



CITY OF MILES CITY AGENDA

*Regular Council Meeting
City Council Chambers*

*January 27, 2015
7:00 p.m.*

CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

1. APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES

- a. City Council Meeting 1/13/2015
- b. Public Safety Meeting 1/21/2015

2. SCHEDULE MEETINGS

3. REQUEST OF CITIZENS & PUBLIC COMMENT

4. APPOINTMENTS

- a. Miles City Preservation Commission:
 - *City Government Representative:* Sheena Martin
 - *Community Representative:* Jenna Janshen

5. PROCLAMATIONS

6. STAFF REPORTS

- a. Interim Fire Chief Cameron Duffin
 - Ambulance transfers
- b. Dave DeGrandpre
 - Miles City Growth Policy Update

7. CITY COUNCIL COMMENTS

8. MAYOR COMMENTS

9. COMMITTEE RECOMMENDATIONS

10. BID OPENING

BID AWARDS

11. PUBLIC HEARINGS

- a. **RESOLUTION NO. 3767:** 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 # 4000-501-410100-940 And #4000-141000 To Fund The Purchase Of Two Police Vehicles
- b. **RESOLUTION NO. 3769:** A Resolution Approving A Proposal From Dorsey & Whitney LLP For Provision Of Professional Services Related To Obtaining A Sewer System Revenue Bond For Wastewater Treatment Plant Upgrades
- c. **RESOLUTION NO. 3770:** 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 # 1000-005-420160-143 To Fund 6 Months Benefits For One Full Time Dispatcher
- d. **ORDINANCE NO. 1283:** Ordinance Changing The Zoning Of The S1/2SW 1/4SE1/4, Less 7.5 Acres Of Section 25, Township 8 North Range 47 East M.P.M. From Agriculture District Zone To Semi Rural Zone, And Providing For A Hearing Thereon (*Thomas Moore-Leighton Boulevard*)
- e. **ORDINANCE NO. 1284:** An Ordinance Amending Section 20-68 Of The Code Of Ordinances Of The City Of Miles City, Montana, So As To Allow Alternate Forms Of Surety For Persons Making Utility Connections

12. UNFINISHED BUSINESS

- a. **RESOLUTION NO. 3767:** (*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 # 4000-501-410100-940 And #4000-141000 To Fund The Purchase Of Two Police Vehicles
- b. **RESOLUTION NO. 3769:** A Resolution Approving A Proposal From Dorsey & Whitney LLP For Provision Of Professional Services Related To Obtaining A Sewer System Revenue Bond For Wastewater Treatment Plant Upgrades
- c. **RESOLUTION NO. 3770:** (*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 # 1000-005-420160-143 To Fund 6 Months Benefits For One Full Time Dispatcher
- d. **RESOLUTION NO. 3773:** A Resolution Adopting a Part-Paid Firefighter & Emergency Care Provider Requirements Policy
- e. **ORDINANCE NO. 1283:** (*Second Reading*) Ordinance Changing The Zoning Of The S1/2SW 1/4SE1/4, Less 7.5 Acres Of Section 25, Township 8 North Range 47 East M.P.M. From Agriculture District Zone To Semi Rural Zone, And Providing For A Hearing Thereon (*Thomas Moore-Leighton Boulevard*)
- f. **ORDINANCE NO. 1284:** (*Second Reading*) An Ordinance Amending Section 20-68 Of The Code Of Ordinances Of The City Of Miles City, Montana, So As To Allow Alternate Forms Of Surety For Persons Making Utility Connections

13. NEW BUSINESS

- a. **SITE PLAN APPROVAL:** Horse Shoe Bar and Casino Hwy 59 & Steele St

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 January 13, 2015
7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, January 13, 2015, in the City Hall Conference Room at City Hall, 17 S. 8th Street, Miles City, Montana. Mayor Grenz called the meeting to order. Council Members present were Roxanna Brush, Mark Ahner, Sheena Martin, Dwayne Andrews, Ken Gardner and Jerry Partridge. Councilpersons John Hollowell and Susanne Galbraith were excused.

Also present were City Attorney Dan Rice, Police Chief Doug Colombik, Public Works Director Scott Gray, Public Utilities Director Al Kelm, Interim Fire Chief Cameron Duffin, Grant Administrator /Historic Preservation Officer Connie Muggli, Dispatch Supervisor Heather Roos and Deputy City Clerk/Minute Recorder Connie Watts.

PLEDGE OF ALLEGIANCE

Mayor Grenz led the Council in the Pledge of Allegiance.

ELECTION OF COUNCIL PRESIDENT

****** *Councilperson Andrews nominated Councilperson Hollowell as Council president, seconded by Councilperson Partridge.*

Mayor Grenz called for additional nominations. Hearing none, he declared the nominations closed.

***** *Councilperson Andrews' motion then passed unanimously.*
Councilperson Hollowell was reelected as Council President.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

City Council Minutes: 12/23/2014

****** *Councilperson Gardner moved to approve the minutes of the Regular Council Meeting of December 23, 2014, seconded by Councilperson Brush. On roll call vote the motion **passed** unanimously, 6-0.*

SCHEDULE MEETINGS

The following meetings will be held in the City Hall Conference Room:

- Public Safety Meeting: Wednesday, January 21st @ 6:00 pm
- Health Board Meeting: Monday, January 19th @ 5:15 pm
- Planning Board Meeting: Tuesday, January 20th @ 6:00 pm
- Planning Board Meeting: Monday, January 26th @ 6:00 pm

REQUEST OF CITIZENS & PUBLIC COMMENT

None

APPOINTMENTS

Standing Committees:

Mayor Grenz placed all standing committee appointments on a consent agenda. He proposed all committees remain the same as last year. There were no objections from the Council.

- ** *Councilperson Ahner moved to approve the standing committees as they were structured in the past year, seconded by Councilperson Brush and passed unanimously, 6-0. The committees for the year 2015 are as follows:*

Finance: Susanne Galbraith, Sheena Martin, John Hollowell, Dwayne Andrews

Public Services: Susanne Galbraith, Jerry Partridge, John Hollowell, Dwayne Andrews

Public Safety: Susanne Galbraith, Jerry Partridge, Mark Ahner, Roxanna Brush

Flood Control: Ken Gardner, Sheena Martin, John Hollowell, Dwayne Andrews

Human Resources: Ken Gardner, Sheena Martin, Mark Ahner, Roxanna Brush

Zoning Commission, Miles City Health Board, Planning Board, Board of Appeals

Mayor Grenz placed the above committee appointments on a consent agenda.

- ** *Councilperson Brush moved to approve the board members as proposed, seconded by Councilperson Gardner and passed unanimously, 6-0. The committee members appointed were as follows:*

Zoning Commission: Nancy Mitchell, LeRoy Meidinger

Miles City Health Board: Donna Faber, Amber Trenka

Planning Board: John Hollowell, Roxanna Brush, Brad Certain, Carol Hardesty, Twila Wilhelm, Colette Butcher, Spencer Haynes

Board of Appeals: Derrick Rodgers

PROCLAMATIONS

None

STAFF REPORTS

Interim Fire Chief Duffin distributed a chart comparing the calls for service by the Fire Department from 2005 through 2014. He noted that total calls have increased 64.5 percent during that time, with medical calls accounting for almost 82% of that total. He was not sure on what to base the increase, but suspected a lot of little things, such as a small population increase, an increasing older population, and probably transients relating to the Bakken oil fields all contributed.

