



# CITY OF MILES CITY AGENDA

*Regular Council Meeting  
City Council Chambers*

*February 10, 2015  
7:00 p.m.*

## CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

1. APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES
  - a. City Council Meeting 1/27/2015
  - b. Finance Committee Meeting 1/22/2015
  - c. Public Services Committee Meeting 1/30/2015
2. SCHEDULE MEETINGS

*Miles City Study Commission: Thursday, February 19<sup>th</sup> @ 5:15*
3. REQUEST OF CITIZENS & PUBLIC COMMENT
4. APPOINTMENTS

*Bob Lunde: Airport Commission*
5. PROCLAMATIONS
6. STAFF REPORTS
7. CITY COUNCIL COMMENTS
8. MAYOR COMMENTS
9. COMMITTEE RECOMMENDATIONS

*Finance Committee of 01/22/15:*  
Recommend approval of Ambulance Request #14-1315, #14-1119  
Recommend approval of Reimbursement of \$420 for Impound Fees
10. BID OPENING  
BID AWARDS

11. **PUBLIC HEARINGS**

- a. **ORDINANCE NO. 1285:** 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*)

12. **UNFINISHED BUSINESS**

- a. **ORDINANCE NO. 1285:** (*Second 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*)

13. **NEW BUSINESS**

- a. **SUBDIVISION APPROVAL:** Meadows Subdivision, Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision (*Dairy Queen/Farm Credit Services Property*)
- b. **Ballot re: Proposed Plan of Dissolution for Eastern Plains Resource Conservation and Development Area, Inc.**
- c. **ORDINANCE NO. 1286:** (*1<sup>st</sup> Reading*) An Ordinance Changing The Zoning Of Lots 9, 10, 11 And 12 In Block 86 Of The Miles City Original Townsite From Residential A Zone To General Commercial Zone, And Providing For A Hearing Thereon (*Request by Douglas Emeline – 816 Atlantic*)
- d. **RESOLUTION NO. 3774:** A Resolution Authorizing The City Of Miles City To Enter Into An Agreement With M&L Enterprises For Subdivision Phase II, III and IV Deadline Extension (*Southgate Meadows*)
- e. Approval of January Claims

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

**CALL TO ORDER**

The Regular Council meeting was held Tuesday, January 27, 2015, in the City Hall Conference Room at City Hall, 17 S. 8<sup>th</sup> 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, Jerry Partridge, John Hollowell and Susanne Galbraith.

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, Dispatch Supervisor Heather Roos, Grant Administrator /Historic Preservation Officer Connie Muggli and HR/Payroll Officer/Minute Recorder Billie Burkhalter.

**PLEDGE OF ALLEGIANCE**

Mayor Grenz led the Council in the Pledge of Allegiance.

**APPROVAL OF COUNCIL & COMMITTEE MINUTES**

**City Council Minutes: 01/13/2015**

**\*\*** *Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of January 13, 2015, seconded by Councilperson Ahner and the motion **passed** unanimously, 8-0.*

**Public Safety Minutes: 01/21/2015**

**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.

**\*\*** *Councilperson Ahner moved to approve the minutes of the Public Safety Meeting of January 21, 2015, seconded by Councilperson Gardner and the motion passed unanimously, 8-0.*

### **SCHEDULE MEETINGS**

- None

### **REQUEST OF CITIZENS & PUBLIC COMMENT**

Lynn Miller, 1805 Fort/122 S. Lake, explained she lives in the worst intersection in Miles City. She has lived there for four years and has had her parked vehicles hit six times, resulting in over \$10,000 worth of damage. She is retired from public service and has a lot of great ideas on how to make this intersection functional, and is willing to help out with a street study.

Councilperson Ahner stated the Public Safety Committee has been addressing the issue of traffic congestion around this area. This Committee will continue to meet to work on these problems. Director Gray has spoken with Lynn concerning this area.

Lilly Cruise stated her mission is to restore the fountain at Wibaux Park. She is working with the Miles City Historical Preservation office and the City to be able to accomplish this goal. Lilly is trying to make more people aware of this.

She is asking for the City's blessing and for them to keep in mind that it will take a few summers to raise the funds.

Mayor Grenz stated he supported Lilly in this goal. Administrator Muggli said the fountain has been a priority for the Historical Preservation office and they are actively looking for grants.

## APPOINTMENTS

### **Miles City Preservation Commission:**

**-City Government Representative:** *Sheena Martin*

**-Community Representative:** *Jenna Janshen*

**\*\*** *Councilperson Galbraith moved to approve the City Government Representative Sheena Martin and the Community Representative Jenna Janshen for the Miles City Preservation Commission, seconded by Councilperson Brush and passed unanimously, 8-0.*

## PROCLAMATIONS

- None

## STAFF REPORTS

- a. *Interim Fire Chief Duffin* explained Mayor Grenz has been concerned about the Fire Department turning down a few Billings or out of town ambulance transfers. Chief Duffin met with the Fire Departments EMS Training Officer, Medical Director and the CEO and Director of Nursing from Holy Rosary Hospital to address this issue. He identified that the hospital did not know what the department could or could not do and his department did not know the hospital's policies. A guideline will now be used by both the hospital and his department, so that everyone understands how out of town ambulance transfers are to be handled.

Mayor Grenz applauded Interim Fire Chief Duffin's work ethic in trying to resolve these issues. He recommended this become a policy.

*Interim Fire Chief Duffin* stated that Special Olympics are doing the Polar Plunge at the Fire Department this year. This will take place at 1 p.m. on January 31<sup>st</sup>. He encouraged all to attend.

- b. *Dave DeGrandpre, Land Solutions*, is in the process of updating the Miles City Growth Policy in conjunction with Community Services and Planning departments. They have been collecting background information on some of

the issues the community feels they are facing, along with future goals. They have met with the Planning Board and will meet with the Zoning Commission, as well as conducting individual meetings with people and agencies around the community. They will use this information to identify key issues and trends in Miles City to develop specific goals and an action plan. There will be an on-line survey for the community to respond to that will be up and running in the near future.

## CITY COUNCIL COMMENTS

**Mark Ahner:** Requested permission to be absent for more than ten days, missing the first scheduled City Council meeting in February.

**\*\*** *Councilperson Brush moved to allow Councilperson Ahner to be absent for more than ten days, seconded by Councilperson Galbraith and the motion passed, with Councilperson Ahner abstaining 7-0.*

**John Hollowell:** A Flood Control meeting is tentatively set for February 17, 2015, at 6:00 p.m. The Committee will make a recommendation to the City Council on an option for the Flood Assessment Study.

Expressed sadness in the passing of Ryan Watts. He was a young growing pillar of our community; it was unexpected and very tragic for Miles City. Ryan was very involved within lots of aspects of our Community. He will be sadly missed.

**Roxanna Brush:** Questioned how to initiate a review of Elected Officials' wages and benefits. Attorney Rice stated he will let Roxanna know if the Human Resources or Finance Committee should address this.

**Jerry Partridge:** Public Service Committee has a meeting at noon concerning the Miles City Long Range Transportation Plan on January 30<sup>th</sup>, 2015.

## MAYOR COMMENTS

- Requested a moment of silence for the passing of Ryan Watts.

## STANDING COMMITTEE RECOMMENDATIONS

- None.

## BID OPENINGS/AWARDS

- None.

## 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.

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

- 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

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

- 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.

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

- 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*)

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

- 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

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

## UNFINISHED BUSINESS

- 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.

\*\* *Councilperson Ahner moved to approve Resolution No. 3767 by title only, with corrections, and seconded by Councilperson Andrews. On roll call vote, the motion passed by unanimous consent. Resolution No. 3767 was adopted.*

- 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

\*\* *Councilperson Galbraith moved to approve Resolution No. 3769 by title only, seconded by Councilperson Gardner.*

Director Kelm stated he wrote an email to Dorsey & Whitney asking how the bond fees are determined and why are they estimated. Their reply was that bond fees are based on the amount of bond and amount of time expected to be working on the issue.

\*\* *On roll call vote, the motion passed by unanimous consent. Resolution No. 3769 was adopted.*

- 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.

\*\* *Councilperson Galbraith moved to approve Resolution No. 3770 by title only, and seconded by Councilperson Brush. On roll call vote, the motion passed by unanimous consent. Resolution No. 3770 was adopted.*

- d. **RESOLUTION NO. 3773:** A Resolution Adopting a Part-Paid Firefighter & Emergency Care Provider Requirements Policy.

\*\* *Councilperson Galbraith moved to approve Resolution No. 3773 by title only, and seconded by Councilperson Gardner. On roll call vote, the*

*motion passed by unanimous consent. Resolution No. 3773 was adopted.*

- e. **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*)

**\*\*** *Councilperson Ahner moved to approve Ordinance No. 1283 by title only, with corrections, and seconded by Councilperson Brush. On roll call vote, the motion passed by unanimous consent. Ordinance No. 1283 was adopted.*

- f. **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

**\*\*** *Councilperson Gardner moved to approve Ordinance No. 1284 by title only, and seconded by Councilperson Galbraith. On roll call vote, the motion passed by unanimous consent. Ordinance No. 1284 was adopted.*

## **NEW BUSINESS**

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

**\*\*** *Councilperson Brush moved to approve the Site Plan for the Horse Shoe Bar and Casino on Hwy 59 & Steele Street and adopt the Findings and Fact Staff Report with the listed conditions, with an additional amendment that the property owners sign a no protest annexation letter. The motion was seconded by Councilperson Galbraith.*

Attorney Janette Jones, representing JM Properties, owners and developers of the Horse Shoe Bar and Casino, stated the easement issues with the retention ponds have been adequately addressed and will continue to be addressed as construction ensues. At this point, the construction plans do not anticipate impacting negatively the easement area.

Administrator Colton stated that Building Inspector Dennis Hirsch is going to want some more detailed drawings for the site plan. He is having issues with parking and how the berm will work with the culvert. Attorney Jones stated that additional plans are available and can be supplemented and submitted to the Building Inspector. However, she pointed out that the plans were drawn up

by HKM and have been previously submitted to the State for other projects in that area and have been approved.

Councilperson Ahner commented that in the past the City has had problems with getting letters of no protest annexation from the owners or developers in this area. In the Custer County Water & Sewer District (CCW&SD) contract it states that, for any commercial properties, this is a requirement. This letter will need to be submitted upfront, as the City's Public Utilities Director will not allow any water or sewer hook-ups to be approved until it has been received.

Attorney Jones explained that this is the first time she has heard that this letter would be required, as this had not been discussed at the Planning Board meeting. The developers have never been approached about this requirement. Furthermore, there was contact with Andrew Marum with CCW&SD, and there was also no indication that this would be needed.

Attorney Jones explained to the Council that she is not stating that her clients are saying no to this stipulation. She is just stating that she will need to discuss this with her client, as well as review the ramifications of this letter.

**\*\*** *On roll call vote, the motion **passed** by unanimous consent.*

## **ADJOURNMENT**

**\*\*** *Councilperson Galbraith moved to adjourn the meeting, seconded by Councilperson Brush and passed unanimously.*

The meeting was adjourned at 8:15 p.m.

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**C.A. Grenz, Mayor**

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**Lorrie Pearce, City Clerk**

## **Finance Committee Meeting January 22, 2015**

The Finance Committee met Thursday, January 22<sup>nd</sup>, 2015, at 11:00 a.m. in the City Hall Conference Room. Present were Committee Members Susanne Galbraith, John Hollowell and Dwayne Andrews. Committee Member Sheena Martin was absent. Also present was 911 Coordinator Heather Roos, Interim Fire Chief Cameron Duffin, Police Chief Doug Colombik, Public Works Director Scott Gray, Planner-in-Trainer/Grants Administrator Dawn Colton, Mayor C.A. Grenz and Committee Recorder/HR/Payroll Officer Billie Burkhalter.

Committee Member Galbraith called the meeting to order.

### **1. ELECTION OF CHAIRPERSON:**

*\*\* Committee Member Andrews moved to nominate Committee Member Susanne Galbraith for Chairperson of the Finance Committee. The motion was seconded by Committee Member Hollowell.*

After hearing no further nominations;

*\*\* The motion then passed unanimously.*

### **2. REQUEST OF CITIZENS:**

-None.

### **3. REVIEW AND RECOMMENDATION ON AMBULANCE BILL ASSISTANCE**

Chairperson Galbraith closed the meeting.

#1 – Ambulance Request: #14-0900, #14-0896, #14-0888, #1201297

Patient will continue to make payments directly to Solestone.

#2-Ambulance Request: #14-1315, #14-1119

*\*\* Committee Member Andrews moved to recommend to City Council to allow Ambulance #2 Request: #14-1315 & #14-1119 to make payments of \$15.00 a month directly to Solestone. The motion was seconded by Committee Member Hollowell, and on roll call vote, motion passed unanimously 3-0.*

Chairperson Galbraith reopened the meeting at 11:15 a.m.

**4. REVIEW AND RECOMMENDATION ON CONTRACT WITH STEVENSON DESIGN FOR DESIGN AND CONSTRUCTION MANAGEMENT OF DENTON COMPLEX SIDEWALK PROJECT:**

Administrator Colton requested the Committee continue with the process of reviewing this contract but that it not be forwarded to the City Council at this time. She explained that she has just been notified that all the City's available CTEP monies have been put towards the Tatro Street Project due to cost overruns. She is currently trying to find out exactly what the cost overruns are and if they qualify for CTEP approved projects. In the meantime, Administrator Colton requests that the Committee continue on as if they have the funds for the project. The Committee agreed.

Chairperson Galbraith stated that in the contract under Article 6: Payments and Compensation to the Architect; she believed that where it states "amounts unpaid thirty days (30) days after the invoice date shall bear interest from the date payment is due" seemed like too short of a time frame and requested that the time be extended to forty-five (45) days for the City's claim process. Committee Member Andrews agreed.

Director Gray stated the City's match for this project is \$9300, with the CTEP funding. Committee Member Andrews felt that the cost of the work to be done on the project is excessive.

*\*\* Committee Member Hollowell moved to recommend to City Council to approve the contract with Stevenson Design for Design and Construction Management of Denton Complex Sidewalk Project, with the condition that Article 6: Payments and Compensation to the Architect state forty-five (45) days. The motion was seconded by Committee Member Galbraith, and motion passed 2-1, with Committee Member Andrews opposed.*

**5. REQUEST FROM POLICE DEPARTMENT TO CHANGE OFFICER FROM DRUG TASK FORCE TO REGULAR OFFICER:**

Chief Colombik explained to the Committee that he would like to eliminate the Drug Task Force position and make it a regular officer's position. He stated that since 1991, the Police Department has sent over an Officer to work as a Drug Task Force Officer. In that time there has only been one officer who returned back to the force, all the other employees have either quit or taken jobs at the State level. He strongly feels, with the resignation of the current Drug Task Force Officer, that it should not be filled and instead an officer should be added to the street. The Drug Task Force currently funds approximately \$46,000 towards an officer's salary. The City is currently paid up through this fiscal year with their share of the contract.

Chief Colombik stated in his department one of his biggest problems and concerns are the lack of coverage on the streets and lack of coverage of shifts. This is causing a liability for the City and causing huge amounts of overtime in his department.

Chairperson Galbraith stated she understood that the County will not be funding their portion of the SRO Officer for the next fiscal year. Chief Colombik explained he is currently trying to get a meeting scheduled with the County Commissioners. At this point it sounds like the school is willing to fund their portion of the position, but does not believe they are willing to fund more than their share. Chairperson Galbraith stated that if that is the case then the department would have a full time officer back.

Chairperson Galbraith requested to have this issue addressed once they find out if the County plans to fund the SRO Officer and for the Chief to bring it to the next budget cycle.

## **6. Review and Recommendation on Reimbursement of Impound Fees:**

Chairperson Galbraith explained that a gentleman had his vehicle stolen and had not been informed when it was recovered, resulting in impound fees for fourteen (14) days.

*\*\* Committee Member Andrews moved to recommend to City Council to approve the recommendation to reimburse \$420.00 of impound fees. The motion was seconded by Committee Member Hollowell and motion passed unanimously 3-0.*

## **7. Review and Recommendation on Crown Castle Lease at Airport:**

Chairperson Galbraith explained Crown Castle, who currently has a lease agreement with the Airport, is requesting to renew the lease. It is recommended to approve Option 1, which is for Crown Castle to retain their lease for twenty-five (25) years, pay \$37,500 up front for the first ten (10) years and then make monthly rent payments thereafter.

*\*\* Committee Member Hollowell moved to recommend to City Council to approve Option 1: a twenty-five (25) year lease, with a payment up front of \$37,500 for the first ten (10) years and then monthly rent payments thereafter. The motion was seconded by Committee Member Galbraith and motion passed unanimously 3-0.*

## **8. RESOLUTION NO. 3769: (Referred from 1/13 meeting) 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:**

Director Kelm explained that this is for the Wastewater Treatment Plant Upgrade in which the City will be borrowing approximately 6.2 million dollars. Dorsey & Whitney will be the bond counsel and has been used numerous times for City projects. Basically, they will be the guarantor that SRF will get their monies if the City could not pay the bonds back.

*\*\* Committee Member Andrews moved to recommend to City Council to approve 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. The motion was seconded by Committee Member Galbraith.*

Committee Member Hollowell questioned why their fees are estimated and not exact amounts. Director Kelm stated he did not believe he would be able to get an exact cost as a lot of it is based off of time and materials. Director Kelm further stated he would get information on how they obtained the estimate, and try to get a firm number.

**\*\*** *On roll call vote the motion then passed, 3-0.*

**9. RESOLUTION NO. 3770: (First Reading on 1/13) 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:**

911 Coordinator Roos explained that in 2012, the City Council eliminated the part-time dispatch position and made it into a full time position due to the difficulty of filling the part-time position. In 2013, the City Council then eliminated that full-time position and split it into 2 part-time positions. She further explained that over the past 5 years her department has been through 7 part-time employees. She explained that it costs approximately \$6400 to train each new hire in dispatch. Over the years overtime has been increasing due to the revolving part-time position. Both part-time positions are currently not filled and she has had these positions advertised for over 60 days, with only 2 applicants, who both turned down the position.

Chairperson Galbraith explained the increase would be to cover insurance costs for the rest of the year for the full time position.

