRIC INC
HARRIS DAVID A & COLETTE M	KETCHAM STANLEY L	MARTIN DIANE M
HARRISON INVESTMENT PROPERTIES LLC	KFM INCORPORATED	MARTIN ED & HELEN
HARTMAN DONNA K	KINSEY SANDRA SCHEID & JASE	MARTIN ED L & HELEN K
HARTMAN PAUL A	KIRCHHECK DENNIS R & SANDRA	MARTIN EDMOND L & HELEN K
HELMTS RUSSELL S & KIMBERLY D	KIRCHHECK DENNIS R & SANDRA E	MARTIN ROBERT S
HENDERSON DAVID H & VERNA L	KLEIN ANTONIA	MASA JOHN G
HENRICHS DICK L	KLIPPENSTEIN STACY S & CARRIE S	MASONIC TEMPLE ASSN
HESS KENNETH R & VICKI K	KOHONES SANDRA S AND KENNETH W	MATTHEWS BROTHERS REAL ESTATE LLC
HILGER NELSON D	KOUNTZ PATRICIA	MATZEN BILL
HILL EUNICE E	KRACHT KELLY W & JOYCE M	MCDANIEL SUSAN J
HILL WILLIAM J & ALANDRA K	KRAFT NATHAN P	MCFARLAND MICKEY & MARCIA
HILLIS STEWART L & ANITA L	KRAUSZ CHANCE J	MCKEEVER PROPERTIES LLC
HINEBAUCH AMANDA M	KRON LYNNE M	MCKINNEY PROPERTIES LLC
	KRUTZFELDT JAMIE B	
	KUCHYNKA RUTH ANN	

MEIDINGER LEROY & LORI	PELLETT WM R & COLE MARK R	SMITH BONNIE J
MEISSEL ALVIN	PIERSON ROBERT D & ROBYN	SMITH BRANDEL R
MID RIVERS TELEPHONE CO-OP	PIONEER RENTALS LLC	SMITH JESSE W JR & DEBRA L
MIDLAND INC	PLEASANT STREET PROPERTIES LLC	SMITH KRISTINE J
MILES CITY FEED LLC	PLOG PAULA	SMITH SCOTT ALLEN
MILES CITY KOA CAMPGROUND LLC	PLYMOUTH RENTALS LLC	SPARBY DAVID T & CHRISTINA M
MILES CITY LODGE BPO ELKS	PMLB LLC	STABLER HAZEL J
MILES CITY UNIFIED SCHOOL DISTRICT NO 1	PONESSA REED	STALLARD & DENT CO
MILES CITY WRESTLING CLUB INC	PORTEN CHERY S	STANLEY JERRY LYNN & PEGGY SUE
MILLER & HOLMES INC	PRICE MICHAEL V & CAROL J	STAR PRINTING COMPANY
MILLER TIMOTHY I	PUBLIC LIBRARY	STARCK PROPERTIES LLC
MILLIGAN MILES W II & BETH A	PURVIS ROBBY D & DANIEL	STATE OF MONTANA
MILLIGAN MILES W II & BETH ANN	QUINLAN RICHARD & VIRGINIA	STATE OF MONTANA DEPT OF HWYS
MITCHELL R G JR & NANCY L	QWEST CORPORATION	STEADMAN'S RANCH & PROPERTIES LLC
MOGLE LOUISE E & LEWIS M	REBSOM LORETTA A	STEELE HELEN E

MOLLGAARD CARTER & BETSY
MONIER KENNETH L
MONTANA DAKOTA UTILITIES
MONTANA DEPT OF HIGHWAYS
MONTANA PRODUCERS LLC
MOORE DARRYL D & LINDA J
MOORE GREG & DEBIE
MOORE THOMAS W & KRISTI L
MOOREHEAD RENTAL PROPERTIES LLC
MORGART JERRY & ROBERT
MOTT THOMAS B & PATRICIA M
MTN REALTY
MURI DAX ROBERT & ELIZABETH
NANSEL ARLO D
NEIBAUBER ESTHER I
NEUTS INC
NGO FRANK ALAN
NIECE JOHN J & KIRA N
NIEMI KENNETH H & CAROL A
NILES PANSY & ALMA MARIE
NORSBY NANCY L
OAKLAND IMPROVEMENTS INC
OFFICIOUS INTERMEDDLER LLC
OLSON SOPHIE A
ORPHEUM THEATRE INC
OTTENBACHER JACK R & ELNORA K
OUTLAND LAND CO
PACIFIC HIDE & FUR DEPOT
PAPA JOE'S SHOP LLC
PARKER CHERYL LEE (SHERI)
PARKS GARY A
PARKS LINDA D
PARKS MARCY
PAULSON MARK J
PEAVEY COMPANY
PEAVEY OCCIDENT ELEVATORS
PEDERSON ALTON & ROSE MARIE
PEDERSON CARRIE
PEDERSON ROB & CARRIE

WATTS RYAN J & BETH A
WEEKS ALEXANDER OBADIAH
WEISCHEDEL KATHERINE R
WELLEMS JOHN V & LOU ANN
WESEN THOMAS J

REED MICHAEL J
REGALADO CHARLES L & CLAUDINE L
REGAN PLUMBING & HEATING
RENTSCHLER TONI
REX JOHN W SR
RICHARDS BRENDA J
RIGGS CAMERA & GIFTS
ROGERS FAMILY REVOCABLE TRUST
RONNING JOHN A
RONNING MATTHEW S
RONNING MATTHEW S & AMY E
ROSS WENDI
ROST RICKY D
RSB PROPERTIES LLC
RUSSELL DARLENE E
SALAZAR THOMAS D & DARLA R
SANDERSON SUSAN K
SCANLAN JOHN L & JEANNETTE
SCHEIBEL ROBERT G & ROSEMARY
SCHEID MARTY J & THERESA L
SCHEUERING JOHN
SCHIEFFERT PROPERTIES
SCHMIDT BRAD & STEWART
SCHMITZ MICHAEL J & RHONDA K
SCHOCK ALAN L & COLLEEN S
SCHOOL DIST 1
SCHOOL DIST 1 WASHINGTON
SCHWEITZER MYRON & JODI
SDR INVESTMENTS LLC
SHELTON ROBERT E & PAMELA Y
SHIELDS BARBARA A
SHIPMAN BERL J
SHIPMAN LEON B & RAYANDA M
SHOOK MICHELLE A CUMMMINGS
SILVER STAR CASINO LLC
SIMPSON JAMES D
SIMPSON JAMES D & MICHELLE A
SINGLETON JAY DEE
SINGLETON JERRY D
SINGLETON JERRY LLC

STEIN KENNETH P & KRISTI R
STEWART KENNETH
STOCKHILL JEWELERS JOHN
STOCKMAN BANK OF MONTANA
STOLTZ FRANK F & M PATRICIA
STOLTZ RENTALS LLC
STOLTZ TIM & CAROLYN
STRADLEY JEREMY S & MARCY G
STRAIT RUSSELL D
STRAND SIDNEY L & KIMBERLY J
STRATTON TERRY A
STREITMATTER KENT
STROM RUBY J & SYLVESTER E
SUMMERS NED K & PATSY J
SUNRISE INC
TETSCHNER WILLIAM F & MARJORIE M
THAUT ROCKY J & TERESA L
THIBAULT IRENE
THIBAULT JAMES RAY
THJ PROPERTIES INC
THORMODSGARD LLC
TOENNIS LYNNETTE R
TOM CLARKE PROPERTIES INC
TOWLER BEVERLY J
TRIPLE T OUTFITTING LLC
TUCKER GLORIA E
TURLEY RALPH G
UELAND ENTERPRISES LLC
US BANK NA
US POSTAL SERVICE
VANCLEAVE PAUL E & PHYLLIS N
VETERANS OF FOREIGN WARS
VIEW PLUS LLC
W & S PROPANE CO
WACKER FRED D & LUCAS JAMES P
WAMBOLT FRED III & WINNIE
WARNER D LOUISE TRUSTEE
WARNER JESSE & ELAINE
WATTS RONALD J & CONNIE L
WATTS RONALD J & CONSTANCE L

WESTALL DONALD R & VIVIAN L
WHEATCROFT RICHARD
WHEELER DAVID & JEAN J
WIEDEMAN HAYWARD L & SHERI L
WIELAND RICHARD P & REGINA M
WILHELM JOHN E & TWILA M
WILLIAMS JEFF A
WILLSON BONNIE A & DAVID A
WILLSON DOLORES P
WINKLEY ALLEN
WOHLGENANT DUNCAN & DEBORAH
WORLIE DAVID L & RONDA K
WURTZ MIKE
ZIGNEGO ROBERT J

APPENDIX C: STATE STATUTES

APPENDIX D: LIST OF PARTICIPANTS

RESOLUTION NO. 3742

A RESOLUTION OF INTENT TO ESTABLISH AN ECONOMIC DEVELOPMENT REVOLVING LOAN FUND FOR BUSINESS RETENTION AND EXPANSION

WHEREAS, CDBG Economic Development Block Grant sources have funding available for municipalities to create revolving loan funds for small business retention and expansion which may stimulate economic development activity by assisting the private sector where a funding gap exists and alternative sources of public and private financing are not adequate;

AND WHEREAS, the City of Miles City will be able, through the use of such economic development revolving loan fund and with funding from the CDBG Economic Development Block Grant, to assist business by making appropriate long-term, reasonable fixed rate financing to small business to stimulate economic development activity;

AND WHEREAS, to fully implement the foregoing, significant staff time will be required to prepare the necessary policies and procedures required for such implementation;

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

1. That the City of Miles City intends to implement an Economic Development Revolving Loan Fund (RLF) upon further review of a thorough and complete set of policies and procedures to be developed by City staff; and
2. That the Historic Preservation Officer and the City Attorney, along with additional City staff as may need to be involved, are hereby authorized to prepare policies and procedures for further review and consideration by the City Council.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT A DULY CALLED MEETING THIS 28TH DAY OF OCTOBER, 2014.