CITY COUNCIL COMMENTS

Sheena Martin: Reported, as a member of the Historic Preservation Committee, that the Denton Field Complex/Connor Stadium is being considered to be included on the National Register of Historic Places. She asked for support from the Mayor and Council for this effort.

Roxanna Brush: Thanked whoever plowed many blocks of snow in her neighborhood.

Dwayne Andrews: Said he felt the City has done a great job in clearing snow this year, especially since we have had so much of it lately.

MAYOR COMMENTS

- Said he hoped everyone had a Merry Christmas
- Mentioned the City has received over 30 applications for Fire Chief from all of the country. He will be putting together a hiring committee to review them.
- Received an invitation from the Montana Liquid Gas and Pipeline Association to attend a complimentary luncheon at the Country Club on February 24th. If anyone would like to attend, please let him know and he will register him or her for the luncheon.

STANDING COMMITTEE RECOMMENDATIONS

None

BID OPENINGS/AWARDS

None

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

- A. **ORDINANCE NO. 1285:** *(First Reading)* An Ordinance Changing The Zoning Of Tract A In Certificate Of Survey No. 141761, Tract B In Certificate Of Survey No. 158155, And Tract 1 Of The Ponderosa Tracts / Hardesty Tracts, From Mixed Zones To Heavy Commercial Zone, And Providing For A Hearing Thereon (*McBain-Sanjel Request: Yellowstone Valley*)

** *Councilperson Brush moved to adopt Ordinance 1285 on first reading and by title only, seconded by Councilperson Martin.*

During discussion, representatives from Sanjel said there are about 35 total acres owned by Sanjel in that area, but they are only developing 25 of those acres at this time. Mayor Grenz thanked Sanjel for choosing to locate in Miles City.

* *On roll call vote, the motion passed unanimously, 6-0. **Ordinance 1285 passed on first reading and was referred to the Finance Committee.***

- B. **RESOLUTION NO. 3767:** *(First 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 # 4000-501-410100-940 And #4000-141000 To Fund The Purchase Of Two Police Vehicles

** *Councilperson Ahner moved to adopt the resolution by title only, seconded by Councilperson Andrews. After brief discussion, the motion passed by unanimous consent, 6-0. **Resolution No. 3767 passed on first reading.***

- C. **RESOLUTION NO. 3769:** A Resolution Approving A Proposal From Dorsey & Whitney LLP For Provision Of Professional Services Related To Obtaining A Sewer System Revenue Bond For Wastewater Treatment Plant Upgrades

- ** *Councilperson Brush moved to adopt the resolution by title only, seconded by Councilperson Andrews.*
- ** *Councilperson Ahner then moved to amend Councilperson Brush's motion to first refer the resolution to the Finance Committee for review and recommendation prior to passage, seconded by Councilperson Andrews. The motion passed unanimously, 6-0.*
- * *Councilperson Brush's original motion, as amended, then passed unanimously, 6-0. **Resolution 3769 was referred to the Finance Committee.***

D. RESOLUTION NO. 3770: *(First 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 # 1000-005-420160-143 To Fund 6 Months Benefits For One Full Time Dispatcher

- ** *Councilperson Ahner moved to approve the resolution on first reading, read by title only, and refer to the Finance Committee. The motion was seconded by Councilperson Andrews and, on roll call vote, passed unanimously, 6-0. **Resolution No. 3770 was approved on first reading and referred to the Finance Committee.***

ADJOURNMENT

Before adjournment, Mayor Grenz told the Council the City Clerk recently had surgery, and Councilperson Galbraith's father was in the hospital. He wished a speedy recovery for both.

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

The meeting was adjourned at 7:30 p.m.

C.A. Grenz, Mayor

Lorrie Pearce, City Clerk

Public Safety Committee Meeting January 21, 2015

The Public Safety Committee met Wednesday, January 21, 2015, at 6:00 pm in the City Hall Conference Room. Present were Committee Members Susanne Galbraith, Mark Ahner, Roxanna Brush and Jerry Partridge. Also present was Interim Fire Chief Cameron Duffin, Firefighter III/EMS Training Officer Mike Miller, Police Chief Doug Colombik, Public Works Director Scott Gray, Mayor C.A. Grenz and Committee Recorder/HR/Payroll Officer Billie Burkhalter.

Committee Member Ahner brought the meeting to order.

ELECTION OF COMMITTEE CHAIRPERSON

*** Committee Member Galbraith moved to nominate Committee Member Ahner for Chairperson of the Public Safety Committee. Committee Member Brush seconded the motion.*

After hearing no further nominations;

*** Motion then passed unanimously.*

TRAFFIC CONTROL MEASURES ON STOWER, PEARL AND TRUCK ROUTE

Chairperson Ahner explained that a citizen had previously approached the Committee with a concern that oversized vehicles, such as ranch pickups with trailers, traveling on Stower Street were presenting a hazard, especially when vehicles are parked on that street. He had wanted the City to put a sign by the City Shop that could direct this traffic to the existing truck route. The Committee had agreed to place additional signs along the truck route to try and alleviate congestion.

Director Gray stated that the additional signage has been up for approximately two weeks. The Committee thanked Director Gray for completing this.

Chairperson Ahner explained the Committee had also previously discussed the issue of traffic control around Lincoln School on Pearl Street. Director Gray stated that as soon as the snow was clear in this area he would address the crosswalks to make sure the painted yellow was the appropriate length. He further explained that there are 72 speed/school zone signs that will be placed in the school areas as soon as the ground thaws. He noted that this was a significant cost to the budget.

John Gorton, Principle of Lincoln School, explained that a lot of the parking congestion on or around Lincoln School is due to his staff and they are currently trying to address this issue. There is a potential facility parking area on Fort Street across from the Custer apartments. This area would need to be made more conducive for parking. Right now it is a tight fit for a pickup

truck and there is an issue with a substantial curb, which could cause an issue for a compact car. Principal Gorton further explained the gravel would need to be removed along with the curb and gutter. They have also explored the idea of moving the fence deeper onto the playground area but would prefer not to. Principal Gorton stated any help from the City crews with the curb and gutter in this area would be appreciated. Director Gray stated his department would be willing to assist with the curb and gutter removal and could provide the millings for the parking area.

Mayor Grenz suggested to take out the curb and gutter where the sidewalk is on Fort Street all the way down Custer Street and then make it perpendicular parking. Principal Gorton explained that there is not a sidewalk on the Lincoln side of Fort Street.

Director Gray added that another possibility to alleviate the traffic congestion could be to make it no parking at any time on the north side of Pearl Street from the alley going west to the intersection of Lake Street and do the same thing on Fort Street, but do it on the south side from Lake Street to half way between Custer and Jordan up to the alley. These areas could be designated as drop off only.

Cameron Duffin, 1605 Pearl, stated he is surprised that there aren't more accidents in this area, as when school is in session it is basically a one lane road. He would like to see parking be designated for only one side of Pearl Street. Cameron further explained that he has noticed a big difference in how fast vehicles travel now that there is a bigger police presence.

There was discussion concerning the possibility of parallel parking on Lake Street.

Chairperson Ahner requested that Director Gray work with Principal Gorton in regards to the facility parking area. He stated he personally did not have any issues with the City providing the millings to the school district but felt that they would need to reimburse the cost of City labor. Director Gray stated he did not think it would take more than a couple of hours.

There was discussion concerning Stower Street and the parking problems due to how narrow the street is.

Chairperson Ahner requested Director Gray and Chief Colombik work with the School District for further solutions to traffic control on Pearl Street. He further requested Director Gray to speak with Montana Department of Transportation to see if the Urban Street Transportation Study could address traffic control measures to include Stower Street and Comstock Street.