**\*\*** *Committee Member Hollowell moved to recommend to City Council to approve 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 #100-005-420160-143 to fund 6 months benefits for one full time Dispatcher. The motion was seconded by Committee Member Galbraith and on roll call vote, motion passed unanimously 3-0.*

**10. ORDINANCE NO. 1283: (First Reading on 12/23/14) An Ordinance Changing The Zoning Of The S 1/2SW1/4SE1/4, 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:**

**\*\*** *Committee Member Hollowell moved to recommend to City Council for approval of Ordinance No. 1283. The motion was seconded by Committee Member Andrews.*

Committee Member Andrews questioned how public comment impacts the decision by the Zoning Commission, as he has been told it doesn't.



Director Gray stated that when there is a rezone proposal that comes to the Commission, if there are no protests and it conforms to the standards, the Zoning Commission will usually pass unanimously. He further explained that if the notified residents come in and protest, it does weigh into the decision of the Commission. Their decision will then be forwarded to the City Council.

\*\* *On roll call vote the motion then passed, 3-0.*

11. **ORDINANCE NO. 1284: (First Reading on 12/23/14) An Ordinance Amending Section 20-68 Of The Code Of Ordinances Of the City Of Miles City, Montana, So As To Allow Alternated Forms Of Surety For Persons Making Utility Connections And Providing For A Hearing Thereon:**

\*\* *Committee Member Hollowell moved to recommend to City Council to approve Ordinance No. 1284. The motion was seconded by Committee Member Andrews and, on roll call vote, the motion passed unanimously, 3-0.*

12. **ORDINANCE NO. 1285: (First Reading on 1/13) 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):**

\*\* *Committee Member Andrews moved to recommend to City Council to approve Ordinance No. 1285. The motion was seconded by Committee Member Hollowell and, on roll call Vote, the motion passed unanimously, 3-0.*

**ADJOURNMENT**

\*\* *Committee Member Andrews moved to adjourn the meeting, seconded by Committee Member Galbraith and passed unanimously, 4-0.*

The meeting was adjourned at 12:19 p.m.

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**Susanne Galbraith Chairperson**

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**Billie D. Burkhalter, HR/Payroll Officer**

## **Public Services Committee Meeting January 30, 2015**

The Public Services Committee met Friday, January 30<sup>th</sup>, 2015, at 12:00 pm in the City Hall conference room. Present were Committee Members Jerry Partridge, Dwayne Andrews, John Hollowell and Susanne Galbraith. Also present was Planner-in-Training/Grants Administrator Dawn Colton and Committee Recorder/HR/Payroll Officer Billie Burkhalter.

Committee Member Partridge called the meeting to order.

### **1. ELECTION OF CHAIRPERSON:**

**\*\*** *Committee Member Andrews moved to nominate Committee Member Jerry Partridge for Chairperson of the Public Services Committee. The motion was seconded by Committee Member Galbraith.*

After hearing no further nominations:

**\*\*** *Motion then passed unanimously.*

### **2. MILES CITY LONG RANGE TRANSPORTATION PLAN – 2015:**

Administrator Colton explained the purpose of the Transportation Plan is to have transportation engineers look over the entire town to identify Mile City's problems and offer solutions. The Department of Transportation's (DOT) role in the plan is to help pay for the study and identify potential funding mechanisms. Administrator Colton would also be looking for funding along with applying for the grants. DOT will be contributing \$120,000 to the Transportation Plan, and the City will be paying \$30,000.

Administrator Colton stated that right now this is a broad scope plan but, once a consultant is hired, the scope will be narrowed. The plan will be extensively reviewing the City's truck route and issues with Southgate. As the City continues to build south, it will identify potential routes and roads with connectivity to existing development. It will also pinpoint where new development should be located.

Administrator Colton explained that she wants to make sure they are addressing everything in the Transportation Plan that the Committee feels needs to be looked at.

Committee Member Galbraith questioned why the section in the Transportation Plan that reads "Inventory improvements necessary for safety and ADA requirements. Improvements may include curb, sidewalks, street crossings and parking" was crossed out of the plan. Administrator Colton stated that there is a plan for the Ameri-Corp team to come back to Miles City and inventory the town, looking at lots, streets, sidewalks, gutters and ADA access.

Committee Member Galbraith stated that she was concerned with this section being taken out of the Transportation Plan, as it would aid in grant funding to address ADA access. Administrator Colton stated she would need to speak with Director Gray, as he has been working with an ADA plan and felt this would be a duplication of that study. Committee Member Galbraith stated that, regardless of this, she would prefer this be kept in the Transportation Plan.

Committee Member Hollowell questioned if keeping the ADA in the Transportation Plan would generate more funding than the \$150,000. Administrator Colton stated no, but once the Transportation Plan is completed and they start applying for funding, ADA being included in this would support the application. She further stated that it is in the broad scope of Objective 2.2, basically addressing mobility and access ability.

Committee Member Galbraith requested that the Transportation Plan address areas around schools, parks and hospitals.

### **3. REQUEST OF CITIZENS/PUBLIC COMMENT:**

-None.

### **ADJOURNMENT**

\*\* Having no further business, *Committee Member Andrews moved to adjourn, seconded by Committee Member Hollowell and passed unanimously, 4-0.* The meeting was adjourned at 12:25 p.m.

Respectfully Submitted:

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Jerry Partridge, Chairperson

---

Billie D. Burkhalter, Recorder

02/05/2015

TO: MILES CITY AIRPORT COMMISSION

RE: Airport Board Position

FROM: Bob Lunde  
60 Spruce Dr  
232-4615.  
Miles City

To Members of the Miles City Airport Board,

My name is Bob Lunde and I would like to be considered for the vacant seat on the airport board. I have been a resident of Miles City for 29 years and a business owner for all of that as well. Shortly after moving to Miles City, I became a partner in a single engine plane with Frank Tooke CPA and then later with Dr. Irion, MD. We did hanger the plane at the airport. I love aviation and became somewhat familiar with airport operations and protocol. Being born and raised in eastern Montana (Glendive) and having spent time flying to all the surrounding airports I have realized the value and importance of a well run and managed airport to the city and its future. I would view being on the board as an important part of that goal. If anyone has questions please feel to call me at 232-4615 or 853-3937. Thank you for your consideration.

Respectfully,

A handwritten signature in cursive script that reads "Bob Lunde". The signature is written in dark ink and is positioned below the word "Respectfully,".

# ORDINANCE NO. 1285

**AN ORDINANCE CHANGING THE ZONING OF TRACT A IN CERTIFICATE OF SURVEY NO. 141761, TRACT B IN CERTIFICATE OF SURVEY NO. 159511, AND TRACT 1 OF THE PONDEROSA TRACTS / HARDESTY TRACTS, FROM MIXED ZONES TO HEAVY COMMERCIAL ZONE, AND PROVIDING FOR A HEARING THEREON.**

**WHEREAS**, the owner of the below described real property, Michael Shipley on behalf of MacBain Properties LTD., has made application for the property to be rezoned from mixed zones of General Commercial (GC), Heavy Commercial (HC) and Agricultural (AG) zones, to Heavy Commercial (HC) 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 17, 2014, upon public hearing and 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 mixed zones including AG, GC and HC, to Heavy Commercial District (HC) zone, to wit:

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

Section 26, according to the Certificate of Survey filed for record on May 2, 1979, at 4:30 P.M., as Document No. 53708 in Envelope No. 162 of the plat cabinet in the office of the County Clerk and Recorder in and for Custer County, Montana.

**Section 26:** Tract A of the Sanjel Minor Subdivision, being a parcel of land located in the E1/2NE1/NW1/4 of said Section 26, as created and described by the Certificate of Survey filed of record on May 30, 2008, as Document No. 141761 in Envelope 474B of the plat cabinet in the office of the Clerk and Recorder in and for Custer County, Montana.

**Section 26:** Tract B, being a parcel of land located in the E1/2E1/2NW1/4 of said Section 26, as created and described by the Correction Certificate of Survey filed of record on January 30, 2014, as Document No. 159511 in Envelope 520A of the plat cabinet of the office of the Clerk and Recorder in and for Custer County, Montana.

**Section 2.** The City of Miles City Staff Report prepared as part of the review of this application is hereby adopted as Findings of Fact to support the Council's decision.

**Section 3.** A public hearing shall be held upon this proposed zoning change before the City Council at 7:00 P.M. on the 10th day of February, 2015, in the Council Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana.

**Section 4.** 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 5.** 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 13<sup>th</sup> day of January, 2015.

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C.A. Grenz, Mayor

ATTEST:

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Lorrie Pearce, City Clerk

**FINALLY PASSED AND ADOPTED** this 10th day of February, 2015.

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C.A. Grenz, Mayor

ATTEST:

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Lorrie Pearce, City Clerk

0.1 1285

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

December 18, 2014

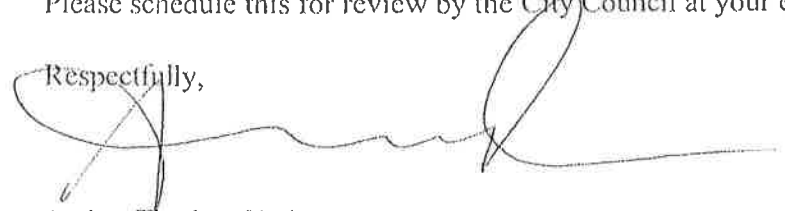
Mayor Grenz and City Council,

RE: Proposed re-zone for MacBain Properties (tenant is Sanjel) located at 1084 US Highway 12; Tracts 1 A&B, from mixed zones to Heavy Commercial (HC).

The Miles City Zoning Commission conducted its public hearing on December 17, 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 Heavy Commercial.

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

Respectfully,



Amber Trenka, Chair  
Zoning Commission



**RE-ZONE**  
**Property Owner List**  
**for**  
**MacBain Properties**

Macbain Properties MT LLC  
500, 505-2nd Street, SW  
Calgary, Alberta T2P 1N8

Chris D. Kaiser  
PO Box 1186  
Miles City, MT 59301

Jay Murnion  
1075 US Highway 12  
Miles City, MT 59301

Jack & David Fiechtner  
PO Box 555  
Miles City, MT 59301

State of MT Dept. of Transportation  
2701 Prospect Ave.  
Helena, MT 59601

Timothy & Carolyn Stoltz  
3417 Batchelor Street  
Miles City, MT 59301

Matthew M Smith  
42 Dent Addition Rd.  
Miles City, MT 59301

Hom Family Investments LLC  
912 S. Stacy  
Miles City, MT 59301

Doeden Construction Co.  
PO Box 1297  
Miles City, MT 59301

AE Hedstrom Inc.  
397 Kircher Creek Rd.  
Miles City, MT 59301

Ronald L Askin Drilling  
60 Green Acres Dr.  
Miles City, MT 59301

Delores G. Steiner  
1312 N. Haynes Ave.  
Miles City, MT 59301

Montana State Industrial School  
4 N. Haynes Ave.  
Miles City, MT 59301

William & Sandra Jensen  
PO Box 1314  
Miles City, MT 59301



# City of Miles City ZONE CHANGE APPLICATION

17 South 8<sup>th</sup> Street  
Miles City, MT 59301

Date Received: \_\_\_\_\_  
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, Michael Shipley MICHAEL SHIPLEY signature/s are petitioning the City of Miles City to rezone the following property:

### LEGAL DESCRIPTION OF PROPERTY:

Street Address or General Location 1084 US Highway 12, Miles City, MT

Tract/s J, A, B in Section 26 Township 8N Range 47E OR  
Lot/Tract/s \_\_\_\_\_ of \_\_\_\_\_ in Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_  
Subdivision Name \_\_\_\_\_

Assessor Number/s or Gcocode Part of 14174026101010000

### PRIMARY CONTACT:

Applicant Name: MacBain Properties Ltd. If a business: Contact Name Michael Shipley 403-716-4094  
Please print Please print  
Mitchell Greer, RMES 208-234-0110

Address: 500, 505 - 2nd Street, SW  
Calgary, Alberta T2P 1N8

Phone: 403-716-4094 Cell Phone: 403-829-7942 Email: mshipley@macbain.ca  
mitch@rmes.biz

### DESCRIPTIVE DATA:

Total area in acres: 44 ac +/-

Existing Zoning: Heavy Commercial, Commerical, Ag Proposed Zoning: Heavy Commerical

Existing Use: Shop, Office and Support Activities for a Well Services Business

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. Consolidate Facilities presently located on Both Sides of Highway 94 and construct a new modern facility to support growing Miles City business.

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 Council

Staff Report

December 17, 2014

Zone Change Request

Sanjel has requested a change in the zoning designation from Agricultural to Heavy Commercial on property they own on the south side of Highway 12. The proposed zone change would make it possible for the owner to develop the property. Surrounding land uses include General Commercial use to the north, east, and west of the surrounding property and there is some Residential and Mobile Home B to the southwest of the property and Agricultural to the south.

#### Finding of facts

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). The needs of neighbors and the community should be carefully considered. In this case, the landowner (petitioner) has requested a change in zoning designation. There has been no letters of protest to date by neighboring property owners. Heavy Commercial designation would result in allowing the property owners to develop the property for future commercial use. 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.

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 by Highway 12 to the north of the property and this would provide access for emergency personnel. 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 located in a designated floodplain and the county Flood Plain Administrator will address this with them. Motorized vehicle access onto the property is available from Highway 12 and MDOT would have to approve any approach permits onto this property. Therefore, the

proposed zone change will have some impact on public health, safety or general welfare and the MDOT would have to address this with the property owner.

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, that road being Highway 12.

Water and Sewer – There are water and sewer services to this property.

Schools – School facilities are available to the surrounding properties.

Bus Service – There are no bus services or transportation services available to this area.

Parks – No parks are available to this property.

Other Public Requirements – Mail delivery and 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, and other facilities.

5. Does the proposed zone change provide reasonable provision of adequate light and air?  
The proposed property is approximately 55.02 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?

As stated previously, motorized vehicular access is available via a state highway which the MDOT would have to authorize. Also, as stated previously, there are no transportation systems available to this area. There would be no impact to motorized or non- motorized transportation systems with this zone change.

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

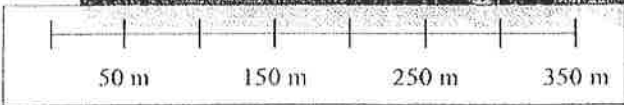
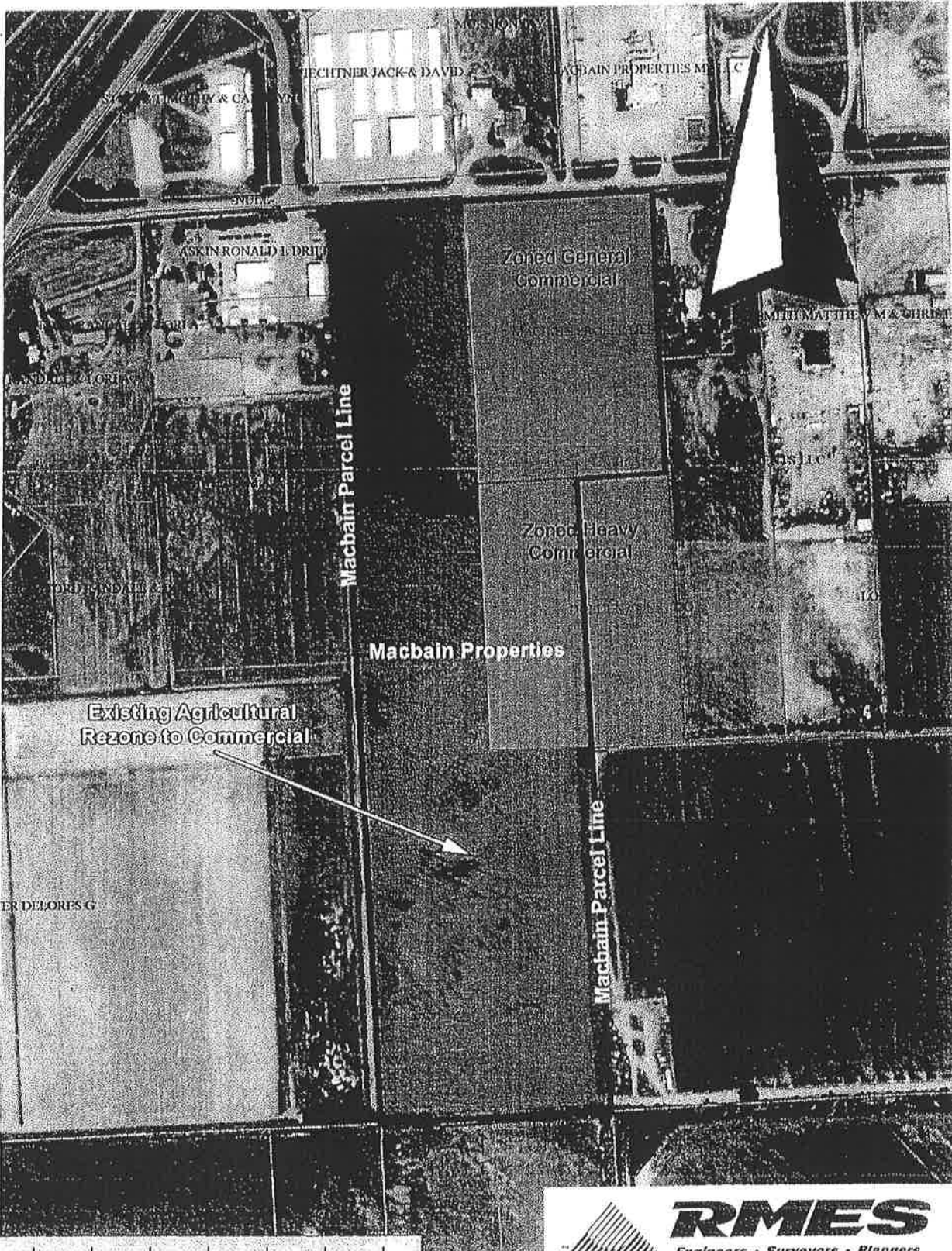
According to the map entitled, Miles City & Surrounding Jurisdiction Zoning Map (9/20/12), the zoning designation surrounding this property is General Commercial zoned to the north, east, and west and Agricultural to the south. Changing the zoning to Heavy Commercial would allow for the property to be developed for commercial use. The growth policy does state that future growth in the Miles City community will most likely be located to the east and to the south of the established community.

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

Changing the zoning on the subject property to Heavy Commercial would conserve the value of building and could be appropriate use of the land.

Recommendation:

Adopt this report as findings of fact for the zone change and that the rezone be contingent on the reporting of facts from the public hearing and information gathered from the zoning commission and staff.