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

**Community Development Block Grant - Economic Development Program (CDBG-ED)
Program Overview
Miles City Council
10/14/2014**

Dear Mr. Mayor and Council Members:

The purpose in proposing the City consider applying for this grant opportunity is to encourage local business investment, which in turn, will increase the City's tax revenues. This opportunity can serve the community on two levels:

- With focusing on encouraging new businesses and/or business expansion in the Tax Increment Finance District we can assure increment revenue becomes available to the City for re-investment in that district as quickly as possible, and
- By using this funding to assist business development within the City as a whole, increase the City's tax revenue overall.

This funding is separate from, and in addition to the CDBG Community Block Grants that are available only to local economic development corporations such as Southeastern Montana Economic Development Corporation. In that regard, this grant opportunity provides additional funding available to the City to encourage local economic development. In fact, \$400,000 is available to each Montana City each year.

- Up to 8% of the total CDBG-ED funding is allowed for local government administrative expenses, with not less than 92% committed to the project.
- The City retains repayment of principle and 2% interest as the business repays the CDBG-ED RLF loans
- The City can then reinvest the repayment proceeds into the local economy by additional loans to qualified businesses

The City is responsible for initial set up of the grant program, which includes holding a public meeting designed to let the community know the funding is available should they wish to access it and developing policy and procedures for administering the program. From that point forward in the application process, the business requesting funding is responsible for putting together the loan application package pertinent to their business. The business proposal is then presented to the City Council in the form of a Resolution, asking the City to authorize the submission of the application to the Department of Commerce. The Department of Commerce CDBG-ED division is then responsible for review and approval of the business's loan application.

I have begun working with Stockman Bank and MCAEDC/SEMDC to develop policy and procedures and operational agreements, subject to review by the City Attorney. If we can reach an agreement with MCAEDC/SEMDC it would be ideal to integrate the City's loan packaging requirements with the business planning and loan packaging services these economic development groups already offer locally. The City would then simply refer a prospective business client to MCAEDC/SEMDC for those services. However, as CDBG-ED does not require the City to partner with the local economic development groups for the loan packaging and servicing process, nor do the City's CDBG-ED loans require pre-approval by the local Economic

Development Corp's loan committee. The CDBG-ED loan review committee provides that service to the City. It is also possible that we could contract with another qualified entity to provide that service, or at some point in the future as the RLF fund grows, create a position specifically for that purpose.

The City can apply on behalf of multiple business entities each year, up to the total of \$400,000. The City creates a dedicated fund into which the principle and interest accrues as the business repays the loan. Policy can dictate that repayment of the loans is made by electronic transfer directly from the businesses' checking account into the City's account. Stockman Bank currently offers this service to the City.

CDBG-ED allows the City to accrue repayment proceeds for future investment in the City in the form of additional loans to qualified local businesses. RLF policy will also define procedures to address payment default. Ideally, the City would refer businesses showing signs of potential default to MCAEDC/SEMDC or another qualified entity for financial counseling and assistance in resolving cash flow issues. The City will not be required to repay the grant to CDBG-ED if the appropriate policies and due diligence procedures have been followed. A loan in default becomes a write-off for the program.

CDBG-ED Overview

Eligible Applicants

- **CDBG-ED funds are limited to Montana's local governments** (towns, cities, and counties) The maximum amount available to **each community is \$400,000**
 - **Businesses must work with their local government to apply for CDBG-ED funds** on their behalf.
- **Funds are currently available and applications are being accepted.**
- **The City can apply throughout the year for multiple businesses up to the \$400,000 amount available**

Purpose

The Business Resources category of Montana's CDBG-ED Program is designed to stimulate economic development activity by assisting Montana's private sector to create or retain jobs for low and moderate income (LMI) persons.

- The program assists businesses by making **fixed-rate financing available** to them at reasonable interest rates **and by providing public improvements in support of economic development activities.**
- CDBG-ED **provides flexibility in interest rates and loan terms to complement conventional business financing and other State and Federal business financing programs.** CDBG-ED funding can provide payment deferments, lower payments in the first year, and interest-only payments.
- CDBG-ED funds **are intended to be used in situations where a funding gap exists** and alternative sources of public and private financing are not adequate.

Eligible Activities

- **Loans to Businesses:** Activities include loans to businesses for acquisition, construction, installation, or rehabilitation of commercial and industrial buildings, facilities, equipment, or working capital.
 - Typical eligible activities for assistance to businesses include: land acquisition; public facilities and other improvements in support of economic development, such as water and sewer lines, and access roads; and also loans for acquisition, construction, rehabilitation, or installation of commercial and industrial buildings, facilities, equipment purchases, or working capital. CDBG-ED can be applied for to assist businesses with refinancing existing business-related debt.
 - Building construction - applications for construction involving buildings must have completed a Preliminary Architectural Report (PAR) to determine scope of project, suitability of location chosen, and estimate of construction costs.
- **Customized Employee Training:** Employee training is a stand-alone project activity allowing up to a maximum of \$400,000 in grant funding per local government in a program year for new and expanding businesses creating additional jobs. The intent is to assist businesses in providing needed skills and better-paying jobs for their workers. The goal is to facilitate the growth of companies in Montana, increase wages for trained workers, increase employee productivity, and assist in the skill development of employees. Preference is given to training that focuses on developing transferable skills in emerging industries such as information and advanced technology, health services, value-added agriculture and communications. Funding may also be distributed to a qualified educational or nonprofit training entity that provides job training targeted to developing specific employee skills needed by an aggregate of companies. The maximum grant amount to a for-profit business or non-profit organization for each employee trained is \$5,000.
- **Business Infrastructure Projects:** CDBG-ED funds may be used **to build infrastructure such as water, sewer, streets or sidewalks in support of businesses. The businesses must be identified at the time the application is submitted.** Applications that propose public improvements as assistance to businesses will be reviewed with similar procedures as for loans to for-profit businesses and must include a complete business plan, financial package and hiring and training plan for each business being assisted, must meet the same threshold requirements, demonstrate viability, and meet all other appropriate requirements contained in the Application Guidelines for the CDBG-ED Program.
 - The application must include a business plan and financial package for each business assisted.
 - A "financing gap" must be identified and documented in the financial package submitted with the application.
 - The application must demonstrate that other funds, including private funds from the business, are insufficient to complete the project without CDBG-ED participation.
 - Business infrastructure applications must meet the same threshold requirements, demonstrate viability, include a hiring and training plan for each business assisted, and meet all other requirements contained in these guidelines.
 - Preliminary architecture or engineering report has been completed and costs are estimated.
 - If the local government desires to hire an architect or engineer, it has to demonstrate that services were procured in accordance with state law and MDOC procurement policy. See Appendix K.
- **Technical Assistance Grants: Current grant in amount of \$10,500 for Tax Increment Finance District Creation.** A maximum of \$25,000 per local government may be requested to be used for a variety of planning activities, including the initial planning necessary to develop a CDBG-ED project, prepare a growth policy, economic development strategy, or other planning documents.

Application Procedure

For economic development projects, the local government should solicit publicly for prospective businesses that may be interested in applying for a CDBG-ED loan from the State through the local government. The local government should then select the most reasonable and viable proposal(s) for consideration for an application to the Department.

- Business approaches the local government with a proposal.
- Local Government and business consult with CDBG-ED staff to see if the proposal is a good fit for the CDBG-ED program.
 - Does the project meet CDBG-ED business thresholds? See Chapter I for general requirements.
- If the proposal is determined to be a good fit for the CDBG-ED program, then the Local Government initiates the CDBG-ED application process.
- Applications are accepted on a continuous basis as long as funding is available for each program year. The maximum amount available to each community is \$400,000. The maximum amount available to consolidated governments is \$800,000.
- Up to 8% of the total CDBG-ED funding is allowed for local government administrative expenses, with not less than 92% committed to the project.
- Businesses relocating to a new Montana community must make prior commitments to move their facility or operations three months before the application is submitted.
- The Department will accept a full application based primarily on a favorable preliminary review of the business plan and financial statements of the business.
- Department staff and a loan review committee review project applications and make recommendations to the Department Director, who then makes a final award determination.
- Grantees and businesses should be aware that it will take at least two or more months after a tentative award of funds has been issued before the business will actually receive any CDBG-ED funds. Grantees and businesses are required to meet specific conditions before a release of CDBG-ED funds is granted.

Loan Policies

- The interest rate for the CDBG-ED Program generally is 2%.
- Security positions are negotiated and can be subordinate to other lenders.
- Loan terms will be set based on uses of funds and cash flow projections.
- Limited deferrals of payments are possible depending on cash flow needs. Application and/or loan processing fees are not allowed.