Chairperson Ahner stated whatever the direction the City decided to go in regards to Stower Street and Pearl Street would need public meetings for the residents in this area. Long term solutions would have to be fully considered. This would need to be a step by step process, start with getting the facility parking addressed at Lincoln School and then move on to other possible measures.

PART-PAID FIREFIGHTER AND EMERGENCY CARE PROVIDER REQUIREMENTS

Chief Duffin explained that he had requested Fire Training Officer Mike Miller to develop this Part-Paid Firefighter and Emergency Care Provider Requirements packet. These requirements will add more accountability and responsibility for Part-Paid Firefighters in his department.

Training Officer Miller stated currently there are no requirements in place for part-paid firefighter staff. In the past, part-paid employees have been called in to respond to an incident, such as a structure fire, and they do not have the proper training, creating a liability for the City. With these new requirements, it will be mandatory for part-paid employees to come in to the Fire Department every month and train with the department. Training Officer Miller further explained that creating this new program will bring part-paid firefighters up to a higher level of care that will benefit the citizens and the City. Currently there are 12 part-paid employees and they are excited about implementation of this program.

Chief Duffin explained that the part-paid firefighters will be required to complete 24 hours a month ride along with the department, which is a 100% volunteered time.

Chairperson Ahner stated he was impressed with the presented program.

*** Committee Member Partridge moved to recommend to Council to adopt the Part-Paid Firefighter and Emergency Care Provider Requirements, seconded by Committee Member Galbraith and motion passed unanimously, 4-0.*

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, 4-0. The meeting was adjourned at 7:10 p.m.*

Respectfully Submitted:

Public Safety Committee Chairperson:

Billie D. Burkhalter, Recorder

Chairperson Mark Ahner

Call for Out of town Transfer

Emergent | **Non-Emergent or find other transportation**

- Is the patient Hemodynamically/VS Stable?
- Is Flight Available?
- Will on Duty Crew be reduced to less than 3? With minimum of two in reserve.
- Is weather a factor
- Is crew on out of town transfer already or no ambulances available?

If yes to any of the above questions move to Non-Emergent →

If no move to next ↓

Patient needs?

- Does the patient require meds above the EMT level?
- Does the patient require a Vent?
- Does the patient require ACLS or PALS?
- Does the patient require blood or blood products?
- Is the patient an OBGYN with imminent delivery?

If yes to any above questions send Nurse along with trip.

If no – Send trip.

Non-Emergent Trips

- Is the call between the hours of 8pm and 6am? If yes schedule the next day by rotation ↓
- If no – attempt to fill trip by overtime rotation.
- If available MCFR personnel is 7 or more including shift on
- Send trip. →
- If situation arises and unable to determine course of action attempt to contact most senior member of department. And move down through the list.
- If holding over a trip for next day and the patient situation changes ←

The transferring physician/facility is responsible for:

1. Stabilizing the patient within the capacity of the facility.
2. Performing a risk benefit analysis of transfer.
3. Determining the mode of transfer based on patient acuity, distance and weather conditions in consultation with the receiving facility physician.
4. Determining the medical needs of the patient during transfer and the medical qualifications of the personnel required to meet that need.
5. Recognizing and respecting the limitations of the providers' scope of practice, which means:
 - a. Not requiring a higher level of care from these personnel than is defined by their scope.
 - b. Recognizing the need for specialty transport services that may not be available from EMS-based transport services and promptly contacting these services.
6. Determining the credentials and capabilities of any personnel provided by the facility for the transport.
7. Insuring on-line medical control is readily available by voice contact within 3 minutes.
8. Set up all out of town transfer through the E.D./house supervisor.
9. Set up all transfer the prior day if possible.

The transport agency is responsible for:

1. Complying with protocols set forth.
2. Insuring providers have current licensure and training as needed to meet their approved scope of practice.
3. Insuring that the transport will not compromise the local 911/EMS resources.
4. Insuring provision of care remains within the provider's scope of practice.
5. Insuring on-line medical control is readily available.
6. Insuring that the safety of the transporting crew is reviewed for road conditions, fatigue, time of day or any other safety factors that may harm the patient or crew.
7. MCFR can only manage 1 out of town transport at a time on most instances.

INTRODUCTION

A growth policy is a community vision for how to provide places for people to live, work and recreate. 'Growth policy' is the term used in Montana law for a comprehensive land use plan. It guides planning and community development efforts in the coming years. It also sets the stage for changes in zoning, infrastructure and annexation planning and is used to identify priority improvement projects in order to obtain grants from funding agencies.

The Miles City – Custer County Growth Policy was adopted in 2008 and is out of date. It does not reflect recent growth in the region, does not reflect current needs and priorities and is out of date in many respects. Custer County adopted a separate growth policy in 2013. For these reasons an effort to update the Miles City growth policy is currently underway.

This document is a work plan for updating the growth policy. It also includes a status report for those tasks that have been initiated and will be updated throughout the project to keep decision makers informed of progress.

SUMMARY OF TASKS

This work plan is organized into five phases, each with specific tasks:

PHASE ONE: ORGANIZATION AND REVIEW

The objective of phase one is to identify and inventory the changes in conditions since 2008 that need to be addressed, and changes to the Growth Policy that must occur to comply with state statutes or to ensure consistency with city ordinances.

Task One: Review Work Done to Date on the Update

In 2013, Planning Department staff and the Planning Board began work on an update to the existing Growth Policy. The goal of this task is to understand the extent of previous work in order to identify portions of the 2013 drafts that can be used in the current effort. The task includes reviewing all files (we already have electronic files) and talking about the previous effort with the planning board to understand the previous effort and what role the planning board would like to play on this update.

Status: Complete. The 2013 efforts resulted in a useful introduction, population, economics and housing information. These sections need to be updated and refined, but provide a good starting point.

Task Two: Changes required by the Montana Code Annotated

Since the 2008 adoption of the Miles City – Custer County Growth Policy, the Montana Legislature has made a number of changes to 76-1-601 MCA, the enabling legislation for Growth Policies, requiring additional information in a number of areas. Land Solutions will review the Growth Policy and propose additional text, data, maps and goals and objectives ensuring the final product is consistent with state law.

Status: Complete. Letter evaluating 2008 Growth Policy written. The current growth policy contains some useful information to be built upon, but lacks in several important respects.

Task Three: Provide updated land use, demographic, and economic conditions, trends and projections.

In 2010 the U.S. Census Bureau conducted the decennial census mandated by the U.S. Constitution. These and more current data are now available to the public. Land Solutions will update numbers within the Growth Policy to reflect the most recent data and make projections for needed residential, commercial, mixed use and industrial areas and other required elements of the growth policy. A good portion of the work done in 2013 involved updating demographics. We should be able to use some of that work, but will need to verify accuracy.

Status: Complete

Task Four: Review of City Plans, Reports and Ordinances

Land Solutions and City staff will review the new floodplain study, downtown urban renewal plan, water and sewer plans, zoning and other applicable documents to help understand key opportunities and constraints within the planning area. Land Solutions’ planners are familiar with Miles City’s plans and regulations, so this task should be relatively quick.

Timeline: November - December, 2014

PHASE TWO: IDENTIFY COMMUNITY ASSETTS, ISSUES AND CHALLENGES

Since the Growth Policy was adopted in 2008 there have been many changes in the community that were not anticipated in the original document. Some of the goals and objectives are no longer relevant, others have not been addressed, and new circumstances will require different

approaches. The objective of phase two is to identify what issues are most pressing to the community today.