## NEW BUSINESS

*a.* **SUBDIVISION APPROVAL:** Meadows  
Subdivision, Amended Block 2, Lot 3A-1  
Subsequent Minor Subdivision (*Dairy  
Queen/Farm Credit Services Property*)

~~XXXXXXXXXX~~

CITY OF MILES CITY  
MILES CITY PLANNING BOARD  
P.O. BOX 910  
MILES CITY, MT 59801

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January 26, 2014

Mayor Chris Grenz  
City Council Members

**RE: Meadows Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision**

The City Planning Board has reviewed the proposed two lot subdivision and recommends to the City Council that the proposal be approved subject to the following conditions:

**Standard Conditions:**

1. The proposed Meadows Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision shall conform to the Sections 76-3-401 through 406 MCA of the Montana Subdivision and Platting Act and Montana's Uniform Standards for Final Subdivision Plats. *(76-3-401 – 406, MCA and Administrative Rules of Montana (ARM) 24.183.1107))*
2. The final plat must conform to the 2014 Miles City Subdivision Regulations and all survey requirements. *(Compliance with MCCO Section 21 and MCA 76-3.*
3. The subdivision must conform to all the rules and regulations set out in the Miles City Code of Ordinances.
4. The applicant shall comply with all standards and procedures of the *2014 Miles City Subdivision Regulations* that are applicable to this subdivision prior to receiving final plat approval. The applicant for this proposed subdivision is hereby informed that any unmet regulations, procedures, or provisions that are not specifically listed as conditions of approval, does not, in any way, create a waiver, variance, or other relaxation of the lawful requirements of the *2014 Miles City Subdivision Regulations* or State law. *(MCCO Section 21 and MCA 76-3)*
5. The applicant shall have three years from the date of preliminary approval to complete these conditions and apply for final plat approval. Application for final plat shall be submitted at least thirty days prior to the expiration of the preliminary plat approval period, unless the applicant requests an extension in accordance with Montana Code Annotated. Failure to comply with the final plat provisions or the conditions of final plat thirty calendar days prior to the expiration of the preliminary plat approval period will render the governing body's approval null and void. *(Miles City Subdivision Regulations 21-16(a)(8)(e) and 76-3-610, MCA)*
6. Any changes made to the original application or preliminary plat, other than changes made to meet the required conditions of final plat approval, may require the subdivider to resubmit the application for subdivision review pursuant to state law and sections 21-14(b)(5) and 21-16(a)(9) of the *2014 Miles City Subdivision Regulations*.

**Site-Specific Conditions:**

7. Future maintenance must prevent the potential for the spread of noxious weeds on the property and the surrounding area. Section 7-22-2116, MCA states; "it is unlawful for any person to permit any noxious weeds to propagate on their property." *(76-3-608(3)(a) and 7-22-2116, MCA)*

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

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8. The proposed subdivision application, and/or any proposed exemption(s) from sanitation review, shall be reviewed and approved by the Department of Environmental Quality and the Miles City Sanitarian prior to final plat approval. (*MCA 76-4 and Miles City Subdivision Regulations 21-18(a)(9), (10), (11) and (12)*)

Respectfully,



Roxanna Brush, President  
Miles City Planning Board





# PRELIMINARY PLAT SUBDIVISION APPLICATION



Miles City Community Services & Planning  
17 South 8<sup>th</sup> Street, P.O. Box 910  
Miles City, MT 59301

Date Received: RECEIVED NOV 17 2003  
*Office Use Only*

File No: \_\_\_\_\_  
*Office Use Only*

SUBDIVISION NAME: AMENDED LOT 3A-1, BLOCK 2, THE MEADOWS SUBDIVISION

**OWNER(s):**

Name: BOTTRELL FAMILY INVESTMENTS Contact: JERRY THOMAS Phone: 406-652-7603

Address: P.O. BOX 80284 Cell: \_\_\_\_\_  
BILLINGS, MT 59108 Email: jerry@transtechcenter.com

**SUBDIVIDER (if different):**

Name: \_\_\_\_\_ Contact: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Cell: \_\_\_\_\_

Email: \_\_\_\_\_

**TECHNICAL ASSISTANCE:**

Name: SANDERSON STEWART Contact: PETER KNAPP Phone: 406-869-3312

Address: 1300 NORTH TRANSTECH WAY Cell: \_\_\_\_\_  
BILLINGS, MT 59102 Email: pknapp@sandersonstewart.com

**LEGAL DESCRIPTION OF PROPERTY:**

Street Address or General Location 506 S HAYNES AVE. MILES CITY

Tract/s \_\_\_\_\_ in Section 35 Township 8 N Range 47 E or Lot/s 3A-1, BLOCK 2

of THE MEADOWS SUBDIVISION in Section 35 Township 8 N Range 47 E  
*Subdivision Name*

Assessor Number/s or

Geocode RMS4693

**GENERAL DESCRIPTION OF SUBDIVISION:**

Gross Area: 47,710 Sq Ft Net Area: 47,710 Sq Ft Current Zoning: GC

Number of Lots/Rental Spaces 2 Minimum Lot Size: 20,220 Sq Ft Maximum Lot Size: 27,490 Sq Ft

Existing Land Use: DAIRY QUEEN RESTAURANT, OFFICE SPACE

Proposed Uses (check what applies or indicate number of lots if a mixed use project is proposed):

	Single Family
	Duplex
	Multi-family
	Townhouse
	Condominiums
X	Commercial

	Industrial
	RV Park
	Workcamp
	Campground
	Mobile Home Park

Are any Variances Requested? NO If yes, attach a Variance Request Form for each variance requested.

Is a rezone application requested or approved? NO If yes, attach application or documentation of zone change approval.  
**Attachments to be submitted with this application** (*non-applicable items may be waived by subdivision administrator*):  
See attached checklist.

**PRELIMINARY PLAT REQUIREMENTS** (*non-applicable items may be waived by subdivision administrator*):


**\*Submittal Copies** (*\*One copy of application contents required for sufficiency review only*)

\_\_\_\_ 4 copies of 24" x 36" plat

\_\_\_\_ 11 copies of 11 x 17 plat

**Preliminary Plat Contents:**

*See Supplemental checklist #2.*

  
\_\_\_\_\_  
Signature of Owner or Agent acting for owner

11/13/14  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner or Agent acting for owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner or Agent acting for owner

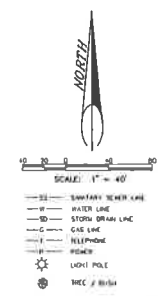
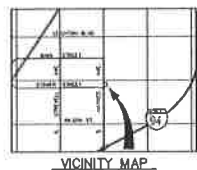
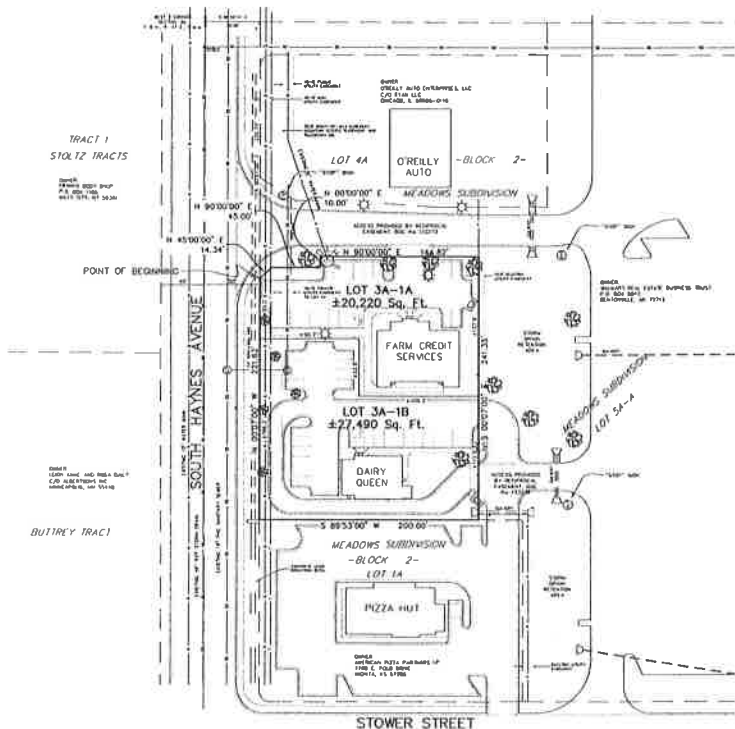
\_\_\_\_\_  
Date

I certify that the information contained herein and all exhibits transmitted herewith are true.

PRELIMINARY AMENDED PLAT OF LOT 3A-1, BLOCK 2,  
**THE MEADOWS SUBDIVISION**  
 IN THE SW1/4 OF SECTION 35, T. 8 N., R. 47 E., P.M.M.  
 MILES CITY, CUSTER COUNTY, MONTANA

PREPARED FOR : BOTTLRELL FAMILY INVESTMENTS  
 PREPARED BY : SANDERSON STEWART

NOVEMBER 2014  
 BILLINGS, MONTANA



**PLAT DATA**

GROSS AREA	= 247,710 Sq Ft
NET AREA	= 247,710 Sq Ft
NUMBER OF LOTS	= 2
MINIMUM LOT SIZE	= 220,220 Sq Ft
MAXIMUM LOT SIZE	= 227,490 Sq Ft
LINEAL FEET OF STREETS	= 0
PARKLAND REQUIREMENT	= NONE
EXISTING ZONING	= GENERAL COMMERCIAL (GC)
SURROUNDING ZONING:	
NORTH	= GC
SOUTH	= GC
EAST	= GC
WEST	= GC
SETBACKS	= ZERO PER MILES CITY ZONING ORDINANCE SECTION 24-59(c)(2)(c)
EXISTING LAND USE:	
LOT 3A-2	= FINANCIAL OFFICE
LOT 3A-3	= RESTAURANT
LOT 3A-4	= NO CHANGE
PROPOSED LAND USE	= NO CHANGE
TAX CODE	= RMS4603

EXISTING LEGAL DESCRIPTION LOT 3A-1 IN BLOCK 2 OF THE MEADOWS SUBDIVISION, BLOCKS 2 & 3, RACEDON, MILES CITY, CUSTER COUNTY, MONTANA, ACCORDING TO THE OFFICIAL PLAT THEREON ON FILE IN THE OFFICE OF THE CLERK AND RECORDER OF SAID CUSTER COUNTY IN DEVELOPER JANA DOUGLASS' 10-10-08.

NOTES AND BOUNDARY DESCRIPTION BEGINNING AT A POINT WHICH IS SITUATED S 88°31' E A DISTANCE OF 50.00 FEET AND S 89°07' E A DISTANCE OF 73.74 FEET FROM THE WEST CORNER OF SECTION 35, T. 8 N., R. 47 E., P.M.M.; THENCE N 43°00' E 14.34 FEET; THENCE N 89°00' E 138.00 FEET; THENCE N 89°00' E 10.00 FEET; THENCE N 89°00' E 144.83 FEET; THENCE S 89°00' E 241.83 FEET; THENCE S 89°00' E 200 FEET; THENCE N 89°07' W 72.82 FEET TO THE POINT OF BEGINNING.

105583

MICRO

89

PAGE 866

PARTIAL TERMINATION OF DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
THE MEADOWS

THIS PARTIAL TERMINATION is made and executed this 5<sup>th</sup> day of June, 1997, by RIVER BEND ESTATES, INC., a Montana corporation, with its principal office situated in Miles City, Montana (hereinafter referred to as "Owner").

WITNESSETH:

WHEREAS, the Owner is the owner of record of Lots 3A-1 and 4A of Block 2, and that portion of Lot 5A of Block 2 lying west of the west boundary line of former Meadows Drive which was vacated by City Council Resolution No. 2747 (said Lots 3A-1, 4A and portion of Lot 5A are hereinafter referred to as the "Amended Lots"), all in The Meadows Subdivision, Blocks 2 & 3 Amended, Miles City, Custer County, Montana, according to the official plat thereof filed for record on April 4, 1997, as Document No. 104903 in Envelope No. 328 of the plat cabinet in the office of the County Clerk and Recorder in and for Custer County, Montana (the "Amended Plat"); and

WHEREAS, the Owner is also the owner of record of more than seventy-five percent (75%) of the land area within the Property described in and subject to that certain Declaration of Covenants, Conditions and Restrictions for The Meadows dated February 21, 1995, and recorded February 21, 1995, in Book M-77 of Misc. at Page 461, microfilm records of Custer County, Montana (the "Declaration"); and

WHEREAS, that portion of The Meadows formerly described as Lot 1 of Block 3, and now described and depicted on the Amended Plat as Lots 1A-1 and 2A-1 of Block 3, and that portion of Lot 5A of Block 2 lying east of the west boundary line of former Meadows Drive which was vacated by City Council Resolution No. 2747, was not subject to the Declaration, nor was such property annexed to the Declaration in accordance with the terms thereof; and

WHEREAS, as a result of changes in the development strategy since the Declaration was recorded, the Owner desires to partially terminate the declarations, covenants, conditions and restrictions with respect to the Amended Lots,

NOW, THEREFORE, the Owner, as the owner of record of the requisite percentage of ownership necessary to terminate, modify and amend the Declaration pursuant to Section 5.7 and Article VII thereof, does hereby state and declare as follows:

1. Except as provided herein, the declarations, covenants, conditions and restrictions set forth in the Declaration are hereby terminated, rescinded and revoked as the same relate to the Amended Lots. Notwithstanding the foregoing, the covenants, conditions and restrictions set forth in said Section 5.3 of the Declaration is not hereby terminated, rescinded or revoked, and the same shall remain in full force and effect with respect to the Amended Lots.

MICRON 89 PAGE 867

In addition, as to Lots 3A-1 and 4A of the Amended Lots only, any development on said Lots shall devote at least 7% of the developable area to landscaping.

2. Except as specifically set forth herein with respect to the Amended Lots, all of the declarations, covenants, conditions and restrictions set forth in the Declaration shall remain in full force and effect.

3. This Partial Termination of the Declaration shall be effective upon recording of this instrument in the office of the Clerk and Recorder of Custer County, Montana.

IN WITNESS WHEREOF, the Owner has executed this Partial Termination as of the day and year first above written.

RIVER BEND ESTATES, INC., a Montana corporation

By Edward C. Kimball  
Edward C. Kimball, President



Al Muri  
Al Muri, Secretary

STATE OF MONTANA

County of Custer

This instrument was acknowledged before me on June 5, 1997, by Edward C. Kimball and Al Muri, as President and Secretary, respectively, of RIVER BEND ESTATES, INC., a Montana corporation



Rhonda J. Hanson  
Notary Public for the State of Montana  
Residing at Missoula City, Montana  
My Commission Expires: 9/15/2000

105583

Filed for record this JUN 13 1997 day of June at 2:30 o'clock  
County of Custer W P M and recorded in MB9 of Vol, Page 866 Feb 12 '0  
by BETH ANN MULLIGAN Rhonda J. Hanson  
Clerk Notary



	Guarantee Face Page	
	ISSUED BY <b>First American Title Insurance Company</b>	
<b>Guarantee</b>	GUARANTEE NUMBER <b>5010500- 800230</b>	
	FILE NO. 25283	



**First American Title™**

**First American Title Insurance Company**

*Dennis J. Gilmore*

Dennis J. Gilmore  
President

*Jeffery S. Robinson*

Jeffery S. Robinson  
Secretary

Security Abstract & Title Company  
510 Main St., PO Box 1588  
Miles City, MT 59301  
Phone - 406-234-3415

*Robert C. [Signature]*  
Authorized Signatory

**GUARANTEE**

Subdivision or  
Proposed Subdivision:

Fee \$ 150.00  
Guarantee No. 5010500-800230

Amended Plat of Lot 3A-1, Block 2 of The Meadows Subdivision.

SUBJECT TO THE EXCLUSIONS FROM COVERAGE; THE LIMITS OF LIABILITY AND OTHER PROVISIONS OF THE CONDITIONS AND STIPULATIONS HERETO ANNEXED AND MADE A PART OF THIS GUARANTEE, FIRST AMERICAN TITLE INSURANCE COMPANY, A CORPORATION HEREIN CALLED THE COMPANY, GUARANTEES:

**SANDERSON STEWART**

for the purposes of aiding its compliance with Custer County Subdivision Regulations,

in a sum not exceeding \$1,000.00,

THAT according to those public records which, under the recording laws of the State of Montana, impart constructive notice of matters affecting the title to the land(s) described in the following legal description:

A tract of land located in the SW¼ of Section 35, Township 8 North, Range 47 East, M.P.M., Custer County, Montana.

1. Parties having a record title interest in said lands whose signatures are necessary under the requirements of Custer County Subdivision Regulations on the certificates consenting to the recordation of Plats and offering for dedication any streets, roads, avenues, and other easements offered for dedication by said Plat are:

**BOTTRELL FAMILY INVESTMENTS LIMITED PARTNERSHIP**

By: Authorized Partner or Partners of Bottrell Family Investments Limited Partnership.

2. Parties holding liens or encumbrances on the title to said land(s) are:

U.S. BANK, NATIONAL ASSOCIATION, of 555 SW Oak, Portland, OR 97204, evidenced by:

Montana Deed of Trust, Security Agreement and Assignment of Rents and Lease, dated August 20, 2004, filed for record on October 1, 2004, at 9:54 A.M., as Document No. 130029, real estate records of Custer County, Montana, given to secure a promissory note in the principal sum of \$950,000.00 and any other amounts and/or obligations secured thereby, due and payable under the terms thereof, with a maturity date of August 15, 2014.

GRANTOR: Bottrell Family Investments Limited Partnership  
 LENDER: U.S. Bank, National Association, of 555 SW Oak, Portland, OR 97204  
 TRUSTEE: U.S. Bank Trust Company, N.A.