Thresholds

- a. Maximum of \$25,000 CDBG-ED funds per job
- b. Maximum of \$5,000 CDBG-ED funds per employee for employee training
- c. Minimum of 51% jobs to benefit LMI persons
- d. Minimum of 1:1 matching funds (Applicant's responsibility using other financing)

Other Requirements

Local Government:

- **One public meeting per local government:** Inform community that local government will provide this program to businesses.
- Provide Applicant with loan application documents, explain program, etc
- Coordinate with other lending institutions

- Two public hearings authorizing the submission of the full application (per applicant – scheduled within Council Meetings)

Loan Applicant:

- Detailed business plan (applicant's responsibility)
- Most recent 3 years' actuals and 3 years projected financial statements
- Hiring and training plan
- Project budget with proposed "sources & uses"

Ineligible Activities:

1. Assisting a business to create or retain jobs that would cost more than \$25,000 in CDBG-ED funds per job.
2. General promotion of the community as a whole;
3. Assistance to professional sports teams;
4. Assistance to privately owned recreational facilities that serve predominantly a higher-income clientele, where the recreational benefit to users or members clearly outweighs employment or other benefits to LMI persons;
5. Acquisition of land for which the specific proposed use has not yet been identified;
6. Assistance to businesses such as hotels, motels and retail operations will generally be considered an ineligible activity, except under mitigating circumstances, because of the lower quality of jobs and the high likelihood of competition with existing local businesses. Projects may be eligible where certain mitigating circumstances exist and support by other competing local businesses can be documented; i.e., a grocery store in a small town in a sparsely populated area where there is no other competition.

FUNDING CRITERIA

The review of the application will be expedited and the application's likelihood of being funded will increase if the local government applying and the business that will be assisted have adequately demonstrated that:

- All requirements are met or exceeded.
- The level of CDBG-ED assistance is appropriate in relation to the public benefit expected to result from the project.
- The proposed management is experienced in the type of business activities proposed and has demonstrated the capacity to successfully manage the entity to be assisted.
- The application is complete as submitted and contains accurate information.
- The earnings projections submitted with the application are realistic and attainable, are supported by historical trends and industry norms, and indicate that the projected cash flow is sufficient to support the proposed increased debt.
- The CDBG-ED funds would be adequately secured with all reasonably available assets and/or personal guarantees.
- The application documents a sound, well-reasoned proposal with a perceived strong chance for success if CDBG-ED funds are received.
- The private or public sector lenders involved in the project have provided firm commitment of funds.
- The project is ready to proceed upon the notification of the tentative CDBG-ED award and implementation will begin immediately.
- The application conclusively demonstrates that the project will support itself over time and will not impose a burden on any local government or nonprofit entity participating in the project.

- The applicant has considered the quality of the job and the wage it pays. The Grant Review Committee will place greater weight on job quality and wages paid when evaluating CDBG-ED projects for funding.
- Applications where viability may be questionable, or where the overall business plan or need for CDBG-ED assistance is not adequately documented, may be restructured, renegotiated or not funded, depending on the severity and nature of the problems identified.
- Proof of worker's compensation insurance coverage is provided in the application for the local government, assisted business, local development organization, and any other consultant to be performing work under a Montana Department of Commerce contract.

Application Assistance

CDBG-ED Program staff maintains copies of application guidelines and other materials designed to aid application preparation. Sample program income plans, Program Income/RLF Manual, and other documents are available. Application guidelines and many other program materials can be downloaded from this site or are available via email, cd, or hard copy. Please contact the CDBG-ED Program Manager for assistance.

All local governments must show a coordinated effort with the Certified Regional Development Corporation (CRDC) in their area. *A copy of a letter approved by a CRDC's Board of Directors showing support for the proposed project and application must be included in each application for CDBG-ED assistance. If a local government is not able to provide this, it must include an explanation why one is not included.*

RESOLUTION NO: 3742, Declaring the City Council Intent to Create a Miles City Revolving Loan Fund

Mr. Mayor and Council Members,

The Resolution 3752 before the council simply authorizes the Historic Preservation Officer, the City Attorney and additional City staff as needed to write the grant, and prepare policies and procedures for further review and consideration by the City Council. We will be working with Stockman Bank to develop appropriate policies, and will work to negotiation a win/win agreement with SEMDC/MCAEDC for referral to the Finance Committee for a recommendation to City Council.

The policies and procedures, and any agreements with vendors must **also be reviewed and approved by CDBG-ED prior** to the City submitting the grant application. In other words, passage of this Resolution is critical in granting staff time to ensure the Council has the most accurate information possible and to develop appropriate policies and procedures to ensure success. This Resolution is required under the guidelines of the CDBG-ED Municipal RLF grant guidelines, page 39:

16. "Resolution to Authorize Application

Each application for CDBG-ED funds must have a copy of a resolution duly adopted or passed **as an official act by the applicant's governing body within six months of the date of application** which:

1. Authorizes the submission of the application (**Appendix H**);

This grant, for which only municipalities can apply, is a very good business decision for the City for many reasons. Two primary reasons are:

1. No Match Requirement for up to \$400,000 per year to support local business development and jobs
2. Minimal Risk: The primary lender underwrites the loan package, CDBG-ED underwrites the City's RLF loan, ensuring the a qualified applicant
3. The City will retain **8% of the total lent each year up to the maximum of \$32,000** based on the maximum \$400,000 the City qualifies for each year for operating expense
4. The City will accrue the principle plus 2% interest of the repayment proceeds,
5. The City will qualify for an additional \$400,000 per year under this grant opportunity, and will accrue the additional principle and 2% interest from the additional \$400,000 the CITY becomes eligible for each year, and
6. The City will have the ability to reinvest the accrued loan proceeds in the Miles City economy.
7. The City will realize the benefit of increased tax revenues generated by new and expanded businesses.

This grant has been available to Montana municipalities since at least 2006, which **at \$400,000, is \$3.2 million dollars the City could have been investing in this community during that time.** If the City, SEMDC/MCAEDC work together this will significantly improve the City's financial position.

APPROVAL OF COWTOWN AG

SITE PLAN REVIEW

APPENDIX D: LIST OF PARTICIPANTS

**CITY OF MILES CITY
MILES CITY PLANNING BOARD
P.O. BOX 910
MILES CITY, MT 59301**

October 23, 2014

Mayor Chris Grenz
City Council Members

RE: Cowtown Ag Cold Storage Building

The City Planning Board has reviewed the proposed cold storage quonset building and recommends to the City Council that the proposal be approved subject to the following conditions:

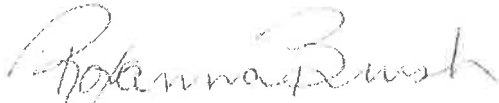
Standard Conditions:

1. All site development and use of the property shall be in accordance with the Miles City Zoning Codes, the approved application and plans, and as discussed in Staff Report SPR 2014-05. Any modifications shall require additional review by the City of Miles City.

Site-Specific Conditions:

2. The owner or authorized representative shall obtain a Building Permit prior to start of construction. A permit is required for construction, additions, alterations, repairs, relocation, demolition, change of occupancy, or electrical, gas, mechanical or plumbing system projects. Exemptions are listed in IBC 2009 Section 105.2.
3. The proposed structures shall conform to the zoning standards listed in Miles City Code of Ordinances for the General Commercial (GC) District Section 24-59. Structures within the GC district may be constructed to the property line, except when bordered by a Residential district, may not exceed the 65 foot limit of existing fire department equipment, must conform to the provisions of the fire limit per Section 11-77 through 11-82 and is subject to a Site Plan Review per Section 24-96.
4. The owner shall maintain adequate parking space for employees at one space per employee and reasonably adequate spaces for visitor parking as required by Miles City Code of Ordinances for the General Commercial (GC) District Section 24-59(6)(a).
6. The required Floodplain permit must be in place prior to construction.

Sincerely,



Roxanna Brush, President
Miles City Planning Board

Revenue Code: 10000-341071

File No. SPR-05-02014
(for official-use only)

RECEIVED SEP 24 REC'D

SITE PLAN REVIEW APPLICATION - MILES CITY

The following development proposals in the following zones are subject to site plan review:

4-plex and greater	Residential Zones A, B
4 to 8 units	Residential Zones B, C
8 or greater units	Residential Zones C
Parks, playgrounds, parking and open space and Accessory uses	Residential Zone C
All listed uses	General Commercial (GC), Local Commercial (LC)
All listed uses	Industrial (I), Medical Campus (MC)
All listed uses (new construction only)	Historic Mixed Use (HMU)
Keeping of chickens	All Zones
Animal Rescue or Animal Foster Care	Residential Zones A, B, MH-A; Commercial Zones GC, LC, HC; Open Space (OS); Semi-Rural (SR); Agricultural (AG).