Task One: Identify issues internally

To begin, Land Solutions and Miles City staff (Connie Muggli and Dawn Colton) will conduct personal interviews with key city officials, the planning board, zoning commission and other staff to identify any new issues or opportunities that have arisen. Amendments to the plan will be suggested to reflect the changing conditions and rectify issues within the original text.

Status: Currently underway. Interviews are being conducted. An interview with City Council should be scheduled for February.

Task Two: Identify issues through public outreach

The goal of this task is to identify broad issues that are important to the community. Land Solutions and Miles City staff will interview local leaders, business owners, and community members, make presentations to community groups (Rotary, Kiwanis, SMEDC, possibly others), work with the school district to make a presentation to high school seniors, and develop and publicize a web-based survey. Connie and Dawn will provide a list of persons and groups to meet with. Land Solutions will provide guidance on topics of focus as well as a brief slide presentation to set the stage for group discussions. City staff and Land Solutions will develop an online survey and mail postcards to all households asking them to take the survey. City staff will write articles for the Miles City Star and other publications regarding the Growth Policy effort and the survey. Land Solutions will be available for interviews on radio and possibly television.

Status: Currently underway. Interviews are being conducted. A slide presentation has been developed. A survey is being developed.

Timeline: January - March, 2015

PHASE THREE: IDENTIFY POTENTIAL POLICIES AND AN ACTION PLAN

This phase of the processes will capitalize on the work completed to date, and suggest changes to the goals, objectives, policies, implementation strategies and maps.

Task One: Alternatives to Address Identified Issues

In conjunction with Miles City staff and the Planning Board, Land Solutions will use information collected to date to provide updated goals, objectives and implementation measures to address the projected needs (Phase One) and the identified issues (Phase Two). A draft future land use map and draft annexation plan will be completed in conjunction with this phase, which will be funded by the Montana Department of Commerce.

Task Two: Growth Policy writing, graphics and maps

In conjunction with Miles City staff and the planning board, Land Solutions will update text, graphics and maps for the 2015 Growth Policy.

Timeline: April - May, 2015

PHASE FOUR: PUBLIC INPUT

Once a draft of the document is completed, a public outreach campaign will begin highlighting the recommended changes.

Task One: Release the document to the public, hold workshops

Once the document is released to the public, outreach will be completed to raise awareness. At least two public workshops/open houses will be held detailing the changes. Miles City staff, the Planning Board and Land Solutions will work together on this task. The workshops/open houses will focus on individual interactions between planners and the public. The workshops/open houses will be designed to encourage interaction and gain feedback, while discourage grandstanding. Staff will coordinate with the media to alert the public and stakeholders of these workshops.

Task Two: Hold a public meeting

Following the workshops, a public meeting with the Planning Board will be held. This meeting will be conducted like a public hearing, allowing people the opportunity to express opinions about the draft document. The public meeting allows people the opportunity to be heard by a larger audience and other members of the public.

Task Three: Revisions

Based on the feedback from the public and Planning Board, revisions to the document will be made as necessary. Land Solutions and Miles City staff will present a final draft to the Planning

Board for the board's consideration. When the draft is submitted, this signals the beginning of the adoption process required by state law.

Timeline: May – July 2015

PHASE FIVE: ADOPTION

Land Solutions and Miles City staff will provide technical expertise in navigating the sometimes complex public adoption process, including public meeting notification, facilitation and ordinance drafting.

Timeline: July – September 2015

RESOLUTION NO. 3767

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 # 4000-501-410100-940 AND #4000-141000 TO FUND THE PURCHASE OF TWO POLICE VEHICLES

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2014-2015 to provide funding for two police vehicles, 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 fund # 4000-501-410100-940,

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 Capital Improvement Fund No. 4000 shall be increased in the following amount:

Fund No. 4000-501-410100-940 (General Fund Capital Improvement Fund No. 4000, Historic Preservation, Machinery and Equipment), in the sum of \$78,002.00.

The appropriations for the Final Budget for Fiscal Year 2014-2015 for General Fund No. 4000 shall be decreased in the following amount:

Fund No. 4000-141000 (General Fund Capital Improvement Fund 4000, Prepaid Expenses) in the sum of \$78,002.00.

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 13th day of January, 2015, 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 13th DAY OF JANUARY, 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 27TH DAY OF JANUARY, 2015.

C. A. GRENZ, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 3769

A RESOLUTION APPROVING A PROPOSAL FROM DORSEY & WHITNEY LLP FOR PROVISION OF PROFESSIONAL SERVICES RELATED TO OBTAINING A SEWER SYSTEM REVENUE BOND FOR WASTEWATER TREATMENT PLANT UPGRADES

WHEREAS, the City of Miles City is in the process of making required upgrades to the City's wastewater treatment facility;

AND WHEREAS, the City wishes to engage the services of Dorsey & Whitney LLP of Missoula, Montana to provide certain services related to obtaining a bond to fund such improvements;

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

1. That the Sewer System Revenue Bond Proposal Letter, attached hereto as Exhibit "A," is hereby approved and adopted by the City Council of the City of Miles City;
2. That the Mayor of the City of Miles City is hereby authorized and empowered to execute the Acknowledgment contained in said letter on behalf of the City, and to bind the City thereto;
3. That the Mayor is hereby authorized to execute such additional documents as may be necessary to carry out the terms of said Letter.

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 ____ DAY OF JANUARY, 2015.

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk



DAN SEMMENS
semmens.dan@dorsey.com

December 29, 2014

Ms. Lorrie Pearce
City Clerk
City of Miles City
P.O. Box 910
Miles City, MT 59301

RE: Sewer System Revenue Bond (DNRC Water Pollution Control State Revolving Loan Program), Series 2014
City of Miles City, Montana

Dear Lorrie:

The City of Miles City, Montana (the "City") intends to borrow funds for needed improvements (the "Project") to its sewer system (the "System"). It is anticipated that the City would obtain financing for the Project from the State's Water Pollution Control State Revolving Fund Program (the "Program"). We have enjoyed working with the City and will be pleased to serve as Bond Counsel in connection with the issuance by the City of its Sewer System Revenue Bond (DNRC Water Pollution Control State Revolving Loan Program), Series 2014 (the "Bond"). The Bond will evidence loans from the Program to finance the Project. The purpose of this letter is to outline the services we would provide and give a cost estimate of our services.

As bond counsel our principal function is to render opinions with respect to the authorization and issuance of the Bond. The opinions are rendered in written form at the time the Bond is delivered to the Montana Department of Natural Resources and Conservation (the "DNRC"), and are addressed to the City and the DNRC. In fulfilling that function and responsibility, we have performed or will perform the following tasks:

- 1) prepare the bond resolution and the Bond and review proceedings of the City relating to other outstanding bonds and notes charged for the use and availability of the System, if any;
- 2) coordinate with the City Clerk-Treasurer, or other designated officer, the adoption of the resolution and other actions necessary to be taken by the governing body of the City;
- 3) review sewer rate ordinances and resolutions to confirm that rates and charges are in effect at the time the Bond is issued to provide adequate revenues to pay the costs of operating and maintaining the System, to pay debt service on any outstanding bonds, and to produce sufficient net revenues to pay the Bond and any bonds issued on a parity therewith;

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- 4) prepare a reimbursement resolution for the City;
- 5) advise the City of the statutory requirements for the issuance of the Bond and the Program rules for the purchase of the Bond by the Program;
- 6) prepare closing documents for the City and supervise closing on the Bond; and
- 7) deliver the opinions discussed above to the City and the DNRC.