3. Easements, claims of easements and restriction agreements of record are:
- a. Highway Right of Way Easement, dated January 10, 1936, filed for record on January 17, 1936, in Book 55 of Deeds, at Page 221, real estate records of Custer County, Montana.
  - b. Underground Easement, dated May 6, 1983, filed for record on May 23, 1983, in Book M-21 of Misc., at Page 1025, real estate records of Custer County, Montana.
  - c. Bargain and Sale Deed, dated September 27, 1982, filed for record on October 25, 1982, in Book M-19 of Deeds, at Page 127, real estate records of Custer County, Montana.
    1. Quitclaim Deed, dated July 6, 1995, filed for record on January 8, 1996, in Book M-81 of Deeds, at Page 611, real estate records of Custer County, Montana.
    2. Quitclaim Deed, dated December 12, 1995, filed for record on January 8, 1996, in Book M-81 of Deeds, at Page 613, real estate records of Custer County, Montana.
    3. Quitclaim Deed, dated August 19, 1996, filed for record on August 23, 1996, in Book M-85 of Deeds, at Page 168, real estate records of Custer County, Montana.
  - d. Right-of-Way Easement, dated September 11, 1986, filed for record on October 4, 1986, in Book M-29 of Misc., at Page 156, real estate records of Custer County, Montana.
  - e. Declaration of Covenants, Conditions and Restrictions for The Meadows, dated February 21, 1995, filed for record on February 21, 1995, in Book M-77 of Misc., at Page 461, real estate records of Custer County, Montana.
    1. Ratification and Consent, dated March 7, 1995, filed for record on March 7, 1995, in Book M-77 of Misc., at Page 639, real estate records of Custer County, Montana.
    2. Partial Termination of Declaration of Covenants, Conditions and Restrictions for The Meadow, dated June 5, 1997, filed for record on June 13, 1997, in Book M-89 of Misc., at Page 866, real estate records of Custer County, Montana.
  - f. Subdivision Improvements Agreement, dated February 7, 1995, attached to Certificate of Survey, filed for record on February 8, 1995, as Document No. 98639, in Envelope No. 310A of the Plat Cabinet in the office of the County Clerk and Recorder in and for Custer County, Montana.
  - g. Waiver of Rights to Protest, dated February 7, 1995, attached to Certificate of Survey, filed for record on February 8, 1995, as Document No. 98639, in Envelope No. 310A of the Plat Cabinet in the office of the County Clerk and Recorder in and for Custer County, Montana.
  - h. Amended Resolution, Designation of Limited Access Highway, R/W ID. F 23-1[5]1, Main & Haynes – Miles City, Custer County, Montana, dated June 4, 1996, filed for record on July 23, 1996, as Document No. 102876, in Book M-84 of Misc., at Page 815, real estate records of Custer County, Montana.
    1. Amended Resolution, Designation of Controlled Access Highway and Facility, dated July 13, 2006, filed for record on July 17, 2006, as Document No. 135524, real estate records of Custer County, Montana.



- i. Development Agreement, dated June 5, 1997, filed for record on June 13, 1997, in Book M-89 of Misc., at Page 868, real estate records of Custer County, Montana.
- j. Access, Storm Sewer and Utility Easements, dated January 27, 2003, filed for record on January 31, 2003, as Document No. 123272, real estate records of Custer County, Montana.
  - 1. Amendment to Access, Storm Sewer and Utility Easements, dated September 19, 2003, filed for record on November 25, 2003, as Document No. 126862, real estate records of Custer County, Montana.
- k. Quitclaim Deed, dated December 8, 1997, filed for record on December 12, 1997, in Book M-92 of Deeds, at Page 143, real estate records of Custer County, Montana.
- l. Quitclaim Deed, not dated, filed for record on December 12, 1997, in Book M-92 of Deeds, at Page 145, real estate records of Custer County, Montana.
- m. Access, Storm Water Drainage, and Utility Easement, dated May 4, 1999, filed for record on May 19, 1999, as Document No. 111525, real estate records of Custer County, Montana.
- n. Right-of-Way Easement, dated July 28, 2003, filed for record on August 25, 2003, as Document No. 125636, real estate records of Custer County, Montana.
- o. Interests, easements, rights and all other matters disclosed in/on the following plats/surveys filed for record in the office of the Clerk and Recorder in and for Custer County, Montana:
  - 1. Document No. 98639 in Envelope No. 310A
  - 2. Document No. 101915 in Envelope No. 317A;
  - 3. Document No. 104908, in Envelope No. 328A
  - 4. Document No. 108298, in Envelope No. 339B
- p. Unrecorded leaseholds, if any; rights of parties in possession other than the vestees herein; rights of secured parties, vendors and vendees under conditional sales contracts for personal property installed on the premises herein; and rights of tenants to remove trade fixtures.
- q. Assessments, rules and regulations of the Tongue and Yellowstone River Irrigation District and all matters concerning ditches, canals, laterals or roads, and all easements/rights-of-way associated therewith.
- r. Annual assessments by reason of the property being located within the boundaries of Lighting District 165 and Street Maintenance District No. 204 of the City of Miles City, Montana and within the boundaries of the Miles City Area Solid Waste Disposal District.
- s. Any future assessments and all rules and regulations by reason of the property being located within the boundaries of the Custer County Water and Sewer District.

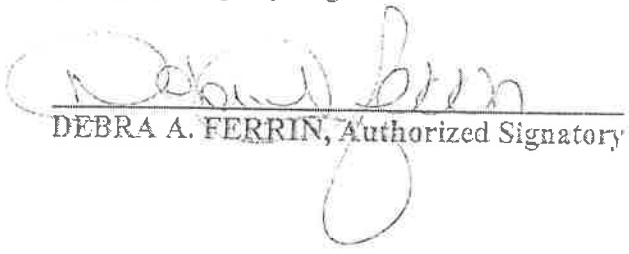
Tax Status:

2013 Tax Statement - Parcel No. RMS 4693  
1<sup>st</sup> Half - \$ 9,892.78  
2<sup>nd</sup> Half - \$ 8,620.52  
TOTAL - \$18,513.30 - PAID IN FULL

2012 and prior years taxes are paid.

Guarantee date: September 18, 2014 at 7:30 A.M.

FIRST AMERICAN TITLE INSURANCE COMPANY, through Security Abstract  
& Title Company, Agent.



DEBRA A. FERRIN, Authorized Signatory

BEFORE THE CITY COUNCIL OF MILES CITY  
CUSTER COUNTY  
STATE OF MONTANA

IN THE MATTER OF THE APPLICATION OF  
BOTTRELL FAMILY INVESTMENTS, LP

FINDINGS OF FACT AND DECISION

FOR PRELIMINARY APPROVAL OF  
Meadows Amended Block 2, Lot 3A-1 Subsequent Minor SUBDIVISION

**I. PREAMBLE:**

PURSUANT to the *Montana Subdivision and Platting Act*, Section 76-3-101 through 76-3-625, *Montana Codes Annotated*, 2013, and

FURTHER PURSUANT to the *2014 Miles City Subdivision Regulations*, the Miles City Planning Board considered the Meadows Subsequent Minor Subdivision on January 26, 2015 at 6:00 PM in the City Hall Conference Room located in City Hall in Miles City, Montana. The purpose of the hearing was to consider the proposed Meadows Subsequent Minor Subdivision as submitted by the applicant, together with the required supplementary plans and information, public comment and Planning Board recommendations to determine if the information submitted meets the requirements of the *2014 Miles City Subdivision Regulations* and the *Montana Subdivision and Platting Act*.

THEREFORE, with completion of the review, the application is deemed to be submitted and the City Council of Miles City being fully advised of all matters having come before it makes the following Findings of Fact, as required:

**II. Background:**

**A. Site:**

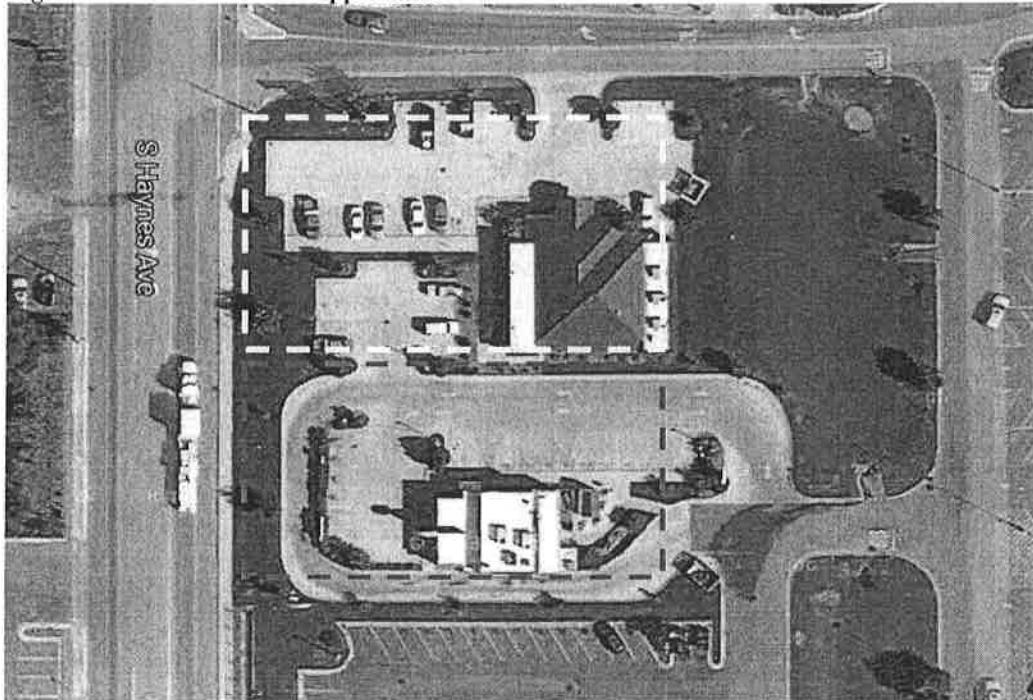
The proposed Meadows Subsequent Minor Subdivision on is located in the SW 1/4 of Section 35, Township 8 North, Range 47 East, P.M.M. (See **Figure 1**). The property is currently fully developed with the Farm Credit Services and Dairy Queen businesses located on site). The applicants are proposing to create 2 parcels, approx. 0.5 acres each (See **Figure 2** and **Figure 3**).

The property is zoned General Commercial (GC).

**Figure 1: Vicinity Map**



**Figure 2: Aerial Photo with approximate subdivision boundaries**



**Figure 3: Meadows Subdivision Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision Property Image**



**B. Timing and Authority:**

A pre-application meeting occurred on October 29, 2014 with Subdivision Administrators Dawn Colton, contract planner Dave DeGrandpre with Peter Knapp of Sanderson Stewart representing the applicant (Bottrell Family Investments).

- The preliminary plat application was submitted to the Miles City Planning Department on Nov 17, 2014.
- Application was deemed to contain all required elements on November 26, 2014.
- Application was deemed sufficient on December 15, 2014.

- Given the 60 working day review period for subsequent minor subdivisions, the Meadows Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision shall be reviewed by City Council of Miles City and a decision made no later than March 13, 2015.
- The legal notice of the Public Hearing was published January 9, 2015
- A public hearing before the Planning Board was held on January 26, 2015 at 6:00 PM in the City Hall Conference Room.
- A public meeting before the City Council of Miles City was held on February 10, 2015 at 7:00 PM in the City Hall Conference Room.

Subdivision applications must be evaluated by the criteria outlined in Section 21-16 of the *2014 Miles City Subdivision Regulations*, as applicable. The Miles City Planning Board recommended conditional approval of the proposed subdivision to the City Council of Miles City. The City Council of Miles City is the final authority regarding all subdivisions in Miles City.

### III. Criteria:

#### Effects on Agriculture

- No acreage for the production of crops or livestock will be removed from production with the approval of the proposed Meadows Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision.
- Agricultural production in the nearby area will not be adversely impacted by the proposed subdivision.
- Agricultural production in the nearby area should not be adversely impacted by the proposed development, given the distance, small size and existing development. The Pine Hills State School agricultural property is 400+ feet from the nearest property corner. The property being subdivided has been developed since the mid-1990's.
- The proposed subdivision will not create incompatible uses such as interference with the movement of live-stock or machinery, fence maintenance, weed proliferation, trespass or vandalism, and harassment of livestock by pets or humans.

**Finding #1: The proposed subdivision will have no adverse impact on agriculture as the development has been in place for approximately 20 years and the subdivision is over 400 feet from the agricultural lands.**

#### Effects on Agriculture Water User Facilities

- The Meadows Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision should have no effect on Agricultural Water User Facilities as the proposed subdivision does not contain any agricultural water user facilities within the one-acre parcel. The irrigation system used for the nearby state lands is over 1000 feet from the subject properties.
- The proposed subdivision is fully developed and has little potential for property damage due to seeps, washouts, or flooding.
- The project does not obstruct or interfere with nearby facility maintenance activities or access to the irrigation facility.
- Irrigation for landscaping on the subject property is provided by municipal water. There will be no unauthorized use of irrigation water.
- No water rights are being transferred to or from either proposed tract.

**Finding #2: The proposed subdivision will have no additional impact on agriculture water users facilities as the development has been in place for approximately 20 years and irrigation infrastructure and easements will not be impacted as part of the division.**

#### Effects on Local Services

- The proposed subdivision will not impact the ability of the government to provide local services as there will not be an increased demand for such services for the existing facilities.
- There is no need for expansion of services for the fully developed lots. There is no expected increase in emergency response times, traffic load, fire protection levels, schools and school routes, or landfill requirements.
- The proposed subdivision will not result in additional costs for services such as road maintenance, law enforcement, fire protection, solid waste disposal, schools, and busing.
- The proposed subdivision will not create any special or rural improvement districts that would obligate the local government either administratively or financially.

- The proposed subdivision will not increase the amount of roads currently being maintained by the City.

**Finding #3: The proposed subdivision will have no additional impact on services as the development has been in place for approximately 20 years.**

Effects on the Natural Environment

- The proposed Meadows Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision will have no impact on air quality, natural stream channels, riparian areas, or wetlands.
- Groundwater supply, quantity, or quality will not be affected by the proposed subdivision.
- There will be no construction or soil disturbance with the proposed subdivision. Future maintenance must prevent the potential for the spread of noxious weeds on the property and the surrounding area. Section 7-22-2116, MCA states; "it is unlawful for any person to permit any noxious weeds to propagate on their property."
- Existing outside lighting within the proposed subdivision is visible from other areas. There will be no change of the 24-hour exterior lighting that may impact the neighbor's enjoyment of the night sky.
- Cultural/historical/paleontological resources in the area will not be impacted as the ground has already been disturbed and no construction is necessary for this subdivision. The project is not located near any scenic resources.
- The applicant has indicated no mineral rights will be transferred to any tract within the proposed subdivision.
- The proposed division is located *outside* the regulated flood hazard area for the Tongue and Yellowstone Rivers.
- No new structures are proposed that will change current stormwater runoff volumes. Existing buildings have finish floor elevations that, based upon the Wal-Mart Store grading plan, are above the spill point elevation of the retention system and should not be affected in large storm event exceeding the capacity of the existing system.

**Finding #4: The proposed subdivision will have no additional impact on natural environment as the development has been in place for approximately 20 years and there are no activities that may impact the natural environment.**

Effects on Wildlife

- The proposed Meadows Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision will not affect wildlife in the area due to ground disturbance, roads, increased traffic or access. The potential for adverse effects should be minimal considering the lots are fully developed.
- The project area is fully developed and there will be no loss of significant, important or critical habitat. There will be no impact on protected or endangered species wildlife.
- The proposed subdivision is a fully developed area within a commercial district. There will be no increased conflict between wildlife and humans or pets.

**Finding #5: The proposed subdivision will have no impact on wildlife in the area.**

Effects on Wildlife Habitat

- The proposed Meadows Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision is a fully developed area within a commercial district and does not infringe on any critical habitat according the FWP Critical Habitat Map.
- The proposed subdivision location does not include the need for improvements or ground disturbance in areas that may impact wildlife habitat.

**Finding #6: The proposed subdivision will have no impact on wildlife habitat in the area.**

Effects on Public Health and Safety

- The proposed Meadows Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision will not create unsafe roads or the lack of all-weather access.
- The proposed subdivision is not located in a high fire-hazard area and includes no natural hazards, including steep slopes, poor soil conditions, flooding risk or wildfire. The subject property does not have a septic system, high-tension lines or high-pressure pipelines.

- The proposed subdivision will not adversely impact public health and safety with regards to fire and police protection or emergency services as the area is fully developed and currently receives these services. The existing properties have one fire hydrant each within 400 feet of the structures.
- The local service providers and state agencies were provided with a copy of the preliminary plat application for comment. No negative impacts on public health and safety have been identified.
- The proposed new lots are accessed from easements on the Walmart-owned property. These access roads are privately owned. There is no proposed change to the traffic circulation patterns.

**Finding #7: The proposed project will have no adverse effect on Public Health and Safety.**

Compliance with the survey requirements in part four of the Montana Subdivision and Platting Act (MSPA)

- The final plat shall conform to the *Uniform Standards for Final Subdivision Plats* and shall be accompanied by the required certificates on the face of the plat.

**Finding #8: The preliminary plat appears to be in compliance with the MSPA. The final plat will be required to comply with the MSPA and the *Uniform Standards for Final Subdivision Plats*.**

Compliance with the Miles City Subdivision Regulations

- Subdivisions that do not comply with the *2014 Miles City Subdivision Regulations, Section 21-18—Design and Improvement Standards* may adversely affect the primary criteria under Section 76-3-608, MCA.
- The *2014 Miles City Subdivision Regulations* require that a certificate of a title abstractor or title report showing the names of the owners of record of the subdivision and the names of any lien-holders or claimants of record against the land be submitted along with a signed, dated and notarized statement from each landowner, if different from the subdivider, and each lien holder or claimant of record consenting to the platting of the subdivision dated no older than 30 calendar days prior to the date of submittal. The subdivision administrator is authorized to provide for the review of the abstract or certificate of title of the land in question by the City Attorney.
- Parkland dedication may not be required for commercial subdivisions (MCA 76-3-621(3)).
- Approximately 7% of the project area is landscaped, per covenants in place at the time of development.
- The Subdivider is required to comply with all other standards and procedures of the *2014 Miles City Subdivision Regulations*, which are applicable to all subdivisions prior to receiving final plat approval. Any unmet regulations, procedures, or provisions that are not specifically listed as conditions of approval, do not create a waiver, variance, or other relaxation of the lawful requirements of the *2014 Miles City Subdivision Regulations* or state law.
- The *2014 Miles City Subdivision Regulations, Section 21-14(a)(6)(b)(2)(a)* requires a subdivider(s) to complete all conditions of preliminary plat approval and apply for final plat approval prior to the expiration of the three year approval period, unless an extension is requested by the subdivider(s). Any changes made to the original application or preliminary plat, other than changes made to meet the required conditions of final plat approval, may substantially alter the information used to evaluate the proposed subdivision under the primary review criteria (Section 76-3-608, MCA) and requirements of this subdivision. Further review may be required.