Application Date: 9/24/2014 Fee: \$110

Name of Project: Cold Storage Building for Courtown Ag

Location of Project/Legal Description: 407 PLEASANT Miles City, MT

S33, T8N, R47E, Miles City Original Townsite, Lots 1-10, Blk 26

Contacts

Business Owner Name: Jerry Singleton
Please print

Contact Name: Jeff Landers
Please print

Address: 501 PLEASANT ST
MILES CITY, MT 59301

Phone: _____ Cell Phone: 951-4575 Email: _____

Applicant Name: Jeff Landers Circle One Architect/Builder/Engineer/Other
(If different from owner)

Address: 501 PLEASANT ST
MILES CITY, MT 59301

Phone: _____ Cell Phone: 853-6676 Email: _____

Descriptive Data

Total area in acres: 517 Existing Zoning: GC

Existing and Proposed Use:

AGRICULTURAL RETAIL SALES - Product Storage
PROPOSED QUONSET BLDG TO BE USED FOR Product Storage

If Residential Number of Units and type of Proposed Units: N/A

If Commercial/Industrial Number of Buildings together with Square Footage and Stories/Height of each:

10,985 ft² } 10'x40' } EXISTING TAIL-
17' 11 3/4" } PROPOSED QUONSET } 10' TALL } ROAD CAP - STORAGE

Materials/Information to be submitted with this application (minimum requirements)

*10 Copies of the following:

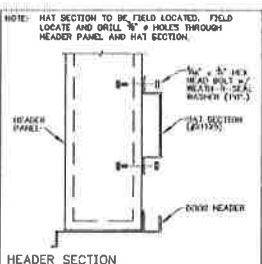
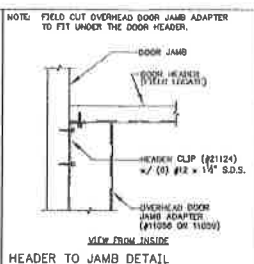
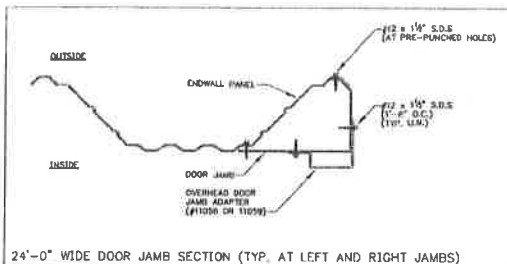
- ✓1. Application form and site plan review fee
- ✓2. Vicinity Map showing location of proposed project (8 1/2 x 11)
3. (8 1/2 x 11) copy of the Site Plan at a suitable scale (example: 1 inch = 10 feet) with the following information:
 - ✓a. Boundary line of property with dimensions and a north arrow indicator
 - b. Topography contours at a minimum interval of 2 feet or as determined by the planning department WAIVED
 - ✓c. Water bodies, floodplain, and wetlands NEED D FIRM MAP
 - ✓d. Adjacent streets and street rights-of-ways to a distance of 150 feet from the subject property, including existing and proposed improvements such as curb, gutter, sidewalks, and bike paths
 - ✓e. Parking facilities, including bicycle racks, landscaping, drainage, lighting, handicap-accessible parking, typical dimensions (including labeling angles for angled parking), traffic flow on-site, ingress and egress points, driveways, and paving details
 - ✓f. All existing and proposed structures, including exterior dimensions and setback distances to the wall line of all structures
 - g. Grading and storm drainage plans and calculations, including any proposed retention walls
 - h. Utilities and utility easements, existing and proposed
 - ✓i. Location of fire hydrants, fire lanes and turnarounds
 - ✓j. Exterior refuse collection areas NONE
 - ✓k. Signage plans (if any) NONE
 - ✓l. Elevation plans or side profiles for structures with dimensions for building heights, including 17' 11 3/4" dimension from the top of the roof peak to the average grade at the front of the building.
 - ✓m. An analysis of traffic generation, trip distribution and the impacts of the proposed land use on the transportation facilities serving the area if the proposed land use is estimated to generate 400 or more average daily vehicle trips (ADT), or if requested by the administrator. WAIVED
4. (8 1/2 x 11) copy of the Landscaping Plan NONE

- ✓ 5. Proposed signage – at a minimum must indicate location and size and an indication of what materials and lighting are proposed. (This may be separate or shown on the site plan and/or bldg elevations) *NONE*

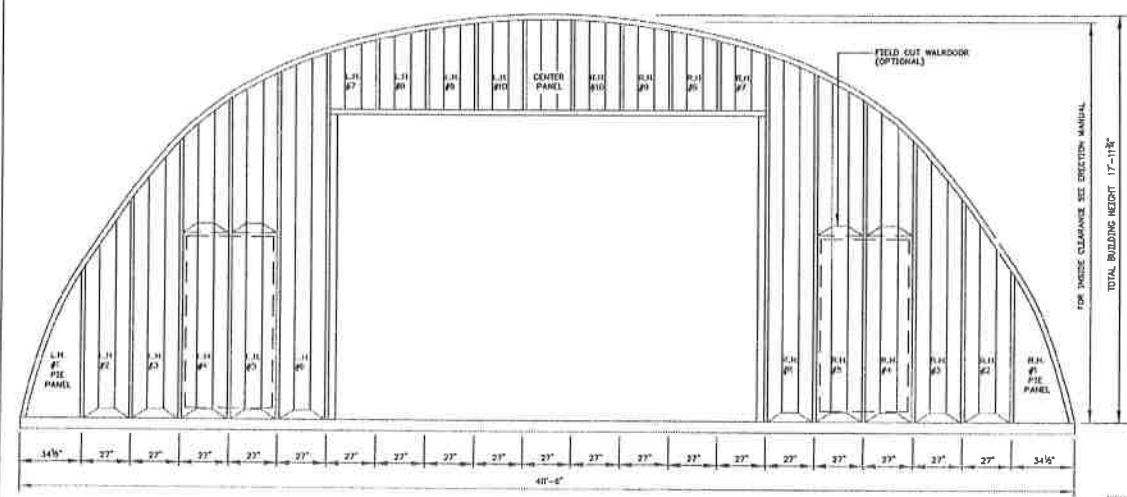
Property Owner Signature: *Gene Jung* Date: *9/18/14*

Applicant Signature: *Gene Jung* Date: *9/18/14*
(If different from owner)

*1 copy of the submittal requirements may be provided to the Zoning Administrator to determine sufficiency per Miles City Code of Ordinances Section 24-96(e) through (f).



DESCRIPTION	LENGTH OF PANEL	
	LEFT SIDE	RIGHT SIDE
#1 R.H. P.C. PANEL	76 1/2"	0"
#2 R.H. STD. PANEL	110 3/4"	72 1/2"
#3 R.H. STD. PANEL	150 3/4"	118 3/4"
#4 R.H. STD. PANEL	172 1/2"	146 1/2"
#5 R.H. STD. PANEL	186 3/4"	170 3/4"
#6 R.H. STD. PANEL	186 3/4"	183 3/4"
#7 R.H. HOR. PANEL	36 3/4"	27 1/2"
#8 R.H. HOR. PANEL	41 1/2"	34 1/2"
#9 R.H. HOR. PANEL	43 1/2"	41"
#10 R.H. HOR. PANEL	47"	44 1/2"
CENTER PANEL	47"	47"
#10 L.H. HOR. PANEL	44 1/2"	47"
#9 L.H. HOR. PANEL	41"	40 1/2"
#8 L.H. HOR. PANEL	27 1/2"	41 1/2"
#7 L.H. HOR. PANEL	31 1/2"	36 3/4"
#6 L.H. STD. PANEL	183 3/4"	196 3/4"
#5 L.H. STD. PANEL	170 3/4"	186 3/4"
#4 L.H. STD. PANEL	146 3/4"	172 1/2"
#3 L.H. STD. PANEL	118 3/4"	150 3/4"
#2 L.H. STD. PANEL	72 1/2"	110 3/4"
#1 L.H. P.C. PANEL	0"	76 1/2"



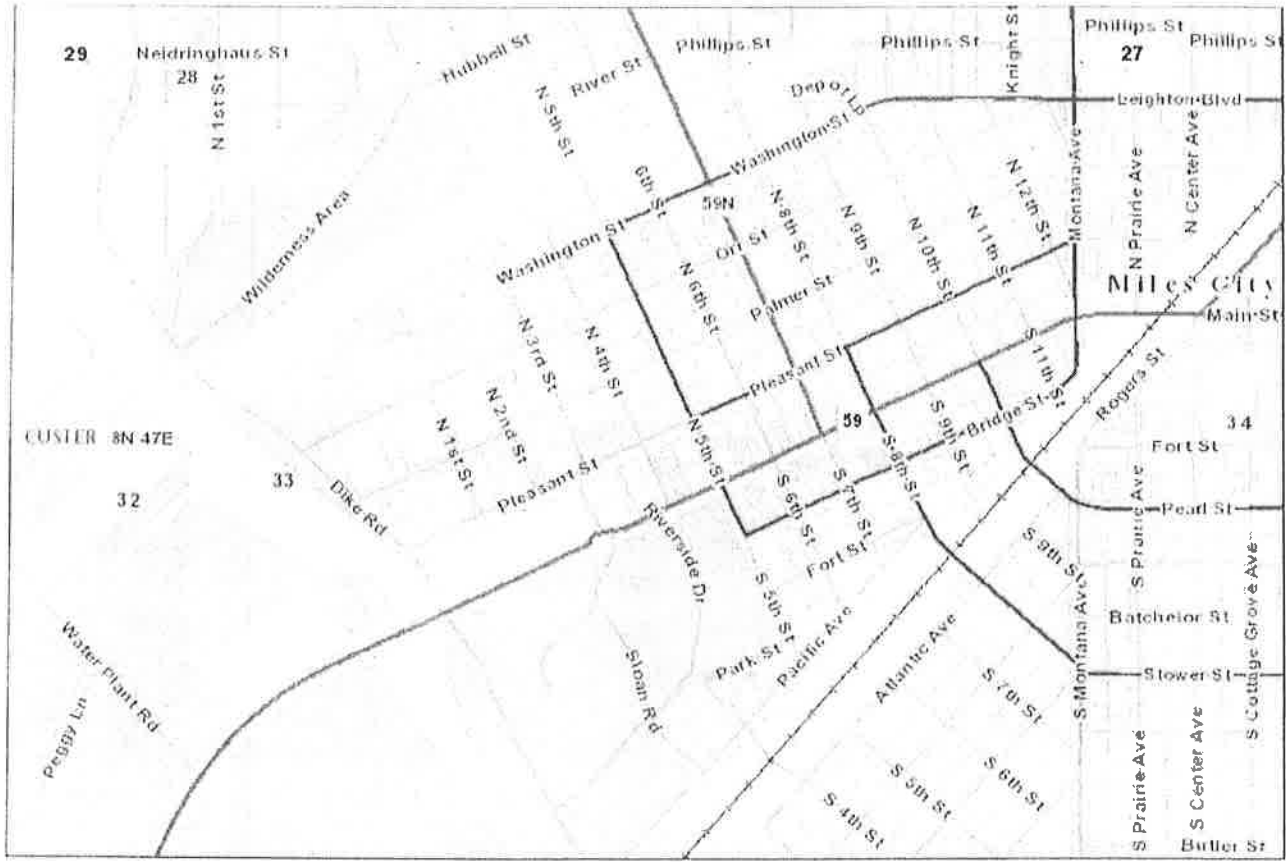
NOTE:
OPTIONAL WALKDOOR SIZES ARE 4088.