The fee for our services is a function of the size of the bond issue and the amount of time expended. Based on an estimated total principal amount of the Bond of \$6,205,000, we estimate our fee to be from \$35,000 to \$45,000. We would expect to be paid at the time of closing on the Bond. Our fees are eligible costs of the Project and can be included in the amount of the City's initial disbursement of the loans, if the City intends to use that source. It is mutually understood that the services set forth in this letter are solely for the benefit of the City.

You should be aware that we have served as bond counsel to the State of Montana (the "State") with respect to establishing the Program and the issuance of the State's general obligation bonds to fund the Program. As bond counsel for the City's Bond, we would not represent the State or the DNRC in the negotiation of the terms of the Bond, the Bond Resolution, or other aspects of the proposed financing. At this point, the terms of the financing have been established in the approved Program documents and regulations and our principal task is to finalize a Bond Resolution that conforms to these requirements and the terms of the Commitment Agreement or commitment letter that will be prepared by the DNRC (the "Commitment Agreement"). (In advising the City of the statutory and other legal requirements for the issuance of the Bond, in accordance with provisions of the Commitment Agreement and statutory provisions and Program requirements, we can advise the City with respect to the legal implications of the covenants in the Commitment Agreement or statutes or Program requirements that would be contained in the Bond Resolution.) Accordingly, we do not anticipate that our acting as bond counsel to the State with respect to the Program will represent any practical impediment to our acting as bond counsel to the City with respect to the Bond; and, in fact, we believe our familiarity with the Program could be an advantage to the City in completing its proceedings efficiently.

As bond counsel to the State and the Program, however, we are available to the State, and we would intend to respond to questions raised by the DNRC regarding requirements of the Program, the operative documents relating to the State's bonds and the legal issues relating to the type of obligation being purchased by the Program to evidence the Program loan, in this case a revenue bond. In such a response, we would not attempt to advocate a position on behalf of either the State or the City, but to respond in our capacity as bond counsel with respect to the State's outstanding bonds. While we would attempt to render independent advice, the potential for a conflict of interest or the appearance of a conflict of interest is present. The State has consented to our acting as bond counsel for the City's Bond.

Ms. Lorrie Pearce, City Clerk
December 29, 2014
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We hope that this proposal to serve as bond counsel on this financing meets with the approval of the City, and we trust that our serving as bond counsel to the City and as bond counsel to the State with respect to the Program is acceptable to the City. If so, will you please so acknowledge by signing the attached acknowledgement and returning a copy to us. If there are any questions, please give us a call so that we might answer those questions or provide any additional information about our firm or our qualifications to serve the City in this capacity.

Very truly yours,



Dan Semmens

DPS/mm

Ms. Lorrie Pearce, City Clerk
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ACKNOWLEDGMENT

The undersigned acknowledges receipt of the attached and foregoing engagement letter dated December 29, 2014, and confirms, on behalf of the City, its consent to the representation described therein.

Accepted this _____ day of _____, 2014.

CITY OF MILES CITY, MONTANA

By: _____

Its _____

RESOLUTION NO. 3770

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 # 1000-005-420160-143 TO FUND 6 MONTHS BENEFITS FOR ONE FULL TIME DISPATCHER

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2014-2015 to provide funding for 6 months of benefits for one full time dispatcher for the balance of the fiscal year, 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 fund # 1000-005-420160-143,

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. 1000-005-420160-143 (General Fund, Communication Dispatch Fund, Health Insurance Fund), in the sum of \$3,765.

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 27th day of January, 2015, 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 13TH DAY OF JANUARY, 2015.

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 27TH DAY OF JANUARY, 2015.

C. A. GRENZ, Mayor

ATTEST:

Lorrie Pearce, City Clerk

ORDINANCE NO. 1283

AN ORDINANCE CHANGING THE ZONING OF THE S1/2SW1/4SE1/4 LESS 7.5 ACRES OF SECTION 25, TOWNSHIP 8 NORTH RANGE 47 EAST M.P.M. FROM AGRICULTURE DISTRICT ZONE TO SEMI RURAL ZONE, AND PROVIDING FOR A HEARING THEREON

WHEREAS, the owner of the below described real property, Thomas Moore, has made application for the property to be rezoned from Agriculture District (AG) zone to Semi Rural (SR) zone;

AND WHEREAS, such property is situated outside of the boundary of the incorporated city limits of the City of Miles City, but within the 2 mile area surrounding the City of Miles City where the City maintains zoning jurisdiction pursuant to Montana Code Annotated Section 76-2-310 and Section 24-3 of the Miles City Code;

AND WHEREAS, Section 24-8 of the Miles City Code requires that such application be referred to the City Zoning Commission for public hearing and recommendation to the City Council prior to any action by the City Council upon such application;

AND WHEREAS, the Miles City Zoning Commission, on December 3, 2014, and upon deliberation, recommended to the City Council that such zoning change be approved.

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

Section 1. Zoning for the following described real property located within the two mile area surrounding the incorporated city limits of the City of Miles City, Custer County, Montana, is hereby rezoned from Agriculture District (AG) zone to Semi Rural (SR) zone, to wit:

TOWNSHIP 8 NORTH, RANGE 47 EAST, M.P.M.

Section 25: S1/2SW1/4SE1/4 LESS 7.5 Acres

Section 2. A public hearing shall be held upon this proposed zoning change before the City Council at 7:00 P.M. on the 13th day of January, 2015, in the Council Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana.

Section 3. The City Clerk shall give notice of the date, time and place of such hearing by publication in the Miles City Star at least 15 days prior to the date of such hearing, in accordance with MCA Sections 76-2-303 and 305.

Section 4. This ordinance shall be in full force and effect thirty (30) days after its final passage and approval.

Said Ordinance read and put on its passage this 23rd day of December, 2014.

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this 13th day of January, 2015.

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

CITY OF MILES CITY
Zoning Commission
Box 910
Miles City, MT 59301

1283

December 4, 2014


Mayor Grenz and City Council,

RE: Proposed re-zone for Thomas Moore located at the end of Leighton Blvd. (Section 25, T08N, R47E) (Assessor #000RFC0036) from Agriculture (AG) to Semi Rural (SR).

The Miles City Zoning Commission conducted its public hearing on December 3, 2014 to consider the request to re-zone the above described area. After reviewing comments from the public hearing, the Zoning Commission recommends approval of the zone change to Semi Rural.

Please schedule this for review by the City Council at your earliest convenience.

Respectfully,

A handwritten signature in black ink, appearing to read 'Amber Trenka', with a large loop at the end.

Amber Trenka, Chair
Zoning Commission





City of Miles City ZONE CHANGE APPLICATION

17 South 8th Street
Miles City, MT 59301

Date Received: 11-5-14
to be filled out by City

Note: If more than one property/petitioner a list of signatures and legal descriptions may be attached to this application.

I, Thomas Moore is/are petitioning the City of Miles City to rezone
signature
the following property:

LEGAL DESCRIPTION OF PROPERTY:

Street Address or General Location End of Leghorn Dr located in 5 1/2 SW 1/4 Sec 25, T8N, R47E
Tract/s T8N R47E in Section 25 Township T8N Range 47E OR S2SW4SE4 less 7.5A PM, M
Lot/Tract/s _____ of _____ in Section _____ Township _____ Range _____
Subdivision Name _____
Assessor Number/s or Geocode 0008FC0036

PRIMARY CONTACT:

Applicant Name: Tom Moore If a business: Contact Name _____
Please print Please print

Address: PO Box 1761
Miles City

Phone: 234-3125 Cell Phone: 406-951-4273 Email: Kboyster@midrivers.com
WK: Kimbore 4 @ mt.gov.