**Finding #9: The preliminary plat complies with the *2014 Miles City Subdivision Regulations* and the final plat will need to comply as required by the recommended conditions of approval.**

Compliance with the provisions of Physical and Legal Access to each parcel within the subdivision and the required notation of that access on the applicable plat and any instrument of transfer concerning the parcel

- Physical and legal access to the proposed Meadows Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision is provided off Stower Street and a private paved road easement from Walmart, Doc #123272 (between Farm Credit Services and O'Reilly Auto Parts). Stower Street is a City owned and maintained road, and is currently built to City standards. Per the original subdivision covenants, each owner shall be responsible for the maintenance and repair of all Common Areas, parking areas, driveways, walkways and landscaping on his Lot or within the Landscaping Area adjacent to his Lot.

**Finding #10: The proposed project provides legal and physical access and all easements are noted on the face of the preliminary plat.**

Growth policy considerations for this subdivision are as follows:

- The proposed Meadows Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision is consistent with the Miles City Growth Policy, as it is being proposed adjacent to existing infrastructure on Stower Street and US Highway 59 S.
- The proposed subdivision is consistent with *Economic Development Goal #2: Where possible, encourage businesses to reuse existing buildings.* The Dairy Queen business owner intends to purchase the Block 2 Lot 3A-1B, thus avoiding relocation of the business.
- Subdivision review and zoning are implementation tools listed in the Growth Policy. Therefore, the following should be considered:
  - The proposed subdivision is required to be in compliance with the *2014 Miles City Subdivision Regulations.*
  - The proposed subdivision is required to be in compliance with the *2014 Miles City Zoning Regulations.*

**Finding #11: The proposed project is consistent with the guidelines of the 2008 Miles City-Custer County Growth Policy.**

Compliance with the provisions of easements for the location and installation of any planned utilities

- Public Utility Easements are provided adjacent to Highway 59 S. One 10 ft. electric utility easement is located parallel to the east property lines of the proposed subdivision.

**Finding #12: The proposed project provides easements for the location of existing easements and installation of future utility needs.**

Compliance with applicable zoning regulations

- The proposed Meadows Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision is zoned appropriately in the General Commercial (GC) district. The GC zone does not require setbacks from property lines unless it is adjacent to Residential zoning districts.

**Finding #13: The proposed project is in compliance with the current zoning regulations.**

Compliance with sanitation requirements

- The proposed subdivision should not adversely impact groundwater quality and quantity as the proposal has been reviewed and approved by the Department of Environmental Quality for stormwater runoff, water supply and sanitation facilities.

**Finding #14: The proposed project is in compliance with sanitation requirements and has been approved. See State approval No. EQ-15-1661.**

#### **IV. Public Comment Received**

The Miles City Planning Board received no written comment on the proposed subdivision. The Planning Board heard public comment on the proposed subdivision during the public hearing on January 26, 2015. There were no opponents. Mr. Jerry Thomas, representing the applicant, spoke in favor of the proposed subdivision.

#### **DECISION:**

The City Council of Miles City conditionally approves the preliminary plat and supplements for the proposed Meadows Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision after determining that the materials comply with the *Montana Subdivision and Platting Act* and the *2014 Miles City Subdivision Regulations.* After each condition in parentheses are the regulations and statutes used as a basis for the imposition of the conditions. All conditions are based on the findings identified in this report and are required in order to reasonably minimize potentially significant adverse impacts according to 76-3-608, MCA.

#### **Standard Conditions:**

1. The proposed Meadows Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision shall conform to the Sections 76-3-401 through 406 MCA of the *Montana Subdivision and Platting Act* and *Montana's Uniform*



*Standards for Final Subdivision Plats. (76-3-401 – 406, MCA and Administrative Rules of Montana (ARM) 24.183.1107))*

2. The final plat must conform to the *2014 Miles City Subdivision Regulations* and all survey requirements. *(Compliance with MCCO Section 21 and MCA 76-3.*
3. The subdivision must conform to all the rules and regulations set out in the *Miles City Code of Ordinances* (MCCO).
4. The applicant shall comply with all standards and procedures of the *2014 Miles City Subdivision Regulations* that are applicable to this subdivision prior to receiving final plat approval. The applicant for this proposed subdivision is hereby informed that any unmet regulations, procedures, or provisions that are not specifically listed as conditions of approval, does not, in any way, create a waiver, variance, or other relaxation of the lawful requirements of the *2014 Miles City Subdivision Regulations* or State law. *(MCCO Section 21 and MCA 76-3)*
5. The applicant shall have three years from the date of preliminary approval to complete these conditions and apply for final plat approval. Application for final plat shall be submitted at least thirty days prior to the expiration of the preliminary plat approval period, unless the applicant requests an extension in accordance with *Montana Code Annotated*. Failure to comply with the final plat provisions or the conditions of final plat thirty calendar days prior to the expiration of the preliminary plat approval period will render the governing body's approval null and void. *(Miles City Subdivision Regulations 21-16(a)(8)(e) and 76-3-610, MCA)*
6. Any changes made to the original application or preliminary plat, other than changes made to meet the required conditions of final plat approval, may require the subdivider to resubmit the application for subdivision review pursuant to state law and sections *21-14(b)(5)* and *21-16(a)(9)* of the *2014 Miles City Subdivision Regulations*.

**Site-Specific Conditions:**

7. Future maintenance must prevent the potential for the spread of noxious weeds on the property and the surrounding area. Section *7-22-2116, MCA* states; "it is unlawful for any person to permit any noxious weeds to propagate on their property." *(76-3-608(3)(a) and 7-22-2116, MCA)*
8. The proposed subdivision application, and/or any proposed exemption(s) from sanitation review, shall be reviewed and approved by the Department of Environmental Quality and the Miles City Sanitarian prior to final plat approval. *(MCA 76-4 and Miles City Subdivision Regulations 21-18(a)(9), (10), (11) and (12))*

**FINAL PLAT REQUIREMENTS AND REVIEW PROCEDURES**

**Required Information:**

1. A completed and signed Final Plat Application Form;
2. Final Plat Review Fee;
3. A statement outlining how each condition of approval has been satisfied;
4. Title Report or updated abstract dated no less than 30 days prior to the date of submittal;
5. A signed, dated and notarized statement from each landowner, if different from the subdivider, and each lien holder or claimant of record consenting to the platting of the subdivision dated no older than 30 calendar days prior to the date of submittal. The governing body hereby authorizes the subdivision administrator to provide for the review of the abstract or certificate of title of the land in question by the city attorney;
6. The Department of Environmental Quality (DEQ) or local health/sanitarian approval;
7. The final grading and drainage plan, including all road plans and profiles, state or local encroachment permits;
8. All engineering plans;

9. Any homeowner association documents, including bylaws, covenants, and declarations;
10. A certificate of dedication of public improvements;
11. A copy of the approved state highway permits when a new road or driveway will intersect with a state highway;
12. A subdivision improvements agreement, financial guarantee and supporting documentation securing the future construction for all incomplete improvements to be installed (if applicable);
13. City attorney review of title report; and
14. One 11" x 17" and four 24" x 36" versions (two mylar and two paper) of the final plat, completed in accordance with the *Uniform Standards of Monumentation for Final Subdivision Plat* as set forth in Section 21-62 and as required by the Custer County Clerk & Recorder's Office.

**Review Procedures:**

1. After receiving preliminary approval from the governing body, the applicant(s) shall have three years to complete the conditions of final plat and all requirements of the *Miles City Subdivision Regulations*, unless an extension is approved by the governing body in accordance with *Section 21-16(a)(8)(e)(2) of the 2014 City of Miles City Subdivision Regulations*. A complete final plat application shall be submitted to the City of Miles City Planning Department at least thirty days prior to the governing body approval expiration date.
2. After a Final Plat Application is submitted along with the required review fee, the Subdivision Administrator will review the application to determine if the application is complete, contains all required supplements, and fulfills the conditions of final plat, as well as any other applicable subdivision regulations;
  - a. If the Final Plat Application is incomplete or missing any required information, the Subdivision Administrator will notify the applicant in writing and no further action will be taken.
  - b. The applicant(s) shall correct the deficiencies and provide the required information prior to the governing body approval expiration date;
  - c. If the applicant(s) fails to provide the required information prior to the governing body approval expiration date, the preliminary plat approval will expire and become null and void.
3. Upon approval from the City Attorney's Office, the applicant(s) will be notified and required to submit the final Mylar copies of the subdivision plat for review.
4. Final Plan Filing: The county clerk and recorder may not accept any plat for filing that does not bear the governing body's approval in proper form or that has been altered. The clerk and recorder may file an approved plat only if it is accompanied by the document specified in the *Montana Uniform Standards for Monumentation*, and Final Subdivision Plats, contained in Section 21-62 of the *2014 City of Miles City Subdivision Regulations*.

**RIGHT TO APPEAL**

According to 76-3-625, MCA, "A person who has filed with the governing body an application for subdivision under this chapter may bring an action in district court to sue the governing body to recover actual damages caused by a final action, decision, or order of the governing body or a regulation pursuant to this chapter that is arbitrary or capricious. A party who is aggrieved by a decision of the governing body to approve, conditionally approve, or deny an application and preliminary plat for a proposed subdivision for a final subdivision plat may, within 30 days from the date of the written decision, appeal to the district court in the county in which the property involved is located. The petition must specify the grounds upon which the appeal is made."

**COUNCIL ACTION FOLLOWING DECISION:**

Pursuant to the requirements of 76-3-620 (MCA), the City Council of Miles City has adopted the above Findings of Fact and Decision as a written statement informing the applicant of the governing body's decision to conditionally approve the Meadows Amended Block 2, Lot 3A-1 Subsequent Minor Subdivision. The above Findings of Fact and Decision provides information regarding the regulations and statutes used in reaching the decision, the facts and con-

clusions that the governing body relied upon in making its decision, the conditions that must be satisfied prior to final plat approval, and information about the appeals process.

**DATED THIS 10th day of February, 2015.**

***CITY COUNCIL OF MILES CITY***

\_\_\_\_\_, MAYOR

\_\_\_\_\_, COUNCIL PRESIDENT

EP 15-1661

OK



# MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY JOINT SUBDIVISION APPLICATION

*A copy of this report is available for viewing  
at the City Planner's Office at City Hall.*

FOR

AMENDED LOT 3A-1, BLOCK 2  
THE MEADOWS SUBDIVISION  
MILES CITY, MONTANA

RECEIVED  
FEB 2 - 2015  
ENVIRONMENTAL  
SERVICES



JANUARY 2015

PROJECT NO. 02135.01

**LUCAS & TONN, P.C.**

**ATTORNEYS AT LAW**  
513 MAIN STREET  
P.O. BOX 728  
MILES CITY, MT 59301  
www.lucasandtonn.com

JAMES P. LUCAS, Of Counsel  
DANIEL Z. RICE  
BRYANT S. MARTIN  
AVON 'CHAUNCY' WHITWORTH  
SHAWN A. QUINLAN

Telephone: 406-232-4070  
Telefax: 406-232-4093

E-MAIL:

jucas@midrivers.com  
dan@lucasandtonn.com  
bryant@lucasandtonn.com  
chauncy@lucasandtonn.com  
shawn@lucasandtonn.com

January 27, 2015

Miles City City Council  
17 S 8<sup>th</sup> Street  
Miles City, MT 59301

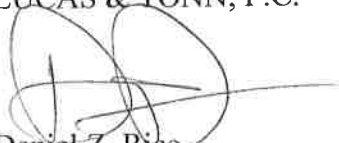
To Whom It May Concern:

I am writing because your organization/council is listed as a member of the Eastern Plains Resource Conservation and Development Area, Inc. and the Executive Board of Directors recently adopted a plan for voluntary dissolution of this corporation and hereby recommends the attached *Plan of Dissolution* to the members for approval. Upon careful review of this Plan, please complete the enclosed *Ballot* and return it to our office by March 1, 2015.

Thank you for your kind assistance.

Very truly yours,

LUCAS & TONN, P.C.

  
Daniel Z. Rice

DZR/jb  
Enclosures

**Eastern Plains Resource Conservation  
and Development Area, Inc.**

**BALLOT**

This ballot is in consideration of a proposed Plan of Dissolution of the Eastern Plains Resource Conservation and Development Area, Inc., which has been recommended by the Executive Board of Directors. Phone Jerry Jimison at (406) 365-6677 or Jason Rittal at (406) 698-3255 with any questions or concerns.

Please fill out the form below and return to the following by March 1, 2015:

Lucas & Tonn, P.C.  
Attn: Jody Burman  
at  
Fax: (406) 232-4093  
or  
[jody@lucasandtonn.com](mailto:jody@lucasandtonn.com)

\*\*\*\*\*

Date \_\_\_\_\_ Name: \_\_\_\_\_

On Behalf of: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Signature: \_\_\_\_\_

**Vote for one option only.**

\_\_\_\_\_ Yes, I am in favor of the Plan of Dissolution of Eastern Plains Resource Conservation and Development Area, Inc.

\_\_\_\_\_ No, I am against the Plan of Dissolution of Eastern Plains Resource Conservation and Development Area, Inc.

## PLAN OF DISSOLUTION

OF

### EASTERN PLAINS RESOURCE CONSERVATION AND DEVELOPMENT AREA, INC.


A special meeting of Executive Board of Directors of Eastern Plains Resource Conservation and Development Area, Inc. by means of telephone conference was held on November 27, 2014 at 6:00 p.m. Majority vote by the Executive Board of Directors, having considered the advisability of voluntarily dissolving the corporation, and it being the majority opinion of the Directors that dissolution is advisable and it is in the best interests of the corporation to effect such a dissolution, and the Executive Board of Directors having adopted, by majority vote, a plan for voluntary dissolution of the corporation, does hereby recommend to the members for approval, pursuant to MCA § 35-2-721 (1)(b), that the corporation be dissolved in accordance with the following Plan:

1. Upon resolution of the Executive Board of Directors adopting a Plan of Dissolution, the Board shall submit the plan to a vote of the members for approval. Pursuant to MCA § 35-2-721 (1)(b), the Plan of Dissolution will be authorized if it is approved by two-thirds of the votes cast or a majority of the voting power whichever is less.
2. Upon member approval, a Special Meeting of the Executive Board of Directors will be held regarding approval of a Resolution to dissolve the corporation.
3. Articles of Dissolution, Application for Tax Certificate, the Montana Department of Justice Notice of Dissolution of a Nonprofit Corporation, and all other appropriate documents will be completed by the Executive Board of Directors to dissolve the corporation.
4. The corporation has assets in the amount of approximately \$19,345<sup>00</sup>. Upon final payment of all debts, including invoices for administrative, tax amounts due, accounting and legal services provided, the remaining assets will be divided among the Conservation Districts of Carter County, Custer County, Daniels County, Dawson County, Garfield County, McCone County, Powder River County, Prairie County, Richland County, Rosebud County, Sheridan County, Treasure County, Valley County, Wibaux County, the Culbertson-Bainville Conservation District and the Little Beaver Conservation District.

Certification

I, JERRY JIMISON, President/Chairman of the Eastern Plains Resource Conservation and Development Area, Inc. hereby certify under penalties for perjury that a special meeting of the Executive Board of Directors of the Corporation was duly held

DATED November 27, 2014.

  
JERRY JIMISON - President/Chairman

ATTEST:

  
Kevin Dukart - Secretary



## ORDINANCE NO. 1286

**AN ORDINANCE CHANGING THE ZONING OF LOTS 9, 10, 11 AND 12 IN BLOCK 86 OF THE MILES CITY ORIGINAL TOWNSITE FROM RESIDENTIAL A ZONE TO GENERAL COMMERCIAL ZONE, AND PROVIDING FOR A HEARING THEREON.**

**WHEREAS**, the owner of the below described real property, Douglas Emeline, has made application for the property to be rezoned from Residential A (RA) zone to General Commercial District (GC) zone;

**AND WHEREAS**, such property is situated within the incorporated city limits of the City of Miles City, Montana;

**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 January 8, 2015, held a public hearing upon said application, 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 incorporated city limits of the City of Miles City, Custer County, Montana, is hereby rezoned from Residential A (RA) zone to General Commercial District (GC) zone, to wit:

Lots 9, 10, 11 and 12 in Block 86 of the Miles City Original Townsite, Custer County, Montana, according to the official plat and survey thereof on file with the Clerk and Recorder in and for Custer County, Montana.

**Section 2.** The City of Miles City Staff Report prepared as part of the review of this application is hereby adopted as Findings of Fact to support the Council's decision.



**Section 3.** A public hearing shall be held upon this proposed zoning change before the City Council at 7:00 P.M. on the 10th day of March, 2015, in the Council Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana.

**Section 4.** 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 5.** 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 10th day of February, 2015.

\_\_\_\_\_  
C.A. Grenz, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**FINALLY PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
C.A. Grenz, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

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

January 29, 2015

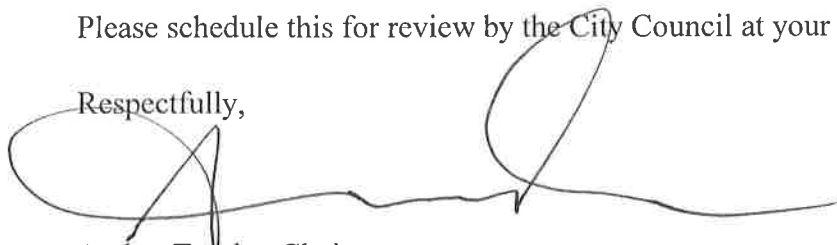
Mayor Grenz and City Council,

RE: Proposed re-zone for Douglas Emeline located in the Original Townsite Addition, Block 86, Lots: 9 - 12 (816 Atlantic) from Residential "A" (RA) to General Commercial (GC).

The Miles City Zoning Commission conducted its public hearing on January 28, 2015 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 General Commercial.

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

Respectfully,

A handwritten signature in black ink, appearing to read 'Amber Tronka', written over a horizontal line.

Amber Tronka, Chair  
Zoning Commission

Revenue Code: 4060-323040

Fee: \$200.00

# City of Miles City ZONE CHANGE APPLICATION

17 South 8<sup>th</sup> Street  
Miles City, MT 59301

Date Received: 12-15-14  
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, Douglas Emeline Douglas Paul signature is/are petitioning the City of Miles City to rezone the following property:

### LEGAL DESCRIPTION OF PROPERTY:

Street Address or General Location 816 Atlantic

Tract/s \_\_\_\_\_ in Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_ OR

9-12 of Original Township in Section 33 Township 08N Range 42E  
Subdivision Name

Assessor Number/s or Geocode 14-1740-33-4-39-08-0000  
Assessment Code: 000RMS3071

### PRIMARY CONTACT:

Applicant Name: Douglas Emeline Please print If a business: Contact Name Same Please print

Address: 416 S. Montana  
Miles City, MT. 59301

Phone: 406 234 6051 Cell Phone: 406 951 4385 Email: dougEmeline@yahoo.com

### DESCRIPTIVE DATA:

Total area in acres: 14,000 sq ft.