FOR INSIDE CLEARANCE SEE ELEVATION MANUAL
TOTAL BUILDING HEIGHT 17'-11 1/2"



DEALER - All About Steel Buildings, Inc.
 CUST - Jerry Singleton
 PROJ - KEYWAY PANEL ARCH
 DESGN - ENDWALL ELEVATION (50 FT)
 SHTN - Miles City, MT
 LD - 32 LL 110 MPH EXP 0 DWG 4 OF 6
 P.O. - M31957 SCALE - NONE R320440

20' x 14' OVERHEAD DOOR ENDWALL ELEVATION



Vicinity MAP

APPROVALS PAGE

By my signature below, I have reviewed and approve* of the site plan submitted by Val Dyba for an aggregation and boundary line adjustment on Lots 1, 2, and 3 in Block 8 of the Jackson & Arnold Subdivision.

Director of Public Works Sally Eng Date 10-8-14

Comments or Conditions:

General Commercial Zone is OK.

Director of Public Utilities Jason Kern Date 10-15-14

Comments or Conditions: Cold Storage - NO UTILITIES.

Floodplain Administrator Sally Eng Date 10-15-14

Comments or Conditions: FP Perm. # 180914, received no public comments on this.

State in application they will elevate to BFE+2, pending site plan approval. All FP regulations are complied w/ approve.

Fire Chief Cam Duff Date 10-1-14

Comments or Conditions:

I SEE NO ISSUES WITH ACCESS TO THIS SITE. ALL 2012 FIRE CODE MUST BE MET.

Historic Preservation Officer Constance Lefebvre Date 10/06/2014

Comments or Conditions:

This structure, although located in the Main Street Historic District is not located within sight cone of significant historic structures. Lacking proper City Ordinance regarding Infill Construction in the Historic District, this

Planning Department Paula Colton Date 10/15/2014

Comments or Conditions: Complies w/ zoning codes. Doesn't impact health or public safety.

Applicant has legal standing to proceed this project. Can

Health and Sanitation [Signature] Date 10/15/14

Comments or Conditions:

Storm Water Review

Building Official Doug Hinson Date 10/15/14

Comments or Conditions:

OK FCC code and Zone

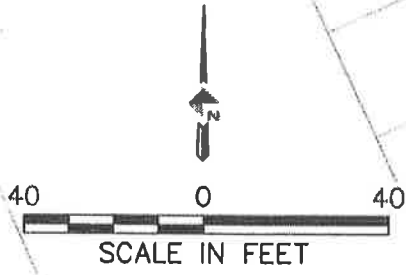
Police Department [Signature] Date 10/2/14

Comments or Conditions:

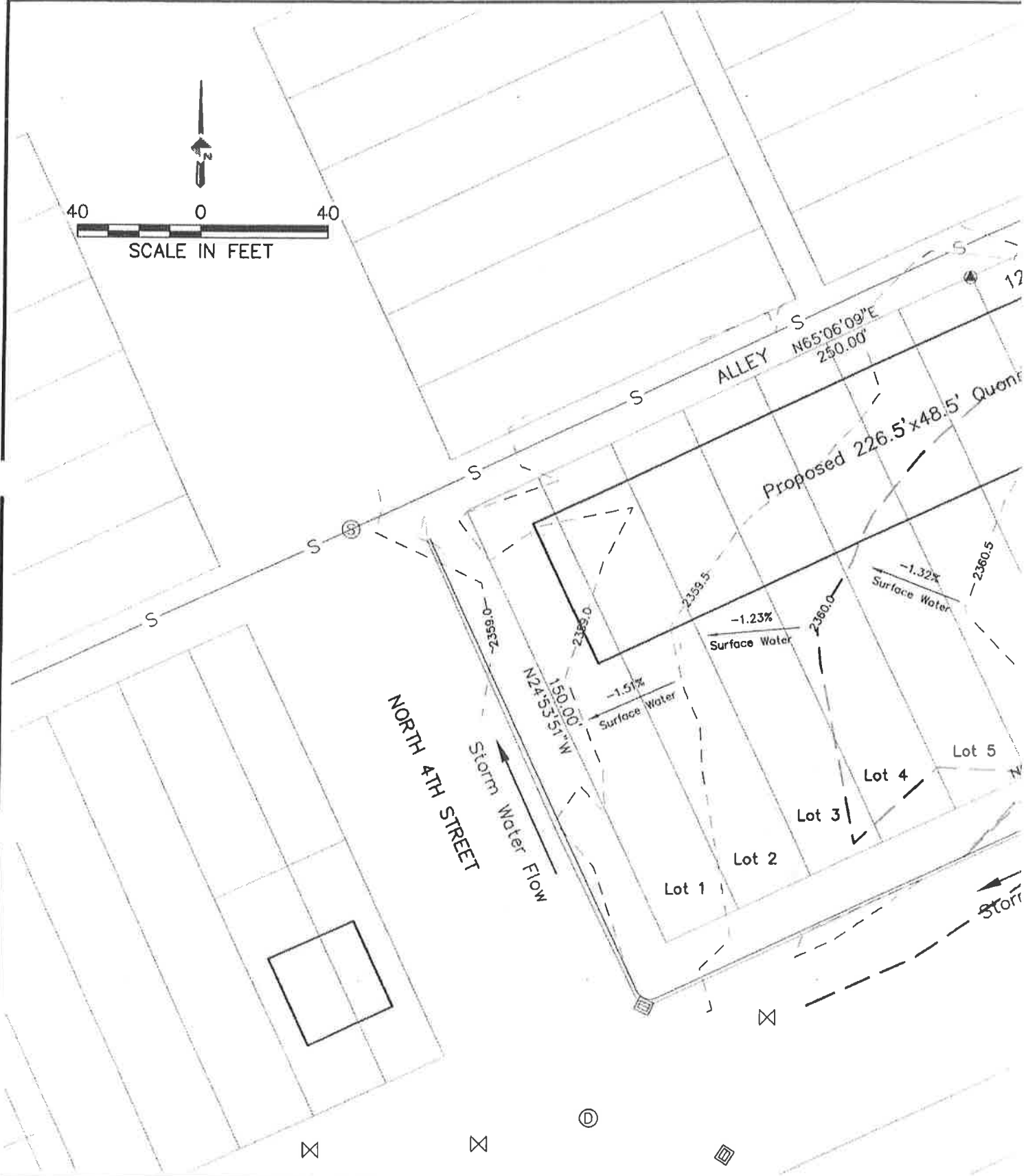
NO ISSUES

As-Built Drawings Received on: N/A

*With any conditions as noted



G:\07\KIM MILESCITY DATAFILES\2014 Civil_3D\Fisomace\DWG\MC2014 Flood Map.dwg PLOT.D* 014-9-23 11:04 SAVED DATE 2014-09-23 10:49 USER: cwiheim



- | | | | | | |
|---|--------------|---|---------------|---|-------------|
| ⊗ | Water Valve | ⊙ | Sewer Manhole | ⊠ | Storm Drain |
| ⊕ | Fire Hydrant | ⊚ | Storm Manhole | ⊔ | Sign |



City Council Staff Report SPR 2014-05
Site Plan Review
Cowtown Ag
October 28, 2014

I. REVIEW PROCEDURE

This proposal requires Site Plan Review by the Miles City Planning Board and City Council under Section 24-96 of the Code of Ordinances (Ordinance No. 1258). The application was received on Sept 24, 2014. The Planning Board public hearing will be conducted October 22, 2014 at 6:00 PM in the City Hall Conference Room. Following the public hearing, the Planning Board's recommendation for approval, conditional approval or denial was forwarded to the City Council.

II. GENERAL INFORMATION

A. Project Applicant

Applicant: Jeff Landers
501 Pleasant St
Miles City, MT 59301

Owner: Jerry Singleton, LLC
501 Pleasant St
Miles City, MT 59301

B. Project Description

Construction of a Quonset building (10,985 square feet) that will be utilized as a cold storage facility. The building will be used to store agricultural bulk products that are subject to water damage. There is an existing railroad car currently used for storage.

C. Legal Description of Subject Property

S33, T8N, R47E, Lots 1 through 10, Block 26 of the Miles City Original Townsite.

D. Location

The project is located at 407 Pleasant Street, the northwest corner of N 5th Street and Pleasant Street.



City Council Staff Report SPR 2014-05
Site Plan Review
Cowtown Ag
October 28, 2014

E. Current Land Use & Zoning

Land Use: Cowtown Ag is currently using the described lots as open storage for retail stock items.

Proposed Land Use: No Change in land use is proposed.