DESCRIPTIVE DATA:

Total area in acres: 12.47 acres
Existing Zoning: ag Proposed Zoning Semi Rural
Existing Use grazing land
 Yes No Purpose of the zone change is for pending development/sale. If so please explain the nature of the proposal
or state any other reason for requested change to Build House and ~~stables~~
Accessory Buildings

Note: All information must be filled in for the application to be complete. Submission of an application is not a guarantee that a zone change will be approved.

Miles City Zoning Committee

Staff Report

December 3, 2014

Moore Zone Change Request

Thomas Moore has requested a change in the zoning designation from Agricultural to Semi Rural on property he owns at the end of Leighton Blvd. The proposed zone change would make it possible to build a house and accessory buildings. The zoning in all directions is Agricultural, and as such, spot zoning may be an issue which should be considered. Surrounding land uses include a single family residence, a landfill and a power station, all of which are nonconforming uses in the Agricultural district.

FINDINGS OF FACT

Part 1

The following is an evaluation of the zone change request under the criteria and guidelines for zoning regulations provided in Montana code Annotated 76-2-304.

1. Does the proposed zone change comply with the Miles City Growth Policy?

The Growth policy does not include a future land use map or other information designating the property for specific land uses or zoning designations. The Growth Policy includes a statement that is applicable to this proposal: "Zoning amendments shall consider the needs of the petitioner, neighboring property owners, and the greater community." (Zoning, p.36).

In this case, the landowner (petitioner) has requested a change in zoning designation. No concerns have been voiced to date by neighboring property owners and a semi-rural designation would result in a wider variety of options for this property. Based on this information, the proposal generally complies with the 2008 Miles City Growth Policy.

The growth policy states that future growth in the Miles City community will most likely be to the east and to the south of the established community. Based on this information, the proposal generally complies with the 2008 Miles City Growth Policy.

2. Is the proposed zone change designed to secure safety from fire and other dangers?

The property would be served by fire protection from the Rural Fire Department. The property is assessable from Leighton Blvd. and would provide emergency access. Therefore, the proposal is generally designed to secure safety from fire and other dangers.

3. Is the proposed zone change designed to promote public health, public safety, and the general welfare?

The property is not located in a designated floodplain. A power plant and overhead power lines are located to the west of the property and a landfill is located to the south of the property. The property is 12.47 acres in size so there is ample room for a future home to be located back, away from the property lines. Therefore, the proposed zone change will have little impact on public health, safety or general welfare other than possibly providing for the building of a house and accessory buildings.

4. Is the proposed zone change designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public facilities?

Transportation – The property is served by one road and that road is Leighton Blvd., which is adequate for regular and emergency travel.

Water and Sewer – There are no city water and sewer services available to this property. The owners would install a well and drainfield under Custer County’s review authority.

Schools – School facilities are available to the surrounding properties.

Parks – No parks are available to this property but the property is of sufficient size to provide for some of the recreational needs of the owners.

Other Public Requirements – Mail delivery and some utilities are available to this property.

Based on the above information, the proposed zone change is generally designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public facilities.

5. Does the proposed zone change provide reasonable provision of adequate light and air?

The proposed property is 12.47 acres in size, which is sufficient size to provide adequate light and air.

6. How would the proposed zone change effect motorized and non- motorized transportation systems?

Motorized vehicular access is available from Leighton Blvd. to this property. This zone change would not impact non-motorized transportation resources.

7. Does the proposed zone change promote compatible urban growth and is it suitable for the proposed land use?

According to the map entitled, Miles City & Surrounding Jurisdiction Zoning Map (9/20/12), the zoning designation is Agricultural in all directions of the property, but there is a landfill to the south of the property, a power plant to the west, and a residence to the east of the property.

Due to the soils and buttes on the property as well as its size, the property does not provide good agricultural ground. Changing the zoning to Semi Rural will allow for better use of the land and would therefore promote compatible urban growth. The proposed land use is for the

property to be used as Semi Rural to build a house and accessory buildings. A question of spot zoning has been raised about this property and the commission members will need to review the 3 Little Factors.

8. Would the proposed zone change conserve the value of building and encourage the most appropriate use of the land?

As stated above, this area is zoned Agricultural and changing the zoning on the subject property to Semi Rural would conserve the value of building and would be appropriate use of the land.

Part 2

The following is an evaluation of the Little Factors for Spot Zoning based on legal precedent established in *Little v. Board of County Com'rs*, 193 Mont. 334 (1981) and other judicial decisions.

Little Factor 1: Is the proposed land use significantly different from the prevailing use in the area?

The Agricultural district regulations allow for agricultural land uses such as grazing, keeping of poultry and livestock, breeding of animals, growing crops, dairies, and animal shelters. The intent of the Semi Rural district is to, "Provide for an area which is primarily residential but where an idealized country life may be followed with some agricultural practice." Allowed land uses are single and multi-family homes (up to 4 living units), churches, schools, bed and breakfasts, animal shelters, stables, mobile homes, gardens and accessory buildings. The Semi Rural district is the closest district to the Agricultural district in terms of the scale and types of land uses. Although the allowed uses are different, the Semi Rural district is generally compatible with the Agricultural district. It would be a natural district to abut the Agricultural district on a zoning map and make a logical transition from rural to more urban. Also, three of the surrounding land uses are not agricultural at all. Therefore, the proposed land use (zoning) is not significantly different from the prevailing use (zoning) in the area.

Little Factor 2: Is the area rather small from the perspective of the number of separate landowners benefited from the proposed change?

A zone change requested by one landowner is small from the perspective of the number of separate landowners benefited from the proposed change.

Little Factor 3: Would the change be special legislation designed to benefit only one or a few landowners at the expense of the surrounding landowners or the general public?

In a way this would be special legislation designed to benefit one landowner. However, there would be no harm to others because of a change in the zoning district as requested. On balance, this proposal would primarily benefit one landowner but not at the overall expense of the general public.

Based on the above analysis of the three Little Factors for Spot Zoning, this proposal does not appear to be illegal spot zoning.

Part 3

Recommendation: Adopt this report as findings of fact and recommend approval of the zone change to City Council.

RE-ZONE
Property Owner List
for
Thomas Moore

Thomas & Kristi Moore
PO Box 1761
Miles City, MT 59301

United States of America
Department of Interior
Washington, DC 20240-0001

County of Custer Montana
1010 Main Street
Miles City, MT 59301

James M Forman
RR 1, Box 2383
Miles City, MT 59301

Marilynn Forman
58 Pony Lane
Miles City, MT 59301

ORDINANCE NO. 1284

AN ORDINANCE AMENDING SECTION 20-68 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY, MONTANA, SO AS TO ALLOW ALTERNATE FORMS OF SURETY FOR PERSONS MAKING UTILITY CONNECTIONS

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

Section 1. Section 20-68 shall be amended to read as follows:

“Sec. 20-68. – License and bond for persons making utility connections.

All persons, firms or corporations making any connections to utilities owned by the city must be licensed by the state as plumbers, and have on file with the city clerk sufficient sureties, which may include, but is not limited to, a surety bond, letter of credit, or other similar surety, in the sum of \$5,000.00. The type, sufficiency and duration of the surety shall be determined by the city clerk.

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

Said Ordinance read and put on its passage this 23rd day of December, 2014.

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this 27th day of January, 2015.

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 3773

A RESOLUTION ADOPTING A PART-PAID FIREFIGHTER & EMERGENCY CARE PROVIDER REQUIREMENTS POLICY.