Existing Zoning: Residential A Proposed Zoning Commercial (General)

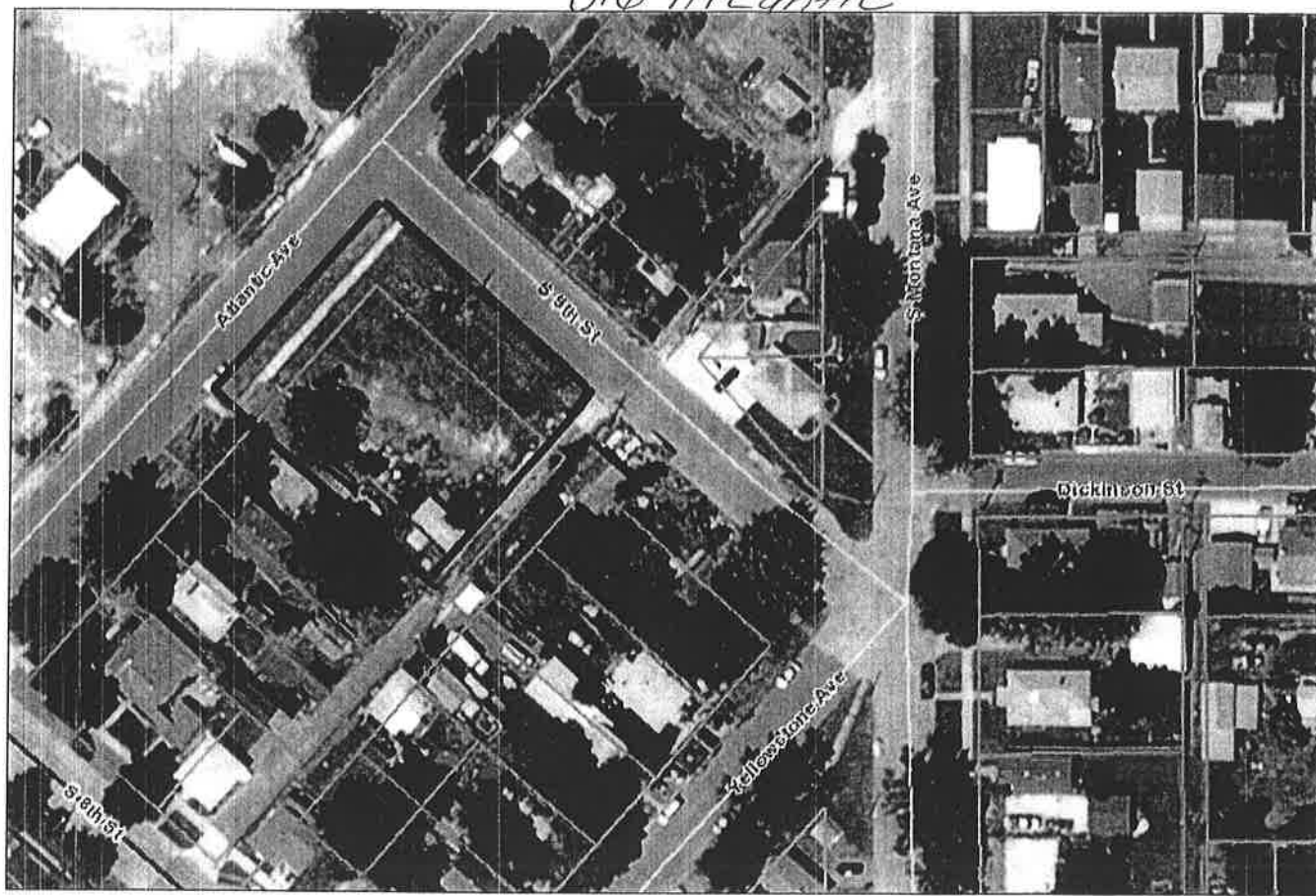
Existing Use Commercial Storage

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.

I would like to build storage rental units

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.

*B16 Atlantic*



**RE-ZONE  
Property Owner List  
for  
Doug Emeline - 816 Atlantic**

Douglas R. Emeline  
PO Box 537  
Miles City, MT 59301

BNSF Railway Co.  
Staubach Rep for BNSF  
PO Box 676160  
Dallas, TX 75267-6160

Larry Bennett  
PO Box 3276  
Gresham, OR 97030

Jacob T. Smith  
914 Atlantic Ave.  
Miles City, MT 59301

Russell D. Irion  
PO Box 177  
Miles City, MT 59301

Amber Jo Hirsch  
918 Atlantic Ave.  
Miles City, MT 59301

Ronald J. Bartkowski  
313 S. Montana Ave.  
Miles City, MT 59301

Marian R. Niedge  
319 S. Montana Ave.  
Miles City, MT 59301

James D. Hinman  
823 Yellowstone Ave.  
Miles City, MT 59301

Joana/Lola A. Bair  
815 Yellowstone Ave.  
Miles City, MT 59301

Larry R & Evalyn L Harding  
813 Yellowstone Ave.  
Miles City, MT 59301

Montana Land Project LLC  
PO Box 1952  
Great Falls, MT 59403-1952

Dianna M Sanders  
809 ½ Yellowstone Ave.  
Miles City, MT 59301

Milton L. Gaston  
807 ½ Yellowstone  
Miles City, MT 59301

Antonia Klein  
807 Yellowstone Ave.  
Miles City, MT 59301

Bonnie M. Jones  
814 Atlantic Ave.  
Miles City, MT 59301

Robert N & Darla M Parker  
3410 Leighton Blvd.  
Miles City, MT 59301

Cindy Scanlan  
304 S. 8<sup>th</sup> Street  
Miles City, MT 59301

Keith & Connie Bogner  
1017 Pleasant St.  
Miles City, MT 59301

Charles Hellickson  
312 S. 8<sup>th</sup> Street  
Miles City, MT 59301

Miles City Zoning Committee

Staff Report

January 28, 2015

Zone Change Request

Doug Emeline has requested a change in the zoning designation from Residential A to General Commercial on property he owns at 816 Atlantic Avenue in the Original Townsite. The proposed zone change would make it possible for him to build storage units. Surrounding land uses include General Commercial to the north and Residential to the south, east, and west of the property.

Finding of facts

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 general commercial designation would result in another option for this property. 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 city water with a fire hydrant to the north of the property, which would help with fire protection. The property is assessable by Atlantic Ave. to the north of the property, and S.9Th to the east of the property, and would provide adequate 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 building is located in a designated floodplain and the buildings would have to be built according to building codes and flood plain regulations. The building would also be required to mitigate the storm water off these units so that it doesn't run off onto adjacent properties.

Therefore, the proposed zone change will have little impact on public health, safety or general



welfare other than possibly providing more storage units, which could be considered a benefit to the public.

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 two roads. Pedestrian traffic is available by a sidewalk to the north and no bicycle facilities are available to the property.

Water and Sewer – Adequate city water and sewer are available.

Schools – School facilities are available to the surrounding properties.

Parks – Adequate parks are available to this property.

Other Public Requirements – Solid waste, mail delivery, and public 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 14,000 sq. ft. 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?

As stated previously, adequate motorized vehicular access is available via two city streets. There is pedestrian traffic available by a sidewalk, but no bicycle facilities are available in the vicinity of the property.

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 to the north is General Commercial Zoning and Residential Zoning to the east, west, and south. Changing the zoning to General Commercial will allow for storage units to be constructed.

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 contains a mixture of land uses, ranging from residential to General Commercial. Changing the zoning on the subject property to general commercial would continue this pattern and therefore conserve the value of building and encourage the most appropriate use of the land.

Recommendation:

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

## **RESOLUTION NO. 3774**

### **A RESOLUTION AUTHORIZING THE CITY OF MILES CITY TO ENTER INTO AN AGREEMENT WITH M&L ENTERPRISES FOR SUBDIVISION PHASE DEADLINE EXTENSION**

*WHEREAS*, the City of Miles City granted M&L Enterprises (Developer) approval of a preliminary plat for its Southgate Meadows Major Subdivision, with completion deadlines for each phase;

*AND WHEREAS*, Developer has reasonably requested an extension of time for the completion of such phases, which is in the best interest of the Developer and the City;

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

1. The "AGREEMENT REGARDING THE PRELIMINARY APPROVAL PERIOD GRANTED TO THE "SOUTHGATE MEADOWS PHASE II, III, AND IV" MAJOR SUBDIVISION" attached hereto as Exhibit "A", and made a part hereof, is hereby approved and adopted by this Council.
  
2. The Mayor of the City of Miles City is hereby empowered and authorized to execute said Contract on behalf of the City of Miles City and bind the City of Miles City thereto; and
  
3. The Mayor of the City of Miles City is hereby empowered and authorized to execute such further documents as are necessary to carry out the terms of said Agreement and bind the City of Miles City thereto.

**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 10<sup>TH</sup> DAY OF FEBRUARY, 2015.**

\_\_\_\_\_  
C.A. Grenz, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

Exhibit "A"

**AGREEMENT REGARDING THE PRELIMINARY APPROVAL PERIOD GRANTED TO THE "SOUTHGATE MEADOWS PHASE II, III, AND IV" MAJOR SUBDIVISION.**

This agreement is made this 10th day of February, 2015 between M & L Enterprises (DEVELOPER) and the City of Miles City, Montana, a Montana Municipal Corporation.

WHEREAS, the City Council granted the DEVELOPER of the four-phase Southgate Meadows Major Subdivision a three-year preliminary approval for Phase I on June 12, 2012, allowing for Phase I to be filed on or before June 12, 2015;

AND WHEREAS, the City Council approved the final plat of Phase I on January 28, 2014, with Phase II to be filed within one year of the filing of the final plat of Phase I (January 28, 2015); and Phase III to be filed within two years of the filing of the final plat of Phase II; and Phase IV to be filed within three years of the final plat of Phase III;

AND WHEREAS, Section 76-3-610 of the Montana Code Annotated stated that "(1) Upon approving or conditionally approving an application and preliminary plat, the governing body shall provide the subdivider with a dated and signed statement of approval. This approval must be in force for not more than 3 calendar years or less than 1 calendar year. At the end of this period the governing body may, at the request of the subdivider, extend its approval for a mutually agreed upon period of time. Any mutually agreed upon extension must be in writing and dated and signed by the members of the governing body and the subdivider or subdivider's agent. The governing body may issue more than one extension.";

AND WHEREAS, the DEVELOPER submitted a letter on November 24, 2014, requesting that the preliminary approval period be extended to allow for the completion of the required improvements, as authorized by Section 76-3-610 of the Montana Code Annotated;

AND WHEREAS, the City of Miles City finds it to be in the best interest of the public's health, safety and welfare to extend the preliminary approval period, but also to provide specific time period for the DEVELOPER to perform under the rules in effect when the preliminary subdivision application was reviewed and approved;

NOW, THEREFORE, the parties hereto agree as follows:

1. The City of Miles City hereby agrees to an extension to the preliminary approval period for the Southgate Meadows Major Subdivision Phases II, III and IV so that the final plat for Phase II shall be filed on or before January 28, 2020; the final plat for Phase III shall be filed on or before

January 28, 2023; and the filing of the final plat for Phase IV shall be filed on or before January 28, 2026.

2. It is understood that the parties may agree to additional extensions of the preliminary approval period upon the request of the DEVELOPER as allowed under Section 76-3-610, Montana Code Annotated.

Agreed to and dated this 10<sup>th</sup> day of February, 2015.

DEVELOPER:

---

By: M & L Enterprises

---

By: M & L Enterprises

Agreed to and dated this 10<sup>th</sup> day of February, 2015.

CITY OF MILES CITY, MONTANA:

---

By: Chris A. Grenz, Mayor

---

Attest: Lorrie Pearce, City Clerk

\* ... Over spent expenditure

Claim Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
124919	75186S	1970 MONTANA DAKOTA UTILITIES	9,357.37					
1	01/31/15	GAS/ELECTRIC	0.00		17696	1000 7 420460	341	101000
2		GAS/ELECTRIC	0.00		17696	1000 7 420460	344	101000
3		GAS/ELECTRIC	0.00			1000 8 411230	341	101000
4		GAS/ELECTRIC	0.00			1000 8 411230	344	101000
5		GAS/ELECTRIC	71.13			1000 13 460433	341	101000
6		GAS/ELECTRIC	204.32			1000 13 460433	344	101000
7		GAS/ELECTRIC	0.00*			1000 14 460445	341	101000
8		GAS/ELECTRIC	48.97			1000 21 440600	341	101000
9		GAS/ELECTRIC	61.42			1000 21 440600	344	101000
10			0.00			2220 16 460100	341	101000
11			0.00			2220 16 460100	344	101000
12		GAS/ELECTRIC	19.99			2400 46 430263	341	101000
13		GAS/ELECTRIC	0.00			2400 46 430263	533	101000
14		GAS/ELECTRIC	0.00			2420 48 430263	341	101000
15		GAS/ELECTRIC	0.00			2420 48 430263	533	101000
16		GAS/ELECTRIC	0.00			2430 49 430263	341	101000
17		GAS/ELECTRIC	0.00			2440 50 430263	341	101000
18		GAS/ELECTRIC	0.00			2470 72 430263	341	101000
19		GAS/ELECTRIC	0.00			2470 72 430263	533	101000
20		GAS/ELECTRIC	0.00			2480 47 430263	341	101000
21		GAS/ELECTRIC	0.00			2510 107 430220	341	101000
22		GAS/ELECTRIC	0.00			2510 107 430220	344	101000
23		GAS/ELECTRIC	0.00			2520 108 430220	341	101000
24		GAS/ELECTRIC	0.00			2520 108 430220	344	101000
25		GAS/ELECTRIC	502.05			5210 22 430530	341	101000
26		GAS/ELECTRIC	0.00			5210 22 430530	344	101000
27		GAS/ELECTRIC	0.00			5210 23 430550	341	101000
28		GAS/ELECTRIC	0.00			5210 23 430550	344	101000
29		GAS/ELECTRIC	0.00			5310 31 430630	341	101000
30		GAS/ELECTRIC	0.00			5310 31 430630	344	101000
31		GAS/ELECTRIC	969.64			5310 32 430690	341	101000
32		GAS/ELECTRIC	88.68			5310 32 430690	344	101000
33		GAS/ELECTRIC	4,936.67			5310 33 430640	341	101000
34		GAS/ELECTRIC	0.00			5510 10 420730	341	101000
35		GAS/ELECTRIC	0.00			5510 10 420730	344	101000
36	01/31/15	GAS/ELECTRIC	859.61		17674	5610 87 430300	341	101000
37	01/31/15	GAS/ELECTRIC	1,594.89		17674	5610 87 430300	344	101000
38		GAS/ELECTRIC	0.00			6040 910 430220	341	101000
39		GAS/ELECTRIC	0.00			6040 910 430220	344	101000

02/05/15  
15:15:04

CITY OF MILES CITY  
Claim Details  
For the Accounting Period: 1/15

Page: 2 of 17  
Report ID: AP100

\* Over spent expenditure

Claim Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
124920	75200S	4076 EXPRESS LAUNDRY, LLC COMMERCIAL	178.50					
1	332,426	01/31/15 RUGS: CITY HALL	85.00		19625	1000 8 411230	220	101000
2	427	01/31/15 RUGS/MOP: SHOP	20.50			6040 910 430220	220	101000
3		01/31/15 ANNUAL: RUGS: LIBRARY	0.00			2220 16 460100	360	101000
4	368	01/31/15 MOPS/TOWELS: WWTP	9.00		18891	5310 33 430640	360	101000
5	367	01/31/15 MOPS/TOWELS: WTP	23.50			5210 22 430530	360	101000
6	326,444,70	01/31/15 FLOOR MATS: PD	40.50*		19702	1000 5 420140	360	101000
722,727								
124921	75176S	4019 WEX Bank	8,558.73					
1	39319716	01/31/15 FUEL	297.58		19482	1000 13 460433	231	101000
2		01/31/15 FUEL	0.00			1000 201 431200	370	101000
3		01/31/15 FUEL	1,973.67		19482	2510 107 430220	231	101000
4		01/31/15 FUEL	493.42		19482	2520 108 430220	231	101000
5		01/31/15 FUEL	68.27		19482	6040 910 430220	231	101000
6		01/31/15 FUEL	47.53		18863	5210 22 430530	231	101000
7		01/31/15 FUEL	47.96		18863	5210 80 430540	231	101000
8		01/31/15 FUEL	61.24		18863	5310 33 430640	231	101000
9		01/31/15 FUEL	99.47		18863	5310 32 430690	231	101000
10		01/31/15 FUEL	566.83		18748	1000 7 420460	231	101000
11		01/31/15 FUEL	1,143.86		18749	5510 10 420730	231	101000
12		01/31/15 FUEL	2,905.57		19348	1000 5 420140	231	101000
13		01/31/15 FUEL	74.83		19348	1000 21 440600	231	101000
14		01/31/15 FUEL	0.00*			1000 5 420160	231	101000
15		01/31/15 FUEL	348.50		19033	5210 23 430550	231	101000
16		01/13/15 FUEL	348.50		19033	5310 31 430630	231	101000
17		01/31/15 FUEL	81.50		112	5610 87 430300	231	101000
124922	75177S	316 DATA IMAGING SYSTEMS, INC	1,390.00					
1		01/31/15 MANAGED SERVICES;DATA BKP	260.60			1000 3 410500	360	101000
2		01/31/15 MANAGED SERVICES;DATA BKP	146.60			5210 25 430510	360	101000
3		01/31/15 MANAGED SERVICES;DATA BKP	146.60*			5310 29 430610	360	101000
4		01/31/15 MANAGED SERVICES;DATA BKP	86.88			1000 1 410200	360	101000
5		01/31/15 MANAGED SERVICES;DATA BKP	86.88			1000 36 411020	360	101000
6		01/31/15 MANAGED SERVICES;DATA BKP	120.76			5210 23 430550	360	101000
7		01/31/15 MANAGED SERVICES;DATA BKP	120.76			5310 31 430630	360	101000
8		01/31/15 MANAGED SERVICES;DATA BKP	100.78			2510 107 430220	360	101000
9		01/31/15 MANAGED SERVICES;DATA BKP	50.39			2520 108 430220	360	101000
10		01/31/15 MANAGED SERVICES;DATA BKP	88.18			1000 9 410540	360	101000
11		01/31/15 MANAGED SERVICES;DATA BKP	86.88*			2935 11 460461	360	101000
12		01/31/15 MANAGED SERVICES;DATA BKP	94.69*			2394 18 420531	360	101000