Zoning: General Commercial (GC). The use is a conforming use.

Proposed Zoning: There is no proposed change to the current zoning and the proposed use is a permitted use.

F. Surrounding Land Use & Zoning

General Description: The property is surrounded by General Commercial districts which provides for general businesses and multi-family dwellings. The surrounding zones are compatible with the proposed project use.

III. COMMENTS RECIEVED

Public Comment: Notice of the Planning Board's public hearing was satisfied according to Subsection 24-96(f)(6) of the city codes. The Planning Board heard comments at the public hearing. Gary Grywusiewicz and Robert Hickey were concerned that the project may negatively affect drainage in the alley way near their properties. Their concerns were addressed satisfactorily by reviewing the topographic and drainage calculation information on the site plan.

IV. SUBMITTAL REQUIREMENTS

The applicant is required to submit all of the materials listed in Subsection 24-96(e)(1) through (6). If it becomes apparent during review that a reasonable decision cannot be reached based on the existing submittal, the review period timeline will be suspended until the required information is submitted. If the required information is not submitted within 60 days, the application will be deemed expired.

In accordance with Subsection 24-96(e), the applicant has submitted all of the required materials listed in 24-96(e)(1) through (6). The following items required for a site plan drawing in 24-96(e)(4) and 24-96(e)(6) were waived by staff.

- *topographic map*
- *traffic analysis*

V. EVALUATION CRITERIA PER SECTION 24-96

According to Subsection 24-96(g)(1), reviewers shall consider the applicant's plans to ensure safety of circulation patterns, emergency access/fire prevention measures, traffic impacts to the surrounding road network, adequate storm drainage, provisions for water, sewer, and other utilities, the city's historic preservation policies, and adequate parking. Plans shall also be reviewed to ensure they comply with other standards in the zoning regulations such as setbacks, height restrictions, signage, and design requirements. Below, each of these criteria is listed. Following each criterion is a draft finding by the

City Council Staff Report SPR 2014-05
Site Plan Review
Cowtown Ag
October 28, 2014

administrator in *italics* as to how it appears the plans relate to the listed criterion:

1.1 Safety of circulation patterns

Finding #1: *The safety of circulation patterns of the proposed site and surrounding streets will not be impacted by the proposed storage structure as there are no changes to ingress/egress points.*

1.2 Emergency access/fire prevention measures

Finding #2: *Emergency access to the site will not be impacted by the proposed storage structure. One fire hydrant is located at the northwest corner of N 5th St and Pleasant St. The proposed structure meets fire prevention requirements.*

1.3 Traffic impacts to the surrounding road network

Finding #3: *The surrounding road network will not be impacted by the proposed storage structure. Construction of the storage structure will not change daily traffic patterns. Average Daily Traffic is anticipated to be less than 400 vehicles.*

1.4 Adequate storm drainage

Finding #4: *Storm drainage will be impacted due to construction of the new 10,985 ft² storage structure. Drainage calculations indicate that the total volume difference is 55 cubic feet. This volume will be adequately served by the existing municipal stormwater collection system.*

1.5 Provisions for water, sewer, and other utilities

Finding #5: *The proposed site is currently served by City water and sewer. No gas or phone services serve the site. A new power line will serve the proposed structure.*

1.6 The City's historic preservation policies

Finding #6: *The proposed storage structure will not impact the City's historic preservation policies. The site is located in a designated historic district and does not have a structure that is historic (50+ years old) nor is it eligible for listing on the National Register of Historic Places.*

1.7 Adequate parking

Finding #7: *There are no changes in the parking requirements as there is no parking in the project area. The area is for pickup and delivery only.*

In addition to Subsection 24-96(g)(1), Subsection 24-96(g)(2) adds the following criteria (following each criterion is a draft finding by the administrator in *italics*): No site plan application approval shall be given unless it is determined that:

- a. The use complies with all applicable regulations in the district in which it is located.

Finding #8: *The proposal has been reviewed for compliance with the applicable*

City Council Staff Report SPR 2014-05
Site Plan Review
Cowtown Ag
October 28, 2014

regulations for the GC district, such as setbacks, height restrictions, signage, and design requirements. The use complies with all applicable regulations for this district.

- b. The use complies with all adopted regulations and policies.

Finding #9: *The proposal complies with all Zoning Codes, Fire Codes and IBC 2009 Building Codes. There are no known conflicts with other adopted regulations and policies in the Miles City Code of Ordinances.*

- c. The use will not be detrimental to or endanger public health, safety or general welfare.

Finding #10: *The proposed project is located in an established commercial zone where the business is currently operating. Locating a new structure on the same site will have no detrimental effect on public health, safety or general welfare.*

- d. The existing and reasonably anticipated permitted uses in the area will not be substantially impaired or diminished by the establishment of the proposed use.

Finding #11: *The proposed new business will not substantially impair or diminish the permitted uses in this long-established area.*

- e. Adequate utilities, access ways, drainage, and other necessary site improvement have been provided or will be provided prior to the use being initiated.

Finding #12: *No utilities, access ways, drainage and other site improvements will be required prior to the use being initiated.*

- f. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion on public streets.

Finding #13: *Use of the existing ingress and egress points will not change. No negative effect on traffic congestion for public streets is anticipated.*

- g. Water bodies, floodplain, and wetlands.

Finding #14: *Project site is located in the floodplain. The structure will be elevated to Base Flood Elevation plus 2 feet. Floodplain permit #180914 has been approved. There are no water bodies or wetlands nearby.*

- h. Adjacent streets and street rights-of-way to a distance of 150 feet from the subject property, including existing and proposed improvements such as curb, gutter, sidewalks, and bike paths.

Finding #15: *There are no proposed changes to adjacent streets and street rights-of-way to a distance of 150 feet from the subject property. The site currently does have existing curb, gutter, and sidewalks. No improvements are proposed.*

- i. Parking facilities, including bicycle racks, landscaping, drainage, lighting, handicap-accessible parking, typical dimensions (including labeling angles for angled parking), traffic flow on-site, ingress and egress points, driveways, and paving details

Finding #16: *Impact from the proposed new structure on parking facilities, landscaping, drainage, lighting, traffic flow, ingress and egress points, and paving are minimal. The project owner is currently conducting business on the site.*

- j. All existing and proposed structures, including exterior dimensions and setback distances to the wall line of all structures.

City Council Staff Report SPR 2014-05
Site Plan Review
Cowtown Ag
October 28, 2014

Finding #17: *The exterior dimensions of the storage structure are 226.5 feet x 48.5 feet, total area of 10,985.25 square feet. The structure height will be 17 feet 11.75 inches at the roof peak, which is well within the maximum reach of the 65 foot MCFD ladder truck.*

The property is adjacent to a General Commercial zones on all sides; therefore, no setbacks are required.

- k. Grading and storm drainage plans and calculations, including any proposed retention walls.

Finding #18: *Drainage calculations show an additional 55 cubic feet of stormwater runoff will be added to the existing stormwater collection system. The system is capable of handling the additional volume of water.*

- l. Utilities and utility easements, existing and proposed

Finding #19: *There are no existing easements on the subject property.*

- m. Location of fire hydrants, fire lanes and turnarounds

Finding #20: *There is one existing fire hydrant within 500 feet of the subject property at the corner of N 5th St and Pleasant St.*

- n. Exterior refuse collection areas

Finding #21: *Two dumpsters are located across the street from the proposed structure, at the site of the retail store for this business.*

- o. Signage plans (if any)

Finding #22: *No change in signage is proposed.*

- (5) Elevation plans or side profiles for structures with dimensions for structure heights, including dimension from the top of the roof peak to the average grade at the front of the structure.

Finding #23: *The new structure will be 17 feet 11.75 inches at the roof peak. The proposed structure will not exceed the 65 foot limit of current fire equipment.*

- (6) An analysis of traffic generation, trip distribution and the impacts of the proposed land use on the transportation facilities serving the area if the proposed land use is estimated to generate 400 or more average daily vehicle trips (ADT), or if requested by the administrator.

Finding #24: *The surrounding road network will not be impacted by the proposed storage structure. No change in daily traffic is anticipated due to the construction of the storage structure. Average Daily Traffic is anticipated to be less than 400 vehicles.*

Compliance with Local Zoning: The proposal has been reviewed for compliance with the applicable regulations for the GC district, such as setbacks, height restrictions, parking, signage, and design requirements. The use complies with all applicable regulations for this district.

Finding #25. *The project is located in a General Commercial zone and is a permitted use.*

City Council Staff Report SPR 2014-05
Site Plan Review
Cowtown Ag
October 28, 2014

***Finding #26.** The property is surrounded by General Commercial zones which do not require any setbacks.*

***Finding #27.** Subsection 24-59(c)(6) of the GC district requires parking for employees at the rate of one space per employee and additional on-premises parking that is reasonably adequate to accommodate persons coming to the building in the course of business. There are no proposed changes to the current parking requirements as the proposed site only serves for pickup and delivery.*

VI. RECOMMENDATION

The Planning Board recommends that the City Council adopt this staff report as findings of fact and approve the project, subject to the following conditions.

VII. CONDITIONS

Standard Conditions:

1. All site development and use of the property shall be in accordance with the Miles City Zoning Codes, the approved application and plans, and as discussed in Staff Report SPR 2014-05. Any modifications shall require additional review by the City of Miles City.