WHEREAS, Miles City Fire and Rescue has adopted certain policies and procedures governing the internal operations of said department;

AND WHEREAS, Miles City Fire and Rescue wishes to adopt a policy governing the requirements for Part-Paid Firefighters and Emergency Care Providers;

AND WHEREAS, said policy has been recommended for approval by the Public Safety Committee of the City Council;

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

1. That the policy titled "Part-Paid Firefighter (PPF) & Emergency Care Provider (ECP) Requirements" attached hereto as Exhibit "A" and made a part hereof, is hereby adopted by the Council, and shall be added to the policies which govern Miles City Fire and Rescue.

2. The foregoing policy shall become effective immediately upon the passage of this resolution.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 27th DAY OF JANUARY, 2015.

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

MILES CITY FIRE AND RESCUE

PART-PAID FIREFIGHTER (PPF)

&

EMERGENCY CARE PROVIDER (ECP)

REQUIREMENTS

Exhibit A

Revised: October 10, 2014

Part-paid Membership

Persons wishing to be gainfully employed by Miles City Fire and Rescue as a part-paid firefighter/ECP must first complete an application for employment and return it to the Fire Training Officer or Director of EMS Operations. The applicant will then be contacted by the FTO or Director of EMS Operations to establish a date and time for the applicant to conduct the written exam and physical agility testing. Upon successful completion of said testing, the applicant will then be interviewed by the FTO, Director of EMS Operations, and the Fire Chief. If the applicant successfully passes the oral interview, background investigation and physical examination, they will be placed on an eligibility list for one (1) year and placed on the roster as positions become available. Candidates applying for the position of part-paid firefighter/ECP that have successfully completed the Montana State Firefighter's Consortium within the year prior to application are not required to participate in the written and physical agility portions of this process upon providing proof of said successful participation.

Part paid firefighters/ECP's will be required to successfully complete a basic firefighter academy which constitutes approximately 150 hours of classroom and practical fire, rescue, and hazardous materials over approximately 16 Saturdays.

Part-paid firefighter/ECP's will be required to either possess, or enroll and complete an EMT training and certification course within 36 months of their date of hire, or at the first offering by the department, whichever occurs first.

Part-Paid firefighters will be required to get the Hepatitis B series and TB testing, at the expense of Miles City Fire and Rescue, prior to responding to any call.

Part-paid firefighter/ECP's will be required to maintain certifications.

Probationary Period

1. All new part-paid firefighter/ECP will be required to successfully complete a probationary period of twelve (12) months. Part-paid firefighter/ECP on probation will be under the direction and supervision of the FTO and Director of EMS Operations.
2. The FTO and Director of EMS Operations shall recommend to the Fire Chief in writing by the end of the twelve (12) month period, whether the probationary part-paid firefighter/ECP should be retained or released.
3. New part-pays entering with previous Fire/EMS experience may submit their experience, certifications, and qualifications to the FTO and Director of EMS Operations for evaluation. Required training may be modified based upon the results of current or past training and/or experience.

4. Part-paids are not eligible to respond on calls until completion of Firefighter 1 during the one (1) year probationary period. Some exceptions may apply for EMT operations, including, but not limited to, Billings trips, rodeos, etc.
5. New part-paids must complete all the training requirements after completing the basic academy.

Part-paid Personal Protective Equipment Issue

1. New Part-paids will be issued firefighter PPE when accepted. The PPE will be kept at the fire station for use during training, shifts, and calls.
2. Part-paids are prohibited from taking their PPE home unless authorized by the Chief or Battalion Chief for work related function.
3. Part-paids will be issued their first short-sleeved uniform t-shirt and uniform cap. The city will provide and maintain a clean assortment of class B uniform shirts, badges, and station jackets for use by part-paids that will be performing duties that may require said uniforms. While performing station or duty assignments, part-paids will wear the same uniforms as on-duty career personnel for consistency. Part paids will be responsible for purchasing their own approved uniform pants, black belt, and approved black footwear. All uniform orders will be facilitated by the clothing inventory specialist and the Chief in an effort to keep uniformity.

Required Station Hours

Part-paids are required to contribute a minimum of 24 station hours per month. (Excludes optional training hours and other activities as approved by the FTO or Director of EMS Operations) Part-paids are required to log in station hours immediately after concluding duty. Part-paids can work station hours in whatever manner desired, but are encouraged to notify the shift officer at least 2 hours in advance. Monday through Saturday dayshifts are **strongly encouraged** so as to work and train alongside career staff. For the purpose of safety part-paids will not be allowed to remain on duty for more than 48 hours within a 72 hour period, except for emergencies as decided by the officer in charge of the incident.

Part-paid firefighter/ECP shall be in proper uniform to include approved uniform t-shirt, pants, black belt, and black footwear and shall be clean shaven, well groomed and fit for duty when working station hours.

Training

Part-pays on probation will be required to complete recruit training as identified under the section titled Part-paid Membership. Part-paid firefighters/ECP are required to attend 8 Fire and 8 EMS trainings each calendar year. Required trainings that are missed must be made up through coordination with the FTO or Director of EMS Operations. Failure to achieve the required number of trainings shall serve as grounds for release as a part-paid firefighter/ECP. The FTO and Director of EMS Operations will make every effort to provide and assist reserve firefighters with make-up training.

Part-Paid Firefighter Availability

It will be assumed that Part-pays are generally available for response, training, task assignments and shift assignments. Part-pays are encouraged to notify shift officers of unavailability. Part-pays are responsible to carry their pagers and to check their e-mail accounts to ensure they are receiving all department communications. Failure of a part-paid firefighter/ECP to respond to a minimum of 1/3 of the general alarms within a calendar year may serve as grounds for release as a part-paid firefighter/ECP.

Leave of Absence

Any part-paid wishing to take a leave of absence must submit a letter of intention to the FTO or Director of EMS Operations for review and approval. This letter will serve as official notification of the leave of absence. Part-pays taking a leave of absence are allowed a maximum of 3 months of leave time. (Leave for military duty is exempt from time limitations). After the 3-month leave period has expired, the reserve on leave will automatically be released unless a letter requesting reactivation is received or a letter requesting an extension is received and approved by the FTO or Director of EMS Operations.

Part-pays taking a leave of absence must return all property belonging to the City prior to beginning the leave. Upon reactivation, the part-paid will be re-issued PPE and informed of any re-certifications or necessary trainings that must be made up. This training shall be at the discretion of the FTO and Director of EMS Operations.

Uniform Dress Requirements

All part-pays must remember that they are representing the City and the Fire Service in general when responding to an emergency call, training or shift assignment. Any part-paid that reports to the station for station hours, shifts, training, or duty assignments must be clean cut and shaven or will be sent home to clean up prior to returning to the fire station or receive an unexcused absence. Any uniform worn at the fire station must not represent any other fire department. This includes any patches, which show a higher level of training than allowed by Miles City Fire and Rescue. A PROFESSIONAL APPEARANCE PROJECTS

PROFESSIONAL CONDUCT AND A GREATER SENSE OF CONFIDENCE FROM OUR PUBLIC. Hair, including facial hair, shall be kept neatly trimmed. Beards are not authorized.

Call-out Pay and procedures

1. Part-paid hours must be filled out and initialed by the on duty officer or designee.
2. Call out pay will be authorized for all part-pays after completion of the firefighter 1 training, and/or completion of EMS skills verification and authorization from the Director of EMS Operations.
3. Part-Paid firefighters will be compensated at their hourly rate for any call they respond on while doing a tour of duty.