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Claim	Vendor #/Name/		Document \$/	Disc \$					Cash
Line #	Check	Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object Proj	Account	
124923	75178S	1721 MID RIVERS TELEPHONE CORP	3,518.67						
1	01/30/15	TELEPHONE/INTERNET/CABLE/Judge	230.65			1000 6 410300	345	101000	
2	01/30/15	TELEPHONE/INTERNET/CABLE/Judge	0.00			1000 6 410300	347	101000	
3	01/30/15	TELEPHONE/INTERNET/CABLE/Libry	73.35			2220 16 460100	345	101000	
4	01/30/15	TELEPHONE/INTERNET/CABLE/Libry	58.36			2220 16 460100	347	101000	
5	01/30/15	TELEPHONE/INTERNET/CABLE/SmPol	0.00*			1000 14 460445	345	101000	
6	01/30/15	TELEPHONE/INTERNET/CABLE/ 911	269.12			2850 105 420140	345	101000	
8	01/30/15	TELEPHONE/INTERNET/CABLE/child	301.80			1000 5 420140	220	101000	
9	01/30/15	TELEPHONE/INTERNET/CABLE/rsvp	134.85			2985 15 450330	345	101004	
10	01/30/15	TELEPHONE/INTERNET/CABLE/Airpt	103.12			5610 87 430300	345	101000	
11	01/30/15	TELEPHONE/INTERNET/CABLE/Airpt	40.74			5610 87 430300	319	101000	
12	01/30/15	TELEPHONE/INTERNET/CABLE/Airpt	50.60			5610 87 430300	347	101000	
14	01/30/15	TELEPHONE/INTERNET/CABLE/mayor	37.71			1000 1 410200	345	101000	
15	01/30/15	TELEPHONE/INTERNET/CABLE/fin	59.27			1000 3 410500	345	101000	
16	01/30/15	TELEPHONE/INTERNET/CABLE/fin	19.52			1000 3 410500	347	101000	
17	01/30/15	TELEPHONE/INTERNET/CABLE/atny	11.38			1000 4 411100	345	101000	
18	01/30/15	TELEPHONE/INTERNET/CABLE/pd	319.85			1000 5 420140	345	101000	
19	01/30/15	TELEPHONE/INTERNET/CABLE/pd	65.60			1000 5 420140	347	101000	
20	01/30/15	TELEPHONE/INTERNET/CABLE/disp	317.95			1000 5 420160	345	101000	
21	01/30/15	TELEPHONE/INTERNET/CABLE/fire	168.58			1000 7 420460	345	101000	
22	01/30/15	TELEPHONE/INTERNET/CABLE/fire	135.60			1000 7 420460	347	101000	
23	01/30/15	TELEPHONE/INTERNET/CABLE/tres	11.38			1000 9 410540	345	101000	
24	01/30/15	TELEPHONE/INTERNET/CABLE/park	47.44			1000 13 460433	345	101000	
25	01/30/15	TELEPHONE/INTERNET/CABLE/park	37.60			1000 13 460433	347	101000	
26	01/30/15	TELEPHONE/INTERNET/CABLE/Actr	40.03			1000 21 440600	345	101000	
27	01/30/15	TELEPHONE/INTERNET/CABLE/plng	84.31			1000 36 411020	345	101000	
28	01/30/15	TELEPHONE/INTERNET/CABLE/bldg	26.36			2394 18 420531	345	101000	
29	01/30/15	TELEPHONE/INTERNET/CABLE/md204	74.22			2510 107 430220	345	101000	
30	01/30/15	TELEPHONE/INTERNET/CABLE/md205	39.54			2520 108 430220	345	101000	
31	01/30/15	TELEPHONE/INTERNET/CABLE/wplnt	82.99			5210 22 430530	345	101000	
32	01/30/15	TELEPHONE/INTERNET/CABLE/wplnt	80.25			5210 22 430530	347	101000	
33	01/30/15	TELEPHONE/INTERNET/CABLE/wtlns	43.70			5210 23 430550	345	101000	
34	01/30/15	TELEPHONE/INTERNET/CABLE/wtlns	11.40			5210 23 430550	347	101000	
35	01/30/15	TELEPHONE/INTERNET/CABLE/wtadm	53.88			5210 25 430510	345	101000	
36	01/30/15	TELEPHONE/INTERNET/CABLE/wtadm	19.81			5210 25 430510	347	101000	
37	01/30/15	TELEPHONE/INTERNET/CABLE/wwadm	53.86			5310 29 430610	345	101000	
38	01/30/15	TELEPHONE/INTERNET/CABLE/wwadm	19.51			5310 29 430610	347	101000	
39	01/30/15	TELEPHONE/INTERNET/CABLE/swlns	43.69			5310 31 430630	345	101000	
40	01/30/15	TELEPHONE/INTERNET/CABLE/swlns	11.40			5310 31 430630	347	101000	
41	01/30/15	TELEPHONE/INTERNET/CABLE/wwpln	41.73			5310 33 430640	345	101000	
42	01/30/15	TELEPHONE/INTERNET/CABLE/wwpln	45.60			5310 33 430640	347	101000	
43	01/30/15	TELEPHONE/INTERNET/CABLE/amb	116.17			5510 10 420730	345	101000	
44	01/30/15	TELEPHONE/INTERNET/CABLE/amb	28.24			5510 10 420730	347	101000	
45	01/30/15	TELEPHONE/INTERNET/CABLE/shop	44.82			6040 910 430220	345	101000	
46	01/30/15	TELEPHONE/INTERNET/CABLE/shop	62.69			6040 910 430220	347	101000	

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Claim Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
125037	75171S	1010 STOCKMAN BANK	64.29					
1	01/31/15	NSF: MALVIN W/S	17.15			5210 25 430510	810	101000
2	01/31/15	NSF: MALVIN W/S	17.14			5310 29 430610	810	101000
3	01/31/15	MCPD NSF: POUND FEE	30.00			1000 344010		101000
125038	75172S	4009 PITNEY BOWES RESERVE ACCOUNT	1,000.00					
1	01/31/15	POSTAGE MACHINE REFILL	1,000.00			1000 3 410500	311	101000
125039	75173S	999999 MONTANA HEALTH CO-OP	75.90					
1	01092015	01/31/15 AMB REFUND: #14-0776	75.90		19025	5610 122000		101000
125040	75174S	395 VA MONTANA HEALTHCARE SYSTEM	401.04					
1	01092015	01/31/15 AMB REFUND: #13-00790	401.04		19126	5610 122000		101000
125041	75175S	999999 SECURE HORIZONS	305.62					
1	01092015	01/31/15 AMB REFUND: #14-1242	305.62		19127	5610 122000		101000
125043	75179S	4073 JOHN DEERE FINANCIAL	476.23					
1	010915	01/31/15 LEASE PAYMENT: AGRMT #0063655	476.23*		125043	5610 87 430300	940	101000
125044	75180S	790 DPC INDUSTRIES	1,801.46					
1	72000207	01/31/15 DEMURRAGE	1,416.75		18874	5210 80 430540	222	101000
		727000485						
2	01/31/15	DEMURRAGE	321.71		18879	5310 33 430640	222	101000
3	01/31/15	DEMURRAGE	45.00			5210 80 430540	222	101000
4	01/31/15	DEMURRAGE	18.00			5310 33 430640	222	101000
125045	75181S	2910 TONGUE RIVER ELECTRIC	445.96					
1	01/31/15	SOUTHGATE LIGHTING	401.84			2450 51 430263	341	101000
2	01/31/15	MICROWAVE LIGHT TOWER	44.12		18363	2850 105 420140	341	101000
125046	75182S	268 MILES CITY SANITATION INC.	193.00					
1	107663	01/31/15 SANITATION	90.00		136	5610 87 430300	220	101000
2	107448	01/31/15 SANITATION	60.00		18870	5310 33 430640	346	101000
3	107448	01/31/15 SANITATION	43.00		19377	1000 5 420140	346	101000
125047	75184S	373 MASTERCARD	22,959.70					
1	01/31/15	TRAVEL	181.62*			1000 1 410200	220	101000
2	01/31/15	OP EXP	47.55			1000 3 410500	220	101000
3	01/31/15	POSTAGE	6.35			1000 3 410500	311	101000
4	01/31/15	OFFICE SUPP	131.98			1000 5 420140	210	101000
5	01/31/15	SM ITEMS OF EQUIP	888.17			1000 5 420140	214	101000
6	01/31/15	OP EXP	397.75			1000 5 420140	220	101000
7	01/31/15	R & M SUPPLIES	924.92*			1000 5 420140	230	101000
8	01/31/15	POSTAGE	130.08			1000 5 420140	311	101000
9	01/31/15	PROF SERV	150.00*			1000 5 420140	350	101000



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Claim Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
10	01/31/15	R & M VEHICLES	191.62			1000 5 420140	366	101000
11	01/31/15	OFFICE SUPP	137.16			1000 5 420160	210	101000
12	01/31/15	OP EXP	51.12			1000 5 420160	220	101000
13	01/31/15	TRAINING	30.00			1000 5 420160	380	101000
14	01/31/15	OFF SUPP	68.15			1000 7 420460	210	101000
15	01/31/15	SM ITEMS OF EQUIP	216.00			1000 7 420460	214	101000
16	01/31/15	OP EXP	231.54			1000 7 420460	220	101000
17	01/31/15	R & M SUPPLIES	257.71			1000 7 420460	230	101000
18	01/31/15	GAS/OIL	15.83			1000 7 420460	231	101000
19	01/31/15	PHONE	92.97			1000 7 420460	345	101000
20	01/31/15	OP EXP	148.00			1000 8 411230	220	101000
21	01/31/15	R & M VEHICLES	243.65			1000 13 460433	363	101000
22	01/31/15	OFF SUPP	67.16			1000 13 460433	210	101000
23	01/31/15	SM ITEMS OF EQUIP	438.96			1000 13 460433	214	101000
24	01/31/15	R & M SUPPLIES	1,177.01			1000 13 460433	230	101000
25	01/31/15	MEMBERSHIPS/REG	115.00			1000 13 460433	334	101000
26	01/31/15	TRAIING	560.00			1000 13 460433	380	101000
27	01/31/15	TRAIING	288.00			1000 36 411020	380	101000
28	01/31/15	BOOKS	39.01			1000 36 411020	382	101000
29	01/31/15	JANITORIAL SUPP	36.13			2220 16 460100	224	101000
30	01/31/15	POSTAGE	101.97			2220 16 460100	311	101000
31	01/31/15	BOOKS	926.80			2220 16 460100	382	101000
32	01/31/15	TRAVEL REIMB	544.86			2350 302 410130	370	101000
33	01/31/15	OFF SUPP	33.09			2510 107 430220	210	101000
34	01/31/15	OP EXP	37.36			2510 107 430220	220	101000
35	01/31/15	R & M SUPPLIES	376.96			2510 107 430220	230	101000
36	01/31/15	SIGNS/PARTS/SUPP	94.53			2510 107 430220	242	101000
37	01/31/15	R & M VEHICLES	2,180.49			2510 107 430220	363	101000
38	01/31/15	OFF SUPP	8.27			2520 108 430220	210	101000
39	01/31/15	OP EXP	9.34			2520 108 430220	220	101000
40	01/31/15	R & M SUPPLIES	94.24			2520 108 430220	230	101000
41	01/31/15	SIGNS/PARTS/SUPP	23.27			2520 108 430220	242	101000
42	01/31/15	R & M VEHICLES	545.12			2520 108 430220	363	101000
43	01/31/15	OP EXP	1,791.61*			2985 15 450330	220	101004
44	01/31/15	POSTAGE	59.29*			2985 15 450330	311	101004
45	01/31/15	OFF SUPP	9.15			5210 22 430530	210	101000
46	01/31/15	OP EXP	55.50			5210 22 430530	220	101000
47	01/31/15	R & M SUPPLIES	85.38			5210 22 430530	230	101000
48	01/31/15	R & M VEHICLES	55.01			5210 22 430530	363	101000
49	01/31/15	OP EXP	670.05			5210 23 430550	220	101000
50	01/31/15	R & M SUPPLIES	806.91			5210 23 430550	230	101000
51	01/31/15	R & M VEHICLES	467.52			5210 23 430550	363	101000
52	01/31/15	OP EXP	47.55*			5210 25 430510	220	101000
53	01/31/15	OFF SUPP	35.14			5210 80 430540	210	101000
54	01/31/15	OP EXP	230.62			5210 80 430540	220	101000
55	01/31/15	CHEMICALS/LAB	497.33			5210 80 430540	222	101000
56	01/31/15	R & M SUPPLIES	94.58			5210 80 430540	230	101000

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Claim Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
57	01/31/15	POSTAGE	0.70			5210 80 430540	311	101000
58	01/31/15	WTR/SWR LAB	22.00			5210 80 430540	352	101000
59	01/31/15	OP EXP	47.55*			5310 29 430610	220	101000
60	01/31/15	SM ITEMS OF EQUIP	300.00			5310 31 430630	214	101000
61	01/31/15	OP EXP	759.80			5310 31 430630	220	101000
62	01/31/15	R & M SUPPLIES	242.10			5310 31 430630	230	101000
63	01/31/15	R & M VEHICLES	467.52			5310 31 430630	363	101000
64	01/31/15	OFF SUPP	69.84			5310 32 430690	210	101000
65	01/31/15	SM ITEMS OF EQUIP	304.50			5310 32 430690	214	101000
66	01/31/15	OP EXP	22.00			5310 32 430690	220	101000
67	01/31/15	R & M SUPPLIES	524.49			5310 32 430690	230	101000
68	01/31/15	GAS/OIL	26.99			5310 32 430690	231	101000
69	01/31/15	OFF SUPP	7.32			5310 33 430640	210	101000
70	01/31/15	SM ITEMS OF EQUIP	4.49			5310 33 430640	214	101000
71	01/31/15	OP EXP	94.83			5310 33 430640	220	101000
72	01/31/15	LAB/CHEMICALS	524.57			5310 33 430640	222	101000
73	01/31/15	R & M SUPPLIES	903.39			5310 33 430640	230	101000
74	01/31/15	GAS/OIL	26.98			5310 33 430640	231	101000
75	01/31/15	POSTAGE	2.28			5310 33 430640	311	101000
76	01/31/15	WTR/SWR LAB	11.75			5310 33 430640	352	101000
77	01/31/15	R & M VEHICLES	55.01			5310 33 430640	363	101000
78	01/31/15	OFF SUPP	33.98			5510 10 420730	210	101000
79	01/31/15	SM ITEMS OF EQUIP	292.15			5510 10 420730	214	101000
80	01/31/15	OP EXP	88.88			5510 10 420730	220	101000
81	01/31/15	CHEMICALS/LAB	497.55			5510 10 420730	222	101000
82	01/31/15	R & M SUPPLIES	9.98			5510 10 420730	230	101000
83	01/31/15	TELEPHONE	36.13			5510 10 420730	345	101000
84	01/31/15	OP EXP	20.64			5610 87 430300	220	101000
85	01/31/15	R & M SUPPLIES	61.50*			5610 87 430300	230	101000
86	01/31/15	TELEPHONE	185.11			5610 87 430300	345	101000
87	01/31/15	TRAINING	75.00*			5610 87 430300	380	101000
88	01/31/15	OP EXP	95.29			6040 910 430220	220	101000
125048	75183S	4055 DOOR 804 FITNESS	144.00					
1	120514	01/31/15 OCT/NOV HEALTH MEMBERSHIPS	144.00		19705	1000 5 420140	334	101000
125049	75185S	2125 MONTANA RURAL WATERS	175.00					
1	01/31/15	REG FOR RURAL WATER CONF	140.00		19617	2510 107 430220	380	101000
2	01/31/15	REG FOR RURAL WATER CONF	35.00		19617	2520 108 430220	380	101000
125050	75185S	2125 MONTANA RURAL WATERS	350.00					
1	01/31/15	REG FOR RURAL WATER CONF	87.50		19058	5210 23 430550	380	101000
2	01/31/15	REG FOR RURAL WATER CONF	87.50		19058	5310 31 430630	380	101000
3	01/31/15	REG FOR RURAL WATER CONF	67.00			5210 22 430530	380	101000
4	01/31/15	REG FOR RURAL WATER CONF	48.00			5210 80 430540	380	101000
5	01/31/15	REG FOR RURAL WATER CONF	24.00			5310 32 430690	380	101000
6	01/31/15	REG FOR RURAL WATER CONF	36.00			5310 33 430640	380	101000