Site-Specific Conditions:

2. The owner or authorized representative shall obtain a Building Permit prior to start of construction. A permit is required for construction, additions, alterations, repairs, relocation, demolition, change of occupancy, or electrical, gas, mechanical or plumbing system projects. Exemptions are listed in IBC 2009 Section 105.2.
3. The proposed structures shall conform to the zoning standards listed in Miles City Code of Ordinances for the General Commercial (GC) District Section 24-59. Structures within the GC district may be constructed to the property line, except when bordered by a Residential district, may not exceed the 65 foot limit of existing fire department equipment, must conform to the provisions of the fire limit per Section 11-77 through 11-82 and is subject to a Site Plan Review per Section 24-96.
4. The owner shall maintain adequate parking space for employees at one space per employee and reasonably adequate spaces for visitor parking as required by Miles City Code of Ordinances for the General Commercial (GC) District Section 24-59(6)(a).
6. The required Floodplain permit must be in place prior to construction.

RESOLUTION NO. 3757

A RESOLUTION APPROVING A LETTER OF CONTINUING SUPPORT TO NEIGHBORWORKS MONTANA AND ITS GRANT PROGRAM FOR FIRST TIME HOMEBUYERS ASSISTANCE

WHEREAS, the City of Miles City previously passed Resolution 3502 on June 12, 2012, supporting the NeighborWorks Montana grant application program for first time homebuyers assistance, and designating the Floodplain Administrator as the Environmental Preparer for such program;

AND WHEREAS the City of Miles City continues to support said program;

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

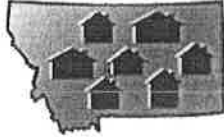
1. The letter of continuing support, attached hereto as Exhibit "A" is hereby approved and adopted by the Council.
2. The Mayor his hereby authorized to execute said letter of continuing support.
3. Resolution 3502 is hereby ratified, and the Miles City Floodplain Administrator shall continue to serve as the Environmental Preparer for the NeighborWorks Montana grant application program for first time homebuyers assistance.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 28th DAY OF OCTOBER, 2014.

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk



October 21, 2014

City of Miles City
Attn: Chris Grenz, Mayor
17 S. 8th
PO Box 910
Miles City, MT 59301

RE: NeighborWorks State HOME Loan Program Support Letter

Dear Mayor Grenz:

In **June of 2012**, the City of Miles City passed a resolution of support for NeighborWorks to administer federal funds through the Montana Department of Commerce's HOME Investment Partnership Program for State HOME non-competitive funds to assist qualified homebuyers to purchase properties located in **the City of Miles City**.

The Department of Commerce requires us to show your continued support of the homebuyer assistance every 2 years. I have attached a letter that just needs your signature and the date which would meet their requirement.

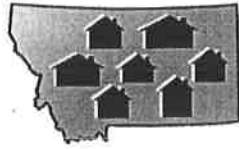
I have attached copies of the paperwork completed in 2012. If you have any questions please call me (406-216-3502).

Thank you for your assistance in this matter.

Sincerely,

Rosemary Torkelson
Loan Specialist





October 21, 2014

Mayor Chris Grenz
City of Miles City
17 S. 8th
PO Box 910
Miles City, MT 59301

Dear Mayor Grenz:

NeighborWorks Montana (NWMT) applied for and received Federal funds through the Montana Department of Commerce HOME Investment Partnership Program to provide down payment and closing cost assistance to lower-income homebuyers. Your local government initially supported our request and agreed this was consistent with local comprehensive plans and/or growth policies. Your local government also agreed and designated an Environmental Preparer to produce the required Environmental Review Record for each homebuyer on behalf of NWMT.

By signing this letter below, your local government is agreeing to continue to support NWMT in administering homebuyer assistance in your locality and will continue to act on NWMT's behalf in providing the services necessary to meet the environmental requirements.

Mayor Chris Grenz
Print Name of Chief Elected Official

Signature of Chief Elected Official

Date: _____

Please return to: NEIGHBORWORKS, 509 1st Ave S, Great Falls, MT 59401
Attn: Rosemary Torkelson



*You must check for availability of funds prior to reservation -
Counties currently approved as of 7/29/14 are: Anaconda-Deer Lodge, Beaverhead, Broadwater, Butte-
Silver Bow, Carbon, Cascade, Fergus, Flathead, Glacier, Hill, Lake, Lincoln, Lewis & Clark, Pondera,
Stillwater and Yellowstone – HOWEVER Incorporated Cities within the Counties MAY NOT be approved
Cities approved are: Baker, Choteau, Columbia Falls, Columbus, Havre, Helena, Kalispell, Laurel,
Lewistown, Libby, Lima, Miles City, Red Lodge, Shelby & Whitefish*

Montana HomeOwnership Network dba NeighborWorks® Montana
509 1st Avenue South, Great Falls, MT 59401
(406) 761-5861 FAX (406) 403-0273 Toll Free (866) 587-2244 www.nwmt.org

STATE-HOME Deferred 2nd Mortgage Program

This is a 0% Deferred Loan Program.

This program is directed toward low to moderate income families to assist with the down payment and closing costs associated with purchasing a single-family dwelling. The **minimum** loan amount is **\$2,500.00** and the **maximum** is **\$25,000.00**. **If there is a disabled family member living in the property OR in certain high cost areas (currently only Flathead County, Carbon County & the City of Red Lodge are approved for the high cost additional loan amount) the maximum loan amount can be \$40,000.00 if needed.** The 2nd mortgage must be in conjunction with an approved MBOH/FHA ******, MBOH/VA, or MBOH/RD guaranty first mortgage. **UNDER CERTAIN CIRCUMSTANCES RD DIRECT LOANS may be eligible if they have an acceptable "MATCH" of at least 5% of the HOME Loan amount. Check with the NeighborWorks office before submission to confirm the source of match.**

Borrowers must use **at least 29%** of the families gross income for housing (if the family has income that you are unable to use we will still consider this as part of the 29%...therefore your loan analysis would have to show a higher housing ratio). The total obligations to income should not exceed 41%, *unless valid compensating factors are present and approved by NW's high ratio approval procedure but can never exceed 42%*. The mortgage does not accrue interest or have monthly repayments, but will have a maturity date of 15 years from disbursement. If the borrower is still occupying the property as their primary residence at the end of the 15 years, the maturity date will be extended another 15 years with the same terms as the original note. The note becomes due and payable upon maturity, or if any of the following occurs prior to the maturity date:

1. Cessation of use as borrower(s) sole residence.
2. The sale, lease, rental or transfer of the property
3. Death of Borrower(s)
4. Upon refinance of the 1st mortgage (unless NW agrees to re-subordinate)
5. Upon repayment of the 1st mortgage

**** For FHA 1st Mortgages we now can cover the 3.50% required FHA down payment. The subordinate mortgage will close in the name of the Montana Department of Commerce (MDOC) but NeighborWorks will act as their administrator, and will approve, close and service the mortgage.**

Basic Qualifications:

1. Homebuyer to be **either** a first time homebuyer (someone who has not owned a home in the last 3 years), **or** single parent with dependent children **or** have a disabled family member.
2. Residence to be financed shall be occupied as borrowers **principal residence for the life of the loan**
3. Maximum Gross Annual Family Income from all sources not to exceed **80%** of the area median income for the County the home is located in (see income spreadsheet on website).

4. NW approved **Homebuyer education** is required (check web site for class providers and schedules)
5. Borrower must contribute a **minimum of 1% of the sales price or \$1,000.00 whichever is higher** of their own funds into the transaction
6. Family liquid assets cannot exceed **\$5,000.00** and total family assets not to exceed **\$70,000.00**. (Liquid assets are checking, savings, stocks and bonds; total assets include liquid assets **and** retirement accounts, personal property, autos etc)
7. The maximum **Sales Price** is 95% of the median purchase price based on the county (see separate maximum purchase price limit sheets for existing properties & new construction).
8. **Properties located in the following areas cannot use this program: Cities of Great Falls, Billings, Missoula (entitlement Cities) or in any other place that has unspent HOME monies for down payment and closing costs assistance. Other area's that cannot use this program are, the Counties of Gallatin, Park and Meagher (they are served by the Bozeman HRDC) & the Counties of Missoula, Mineral & Ravalli (they are served by HRC District XI).**
9. An **Environmental inspection** is required on all loans (this will be ordered by NW and usually takes 2 weeks to complete). **Check with NeighborWorks to ensure the local jurisdiction has approved the usage of HOME funds and there is a designated environmental review process.**
10. A **Housing Quality Inspection** must be performed on each property using HOME funds. This HQS inspection will be ordered by NW (this will usually take at least **2 weeks**) and any required repairs must be completed prior to closing.
11. Property cannot have been **rented** in the last 90 days. If appraisal identifies the property as vacant, then the Seller will have to provide a statement stating that the property has not been rented in the last 90 days. If the appraisal states the property is inhabited by a tenant then this program cannot be used unless the tenant is the prospective buyer.
12. If property was built **before 1978** and any peeling or chipping paint is identified on the HQS Inspection or appraisal, then property will **not be eligible**.
13. Any repair requirements listed on the Lenders appraisal must be completed **prior to closing** the loan.
14. Any **manufactured** homes must be on permanent foundation (FHA foundation requirements apply) and must be larger than a singlewide.
15. Rehabilitation loans are **not eligible** under this program.
16. Refinances are **not eligible**.