General Information

For the purposes of firefighter and public safety:

Part-pays shall not be allowed to operate apparatus, vehicles, equipment, radio equipment, SCBA-related equipment, etc. until APPROVED TRAINING has been provided, documented, and verified for proficiency.

Part-pays shall not be allowed to conduct maintenance operations without the express authorization and direction of the shift officer and shall be directly supervised.

Part-pays shall not be allowed to perform patient care unless said reserve is currently certified as an EMT, AEMT, or paramedic with a valid and current ECP certification and shall never provide patient care beyond the scope of practice of their licensure and training in accordance with local and Montana State EMS protocols.

Part-pays shall not self-assign themselves to apparatus. Part-pays must be assigned to responding apparatus by career firefighters or ranked reserve in the absence of a career firefighter to ensure that the part-pays apparatus assignment is commensurate with his or her training, qualifications, and experience.

Part-pays shall not respond to call or any City activities while under the influence of alcohol, drugs (prescription or otherwise), and shall follow the standard operating guidelines of the Miles City Fire Department.

Part-pays shall drive their personal vehicle to the station and obey all traffic laws in-route to the station. Personal vehicles are **NOT** to be taken to the scene.

Warning lights and sirens are not authorized for use on Part-paid Firefighter/ECP personal vehicles.

PROJECT # 1708
 DAYS, LELLY
 CHAMPNEY & P
 PROVIDORS

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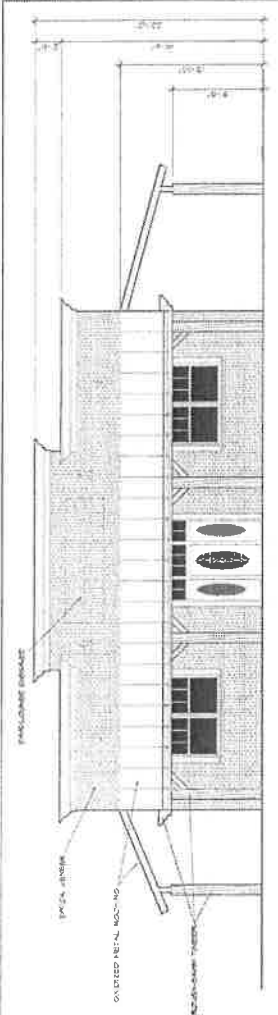
STEEL STREET MILES CITY, MT 59301

HORSESHOE BAR & CASINO

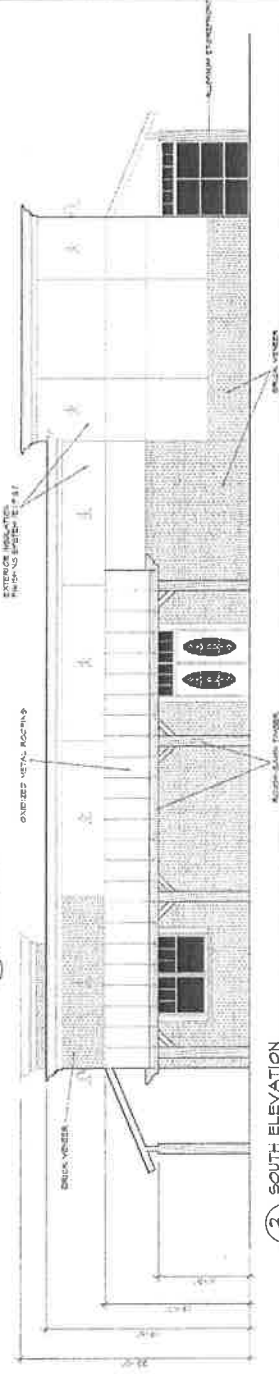
DESIGN LRB
 ARCHITECTS LLC
 P.O. Box 1256
 BILLINGS, MONTANA 59103
 PHONE: 406.245.5071 • FAX: 406.245.5072

ELEVATIONS

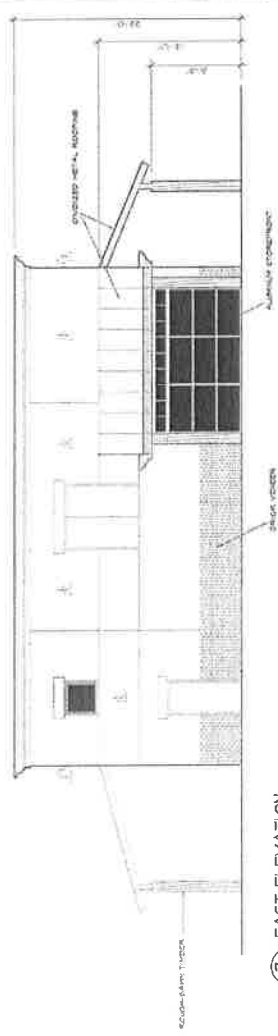
SC4.0



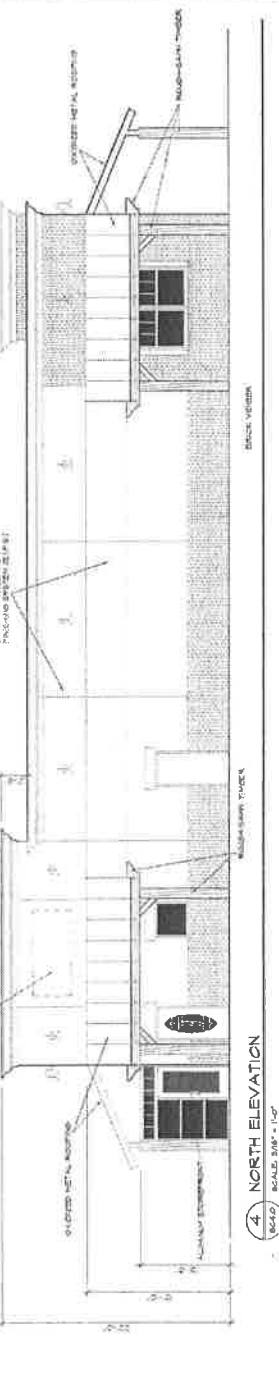
1 WEST ELEVATION
 SCALE: 3/8" = 1'-0"



2 SOUTH ELEVATION
 SCALE: 3/8" = 1'-0"



3 EAST ELEVATION
 SCALE: 3/8" = 1'-0"



4 NORTH ELEVATION
 SCALE: 3/8" = 1'-0"

Revenue Code: 10000-341071

File No. _____

RECEIVED (for official use only) 8 RECD

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: December 4, 2014

Fee: 110

Name of Project: JM Properties LLC

Location of Project/Legal Description:

LOT 1 Steel Minor Sub-division

3105 Steel Street Miles City MT 59301

Contacts

Business Owner Name: JM Properties LLC
Please print

Contact Name: Mike Wacker
Please print

Address: PO Box 398
Miles City MT 59301

Phone: 406-234-4126 Cell Phone: 406-951-3958 Email: mwt@midrivers.com

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

Address: _____

Phone: _____ Cell Phone: _____ Email: _____

Descriptive Data

Total area in acres: 1.1 Existing Zoning: Commercial

Existing and Proposed Use:

Existing: empty lot
Proposed: Bar / Casino

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:

One building, 3936 SF Main floor, 1024 SF upper floor, Building is 22 feet at highest point.

* **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 ½ x 11)
3. (8 ½ 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
 - c. Water bodies, floodplain, and wetlands
 - 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
 - k. Signage plans (if any)
 - l. Elevation plans or side profiles for structures with dimensions for building heights, including 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.
4. (8 ½ x 11) copy of the Landscaping Plan