RESERVATION PROCESS:

1. 1st mortgage lender sends in the loan package to NW using the reservation checklist which can be found on our website: www.nwmt.org. Full VOE's for everyone who will live in the property, **whether or not they are obligated on the loan**, must be included (Verbal VOE's are not acceptable). **Documentation for at least two months** for all forms of income received for all family members 18 or older must be submitted with the initial package. For example: Social Security award letters, child support payments (we will also need a copy of the divorce decree and or the parenting plan where it shows how much child support is due), retirement income statements, if self-employed the last 2 years federal tax returns and a YTD Profit and Loss statement (P&L can be handwritten).
2. NW Loan Specialist will examine the loan package to make sure the family income meets the program guidelines for the family size and county where the property is located.
3. If file income qualifies, then the Loan Specialist will mail the RESPA required disclosures within 3 days. Loan Specialist will then continue to review the file for items needed for loan approval i.e. credit qualifying, cash to close, amount needed etc.
4. When basic qualification has been established the Environmental review and HQS Inspections will be ordered. The Loan Specialist will work closely with the 1st mortgage Lender on timing of these inspections, as if the loan does not close NW will bill the 1st mortgage Lender for fees incurred for

these inspections. It will be the Lenders decision if these inspections are ordered before or after their Appraisal is completed.

NOTE: If environmental review shows that the property is in the 100 year Flood Zone, then NW will require Flood Insurance on the property for the term of the loan.

NOTE: If the property fails the HQS Inspection then repairs must be completed prior to closing and a re-inspection by the HQS inspector will be required to obtain a "PASS" on the HQS inspection.

There will be an additional fee charged if a re-inspection is required. **ALSO if deteriorating paint is noted on the HQS or Appraisal and the property was built prior to 1978 then the property will not be eligible for the HOME 2nd mortgage.**

5. Any repairs items which do not prohibit the property buyer from using the HOME funds MUST be completed prior to the loan closing.
6. Once the Appraisal has been received NW will send a "Voluntary Agreement" form to the Lender to obtain the buyers and sellers signatures. The form must be signed and returned to NW before we can apply to the funder for approval. WE MUST HAVE THE FORM WITH THE ORIGINAL SIGNATURES AS THE FUNDER WILL NOT ACCEPT COPIES. This form advises the buyer and seller of the Fair Market Value of the property and informs the seller they cannot be forced to sell the property for less than the Fair Market Value.
7. NW will submit the file to Dept of Commerce to reserve funds. We have to have the following documents to reserve funds: Appraisal, environmental checklist and fully signed voluntary agreement (with original signatures), Lead Based Paint Disclosure (**MDOC Form** not the buy-sell disclosure) and MBOH reservation form.
8. When the file is ready to close NW will work with the 1st mortgage lender and the title company to schedule the closing. THERE CANNOT BE A PRINCIPAL REDUCTION ON THIS NW HOME 2ND MORTGAGE so extra time will be needed for NW to determine the exact loan amount and get the funds and loan documents to the title company for closing.

Loan Fees:

All loan fees on this subordinate mortgage will be paid by NeighborWorks.

It is important that all parties to the transaction are made aware of the longer time frame on these loans. We suggest that you allow at least 4 weeks processing time on the loans due to the contracted out inspections that have to be performed. ** Please call the NW office 406-761-5861 to check if funds are available and inspectors in place for the specific area prior to reservation **

7/29/14

RESOLUTION NO. 3758

A RESOLUTION GRANTING A REVOCABLE LICENSE TO LIVING WAY FELLOWSHIP CHURCH, AUTHORIZING THE ENCROACHMENT UPON CITY OF MILES CITY RIGHT-OF-WAY FOR MISSOURI AVENUE AND SOUTH 7TH STREET FOR PURPOSES OF CONSTRUCTING OFF-STREET ANGLED PARKING FOR THE BENEFIT OF LOTS 1 - 5 IN BLOCK 88 OF THE ORIGINAL TOWNSITE TO THE CITY OF MILES CITY, COMMONLY KNOWN AS 708 MISSOURI AVENUE

WHEREAS, Living Way Fellowship Church, has made application for an encroachment upon the right of way of Missouri Avenue and 7th Street adjacent to the following described real property located in Miles City, Custer County, Montana owned by Living Way Fellowship Church:

Lot 1-5 in Block 88 of the Original Townsite to the City of Miles City, Custer County, Montana according to the plat and survey thereof on file in the office of the Clerk and Recorder of Custer County, Montana, commonly known as 708 Missouri Ave.

AND WHEREAS, such encroachment shall consist of off-street angled parking between the existing parking entrances and exits along the southeasterly edge of Missouri Avenue and the northeasterly side of South 7th Street;

AND WHEREAS, the City Council finds that the granting of a revocable license for such encroachment, pursuant to certain terms and conditions, is advisable.

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

It does hereby authorize and grant to Living Way Fellowship Church a revocable license to construct an off-street angle parking area on Lot 1-5 of Block 88 of the Original Townsite to the City of Miles City, Custer County, Montana, commonly known as 708 Missouri Avenue, that encroaches upon the City of Miles City right-of-way on the southeasterly edge of Missouri Avenue and the northeasterly side of South 7th Street, subject to the following terms and conditions:

1. The off-street angle parking area shall be constructed in strict conformance with the requirements of the City Engineering Office;

2. The parking area shall be constructed at licensee's sole expense;
3. The licensee shall maintain the parking area in good repair and condition at all times.
4. This license shall terminate and licensee shall, at licensee's expense, completely remove the parking area and restore all curb, gutter and sidewalk at licensee's sole expense upon ninety (90) days advanced written notice to licensee by the City of Miles City.
5. This license shall be recorded with the Clerk and Recorder for Custer County, Montana, and shall run with the above described real property, subject to the terms, conditions and right to terminate provided herein. The costs of recording, being \$14.00, shall be paid by licensee to the City Clerk.

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY,
MONTANA, THIS 28th DAY OF OCTOBER, 2014.**

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

November 14, 2014

Governor Bullock & Montana Legislators
Montana State Capitol
Helena, MT

VIA ELECTRONIC MAIL

Dear Governor Bullock, Senators, & Representatives:

As the 2015 Legislative Session nears, you will be called upon to make many difficult decisions. One of those decisions will be whether or not to assist eastern Montana financially with infrastructure, public health and safety, transportation, and other issues.

Eastern Montana needs your help. The impacts of energy development continue to affect every aspect of life within our eastern Montana communities, from wastewater to roads, classrooms to emergency rooms, wheat fields to courtrooms. Every sector is impacted, and the demands are tremendous. Listed below are a few examples:

Glendive Wastewater Treatment Plant	\$18,000,000
Glendive Water Treatment Plant	\$11,000,000
Sidney Water/Wastewater	\$64,000,000
Fairview Water/Wastewater	\$12,500,000
Sidney Transportation Improvements	\$16,000,000
Richland County Law Enforcement	\$ 2,000,000

These are just a handful of projects currently underway or proposed in the near future that comprise what is estimated to be several hundred million in needed projects. Under established funding programs, the cost for improvements will be shouldered primarily at the local level—a cost burden that is too great for these small communities, but also represents an investment that must be made to allow growth. Eastern Montana communities are not asking for Montanans to bear the entire burden of these infrastructure investments. Instead, we are requesting much needed assistance, at a higher level than has been proposed, in order to complete essential infrastructure projects while the economy is growing. We need Montana to support the growth to the benefit of our overall economy.

What do we propose?

Approve legislation that increases the State of Montana's investment in eastern Montana for infrastructure, transportation, fire, emergency services, and law enforcement. Utilize a combination of the outstanding credit rating of the state and its impressive cash reserves to make a significant impact on our communities.

How much do we propose?

\$45,000,000 Governor's Eastern Montana Impact Proposal
\$45,000,000 General Fund Appropriation to further leverage infrastructure investment
\$90,000,000 Total Eastern Montana Infrastructure Program for Biennium 2015-2016

How will we use it?

\$67,500,000 or 75% to Water and/or Wastewater Projects
\$ 9,000,000 or 10% to Law Enforcement Facilities
\$ 9,000,000 or 10% to Transportation Projects
\$ 1,800,000 or 2% to Emergency Services/Equipment
\$ 1,350,000 or 1.5% to Law Enforcement Personnel/Equipment
\$ 1,350,000 or 1.5% to Social Services

Who decides where it goes?

We believe that people from eastern Montana can work together to prioritize and logically plan for expending these funds. Application would be made to the Eastern MT Impact Coalition. A regional board made up of leaders in local government and economic development from the sixteen (16) impacted counties will make recommendations regarding distribution of the funding. Approved awards will be monitored closely to ensure that projects are moving forward in an expedited manner, i.e. under construction within a year of award.

We are excited about the energy development prospects in Montana. How we invest in infrastructure allowing for growth is our challenge. We invite you to join us as we work to fulfill that legacy of growth and prosperity.

With highest regards,

City of Sidney	Town of Fairview	Richland County	City of Glendive
Town of Richey	Dawson County	City of Baker	Town of Plevna
Fallon County	Town of Wibaux	Wibaux County	Town of Terry
Prairie County	Town of Ekalaka	Carter County	City of Miles City
Town of Ismay	Custer County	City of Scobey	Town of Flaxville
Daniels County	Town of Bainville	Town of Brockton	Town of Culbertson
Town of Froid	Town of Poplar	City of Wolf Point	Roosevelt County
Town of Jordan	Garfield County	Town of Circle	McCone County
Town of Broadus	Powder River County	City of Colstrip	City of Forsyth
Rosebud County	Town of Medicine Lake	Town of Outlook	City of Plentywood
Town of Westby	Sheridan County	Town of Hysham	Treasure County
Town of Fort Peck	City of Glasgow	Town of Nashua	Town of Opheim
Valley County	Eastern Montana Impact Coalition		