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Claim Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
125051	75189S	999999 BRADY STONE	145.00					
1	125051	01/21/15 AMTOP CONF	145.00			1000 13 460433	370	101000
125052	75190S	999999 MAX HILDERBRAND	145.00					
1	125052	01/21/15 AMTOP CONF	145.00			1000 13 460433	370	101000
125053	75191S	999999 BECKY STANTON	345.44					
1	01/31/15	REIMB: TRAVEL TO BOZEMAN	345.44		19130	2350 302 410130	370	101000
125054	75193S	1050 FRANKS BODY SHOP	126.50					
1	43740	01/31/15 PD TOW	126.50		19712	1000 5 420140	220	101000
125055	75194S	572 VERIZON WIRELESS	263.06					
1	9738436083	01/31/15 ICAC CELL PHONE	263.06		19710	1000 5 420140	220	101000
125056	75192S	999999 BETTY VAIL	149.91					
1	01/31/15	TRAVEL REIMB: BAKER/FORSYTH	98.16		18477	2985 15 450340	370	101000
2	01/31/15	TRAVEL REIMB: BAKER/FORSYTH	51.75		18477	2985 15 450300	370	101000
125057	75198S	2450 POSTMASTER (UTILITIES)	1,036.84					
1	01/31/15	UTILITY BILLING POSTAGE	518.42		19132	5210 25 430510	311	101000
2	01/31/15	UTILITY BILLING POSTAGE	518.42		19132	5310 29 430610	311	101000
125058	75195S	1970 MONTANA DAKOTA UTILITIES	30,320.15					
1	01/31/15	GAS/ELECTRIC	0.00		17696	1000 7 420460	341	101000
2		GAS/ELECTRIC	0.00		17696	1000 7 420460	344	101000
3		GAS/ELECTRIC	327.72			1000 8 411230	341	101000
4		GAS/ELECTRIC	711.09			1000 8 411230	344	101000
5		GAS/ELECTRIC	1,002.02			1000 13 460433	341	101000
6		GAS/ELECTRIC	501.18			1000 13 460433	344	101000
7		GAS/ELECTRIC	18.03			1000 14 460445	341	101000
8		GAS/ELECTRIC	0.00			1000 21 440600	341	101000
9		GAS/ELECTRIC	0.00			1000 21 440600	344	101000
10			380.32			2220 16 460100	341	101000
11			483.12			2220 16 460100	344	101000
12		GAS/ELECTRIC	9,767.41			2400 46 430263	341	101000
13		GAS/ELECTRIC	4,653.05			2400 46 430263	533	101000
14		GAS/ELECTRIC	1,806.69			2420 48 430263	341	101000
15		GAS/ELECTRIC	675.50			2420 48 430263	533	101000
16		GAS/ELECTRIC	128.02			2430 49 430263	341	101000
17		GAS/ELECTRIC	1,196.86			2440 50 430263	341	101000
18		GAS/ELECTRIC	273.65			2470 72 430263	341	101000
19		GAS/ELECTRIC	304.12			2470 72 430263	533	101000
20		GAS/ELECTRIC	112.63			2480 47 430263	341	101000
21		GAS/ELECTRIC	112.82			2510 107 430220	341	101000
22		GAS/ELECTRIC	130.06			2510 107 430220	344	101000

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23		GAS/ELECTRIC	10.87			2520 108 430220	341	101000
24		GAS/ELECTRIC	32.52			2520 108 430220	344	101000
25		GAS/ELECTRIC	3,333.13			5210 22 430530	341	101000
26		GAS/ELECTRIC	2,949.02			5210 22 430530	344	101000
27		GAS/ELECTRIC	27.17			5210 23 430550	341	101000
28		GAS/ELECTRIC	81.29			5210 23 430550	344	101000
29		GAS/ELECTRIC	27.17			5310 31 430630	341	101000
30		GAS/ELECTRIC	81.29			5310 31 430630	344	101000
31		GAS/ELECTRIC	195.80			5310 32 430690	341	101000
32		GAS/ELECTRIC	0.00			5310 32 430690	344	101000
33		GAS/ELECTRIC	0.00			5310 33 430640	341	101000
34		GAS/ELECTRIC	0.00			5510 10 420730	341	101000
35		GAS/ELECTRIC	0.00			5510 10 420730	344	101000
36		01/31/15 GAS/ELECTRIC	0.00		17674	5610 87 430300	341	101000
37		01/31/15 GAS/ELECTRIC	0.00		17674	5610 87 430300	344	101000
38		GAS/ELECTRIC	465.50			6040 910 430220	341	101000
39		GAS/ELECTRIC	532.10			6040 910 430220	344	101000
125059		75197S 999999 PATRICK HAGEMEISTER	183.65					
1		125059 01/29/15 REFUND OVERPAYMENT - WATER PAY	183.65			5210 214010		101000
125060		75199S 1970 MONTANA DAKOTA UTILITIES	940.38					
1		01/31/15 GAS	341.62		18791	1000 7 420460	344	101000
2		01/31/15 ELECTRIC	329.06			1000 7 420460	341	101000
3		01/31/15 GAS	132.85			5510 10 420730	344	101000
4		01/31/15 ELECTRIC	127.97			5510 10 420730	341	101000
5		01/31/15 LATE FEE	8.88			1000 7 420460	341	101000
125061		75202S 999999 STEVE GAERTNER	81.00					
1		01/31/15 TRAVEL REIMB: BOZEMAN	81.00		19713	1000 5 420140	370	101000
125062		75203S 999999 DENISE BONTRAGER	69.00					
1		01/31/15 TRAVEL REIMB: BOZEMAN	69.00		19714	1000 5 420140	370	101000
125063		75204S 999999 TINA SCHMIDT	23.36					
1		01/31/15 REFUND OF FUEL-PUT ON PERS CRD	18.69			2510 107 430220	231	101000
2		01/31/15 REFUND OF FUEL-PUT ON PERS CRD	4.67			2520 108 430220	231	101000
125064		75205S 999999 SCOTT GRAY	358.11					
1		01/31/15 TRAVEL REIMB: WTR CONF	286.49		19626	2510 107 430220	370	101000
2		01/31/15 TRAVEL REIMB: WTR CONF	71.62		19626	2520 108 430220	370	101000

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125065		75206S 999999 ALLEN KELM	358.11					
1	01/31/15	TRAVEL REIMB: WTR CONF	179.06		19063	5210 23 430550	370	101000
2	01/31/15	TRAVEL REIMB: WTR CONF	179.05		19063	5310 31 430630	370	101000
125066		75207S 999999 DAVE HARRIS	358.11					
1	01/31/15	TRAVEL REIMB: WTR CONF	107.43		19064	5210 22 430530	370	101000
2	01/31/15	TRAVEL REIMB: WTR CONF	107.43		19064	5210 80 430540	370	101000
3	01/31/15	TRAVEL REIMB: WTR CONF	50.14		19064	5310 32 430690	370	101000
4	01/31/15	TRAVEL REIMB: WTR CONF	93.11		19064	5310 33 430640	370	101000
125067		75208S 999999 EDDY KANDUCH	46.00					
1	01/31/15	TRAVEL REIMB: BILLINGS	46.00		18792	1000 7 420460	370	101000
125068		75209S 999999 SARAH YOUNG	122.90					
1	01/31/15	TRAVEL REIMB: BILLINGS	122.90		19133	1000 7 420460	370	101000
125069		75210S 3029 US BANK TRUST - SPA LOCKBOX	13,229.42					
1	01/31/15	AMB (3) PMTS DUE 2/15/15	12,964.94			5510 10 490500	602	101000
2	01/31/15	AMB (3) PMTS DUE 2/15/15	264.48			5510 10 490500	629	101000
125070		75211S 2865 DEPT OF ENVIRONMENTAL QUALITY	70.00					
1	01/31/15	EXAMINATION FEES	40.00		18886	5210 22 430530	380	101000
2	01/31/15	EXAMINATION FEES	30.00		18886	5210 80 430540	380	101000
125071		75212S 498 CENTURY LINK	1,965.87					
1	01/31/15	911 PHONE SYSTEM	1,965.87		18369	2850 105 420140	345	101000
125072		75213S 523 CITY SERVICE, INC.	1,866.00					
1	01/31/15	REFUELER TRUCK RENT	1,850.00		169	5610 87 430300	530	101000
2	01/31/15	TERMINAL FEE	16.00		169	5610 87 430300	220	101000
125073		75214S 999999 TOM SPEELMON	461.24					
1	01/31/15	TRAVEL REIMB: BILLINGS	133.69		18889	5210 22 430530	370	101000
2	01/31/15	TRAVEL REIMB: BILLINGS	160.43		18889	5210 80 430540	370	101000
3	01/31/15	TRAVEL REIMB: BILLINGS	100.27		18889	5310 33 430640	370	101000
4	01/31/15	TRAVEL REIMB: BILLINGS	66.85		18889	5310 32 430690	370	101000
125074		75215S 999999 EMMANUEL SEMINOLE JR.	250.62					
1	01/31/15	TRAVEL REIMB: BILLINGS	72.64		18887	5210 22 430530	370	101000
2	01/31/15	TRAVEL REIMB: BILLINGS	87.18		18887	5210 80 430540	370	101000
3	01/31/15	TRAVEL REIMB: BILLINGS	54.48		18887	5310 33 430640	370	101000
4	01/31/15	TRAVEL REIMB: BILLINGS	36.32		18887	5310 32 430690	370	101000

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125075	75216S	999999 SAM WINKLEY	250.62					
1	01/31/15	TRAVEL REIMB: BILLINGS	72.64		18888	5210 22 430530	370	101000
2	01/31/15	TRAVEL REIMB: BILLINGS	87.18		18888	5210 80 430540	370	101000
3	01/31/15	TRAVEL REIMB: BILLINGS	54.48		18888	5310 33 430640	370	101000
4	01/31/15	TRAVEL REIMB: BILLINGS	36.32		18888	5310 32 430690	370	101000
125076	75217S	52 ABC GLASS & SIGNS, INC.	600.00					
1	10040267	01/31/15 DECAL WORK FOR PD CARS	600.00		19720	1000 5 420140	220	101000
125077	75218S	999999 ALERT MAGAZINE, LLC	125.00					
1	5519	01/31/15 AD IN ALERT MAGAZINE	125.00		19719	1000 5 420140	330	101000
125078	75219S	999999 BUCKY JOHNSON	22.15					
1	5519	01/31/15 CELL PHONE REIMB	11.08		19057	5210 23 430550	345	101000
2	5519	01/31/15 CELL PHONE REIMB	11.07		19057	5310 31 430630	345	101000
125079	75220S	499 CHECKERS INC	92.00					
1	51105	01/31/15 RANDOM TESTING	92.00		19624	6040 910 430220	360	101000
125080	75221S	660 CUSTER COUNTY CLERK & RECORDER	8,372.00					
1	01/31/15	2014 JUNE/NOV ELECTIONS	8,372.00		19135	1000 301 410600	300	101000
125081	75222S	700 CUSTER COUNTY WATER & SEWER	10,771.09					
1	01/31/15	WATER/SEWER COLLECTIONS	10,771.09			7980 211020		101000
125082	75223S	721 DALES CLEANING SERVICE	600.00					
1	01/31/15	CLEAN CITY HALL: JAN	600.00		19627	1000 8 411230	360	101000
125083	75224S	1286 DENNIS HIRSCH	1,597.80					
1	01/31/15	JANUARY BLDG PERMITS	1,597.80		19629	2394 18 420531	350	101000
125084	75225S	999999 DESERT MOUNTAIN	4,557.26					
1	14-37966	01/31/15 ICE SLICER	3,645.81		19623	2510 107 430220	220	101000
2	14-37966	01/31/15 ICE SLICER	911.45		19623	2520 108 430220	220	101000
125085	75226S	285 BADLANDS, INC.	26.00					
1	01/31/15	VOLUNTEER CAB FARE	26.00		18482	2985 15 450330	370	101000
125086	75227S	1182 DOWL HKM INC.	13,396.13					
1	5028265390	01/31/15 WTR/SWR CAPACITY STUDY	4,926.56		19061	5210 23 430550	350	101000
2	5028265390	01/31/15 WTR/SWR CAPACITY STUDY	4,926.55		19061	5310 31 430630	350	101000
3	29	01/31/15 STREVELL WTR/STR REPR	1,985.87		19621	5210 23 430550	958	101000
4	29	01/31/15 STREVELL WTR/STR REPR	1,248.91		19621	2510 107 430233	350	101000
5	29	01/31/15 STREVELL WTR/STR REPR	308.24		19621	2510 107 430235	230	101000

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115097	751148	870 EAST MAIN ANIMAL CLINIC		521.00					
1	11/31/15	VET FEES -ANIMALS FROM SHELTER		405.00		19701	1000 21 440600	350	101000
2	11/31/15	VET FEES -ANIMALS FROM SHELTER		116.00		19728	1000 21 440600	350	101000
115098	752298	869 EAST MONT COMMUNICATIONS		375.00					
1	07/31/15	RADIO MICS		375.00		18782	5510 10 420730	300	101000
115099	752308	291 ECOLAB PEST ELIMINATION DIVISION		169.50					
1	01/31/15	PEST CONTROL		65.00		168	5610 87 430300	230	101000
2	01/31/15	PEST CONTROL		74.52		18786	1000 7 420460	220	101000
3	01/31/15	PEST CONTROL		28.98		18786	5510 10 420730	220	101000
115090	752318	902 ENERGY LABORATORIES INC		887.75					
1	01/31/15	LAB TESTING		323.75		18896	5210 80 430540	352	101000
2	01/31/15	LAB TESTING		564.00		18896	5310 33 430640	352	101000
115091	752318	999899 D & D LASER ENGRAVING		70.00					
1	01/31/15	ENGRAVING NUMBER ON BOTTLES		70.00		18892	5310 33 430640	222	101000
115092	752328	790 DFC INDUSTRIES		110.00					
1	01/31/15	DEMURRAGE		90.00		18893	5210 80 430540	222	101000
2	01/31/15	DEMURRAGE		30.00		18893	5310 33 430640	222	101000
115093	752348	4810 FELT, MARTIN, FRAZIER & WELDON,		350.00					
1	01/31/15	LEGAL SERVICES		350.00		19139	1000 3 411101	350	101000
115094	752358	999999 FERGUSON ENTERPRISES INC. #1704		99.00					
1	01/31/15	1" BALL CURB STOP		99.00		19067	5210 23 430550	235	102270
115095	752368	979 FIREMANS COMPANY		330.00					
1	01/31/15	SERVICE EXTINGUISHERS		330.00		18784	1000 7 420460	230	101000
115096	752378	1075 GALLS, AN ARAMARK COMPANY		17.93					
1	01/31/15	NAME PLATES		17.93		18785	5510 10 420730	214	101000
115097	752388	4007 GM PETROLEUM		451.90					
1	01/31/15	DYED DIESEL/UNLEADED		451.90		173	5610 87 430300	231	101000
115098	752418	1930 HOLY ROSARY HEALTH CENTER		3,790.67					
1	01/31/15	MED SUPPLIES		416.36		18788	5510 10 420730	222	101000
2	01/31/15	FF PHYSICALS		3,374.31		18788	5510 10 420730	350	101000

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125099	75240S	999999 IFSTA	1,151.50					
1	29719	01/31/15 FIREBOOKS	1,010.20		18790	1000 7 420460	382	101000
2	30151	01/31/15 FIREBOOKS	189.00		18790	1000 7 420460	382	101000
3	1541	01/31/15 CREDIT MEMO	-47.70		18790	1000 7 420460	382	101000
125100	75241S	1986 JACKS BODY SHOP	396.00					
1	5007	01/31/15 PD TOW: 14-1942A MT	132.00		19715	1000 5 420140	220	101000
2	5016	01/31/15 PD TOW: BFR882 MT	132.00		19715	1000 5 420140	220	101000
3	5341	01/31/15 PD TOW: VIN:9x1490 WHITE	132.00		19715	1000 5 420140	220	101000
125101	75242S	1379 JP COOKE CO	57.38					
1	323006	01/31/15 DOG TAGS	57.38		19137	1000 21 440600	220	101000
125102	75243S	1424 KRUTZFELDT & JONES LLP	726.25					
1	010615	01/31/15 PROF SERV	726.25*		167	5610 87 430300	350	101000
125103	75244S	4045 LAND SOLUTIONS, INC.	2,366.00					
1	020215	01/31/15 CONSULTING SERV	2,366.00		15947	1000 36 411020	350	101000
125104	75245S	4045 LAND SOLUTIONS, INC.	4,154.97					
1	1214	01/31/15 CONSULTING SERV	4,154.97		15946	1000 36 411020	350	101000
125105	75246S	1527 LN CURTIS & SONS	410.75					
1	315454702	01/31/15 SUCTION SCREENS	63.60		18787	1000 7 420460	364	101000
2	315454700	01/31/15 BOOTS	347.15		18787	1000 7 420460	226	101000
125106	75247S	1535 LUCAS & TONN PC	100.00					
1	JAN 2015	01/31/15 WESTLAW: PROF SERV	100.00			1000 4 411100	350	101000
125107	75248S	4021 LUCI'S OFFICE	881.00					
1	01/31/15	WEBSITE	781.00*		18480	2985 15 450340	220	101006
2	01/31/15	WEBSITE	100.00*		18480	2985 15 450330	220	101004
125108	75249S	314 MES - DEPOSITORY ACCOUNT	533.50					
1	590847	01/31/15 SCBA REPAIR	533.50		18789	1000 7 420460	230	101000
125109	75250S	4022 MARILYNN FORMAN	523.08					
1	DEC 14	01/31/15 CLEAN CITY SHOP	173.08		19622	6040 910 430220	360	101000
2	DEC 14	01/31/15 CLEAN POLICE DEPT	350.00*		19622	1000 5 420140	350	101000
125110	75251S	288 MILES CITY AREA CHAMBER OF	69.27					
1	01/31/15	NEWSLETTER MAILING: RSVP	69.27*		18473	2985 15 450330	311	101000



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125111	75252S	1737 MC AREA SOLID WASTE DISTRICT		13.00					
1	4541A	01/31/15 ANIMAL DISPOSAL		13.00		19708	1000 21 440600	220	101000
125112	75253S	4074 MJC & MCCA		70.00					
1	4541A	01/31/15 2015 SPRING CLRK CONF		70.00		18077	1000 6 410300	334	101000
125113	75254S	1937 MONTANA AERONAUTICS DIVISION		282.88					
1	3082	01/31/15 TAXI LIGHTS/COUPLINGS		282.88*		162	5610 87 430300	230	101000
125114	75255S	999999 MONTANA COMMUNITY AIRPORT ASSN		50.00					
1	104	01/31/15 MEMBERSHIP DUES		50.00*		177	5610 87 430300	334	101000
125115	75256S	4094 MT DEPT OF AG-AG SCIENCES		7.00					
1		01/31/15 NATIONAL CORE MANUAL		7.00		18890	5310 33 430640	382	101000
125116	75257S	268 MILES CITY SANITATION INC.		193.00					
1	51107970	01/31/15 SANITATION		90.00		163	5610 87 430300	220	101000
2	51108080	01/31/15 SANITATION		60.00		18895	5310 33 430640	346	101000
3	51107974	01/31/15 SANITATION		43.00		19704	1000 5 420140	346	101000
125117	75258S	2865 DEPT OF ENVIRONMENTAL QUALITY		6,958.00					
1	511500024	01/31/15 COMM CONNECTION FEE		6,958.00		19136	5210 362040		101000
125118	75259S	2151 MORRISON & MAIERLE INC		1,167.50					
1	20239	01/31/15 COMPUTER; MDT I.T.		302.50*		19718	1000 5 420140	350	101000
2	20049	01/31/15 MANAGED SERVICES		865.00		18368	2850 105 420140	350	101000
125119	75260S	2221 NEWMAN TRAFFIC SIGNS		1,407.60					
1	270505	01/31/15 SIGNS		1,126.08		19620	2510 107 430220	242	101000
2	270505	01/31/15 SIGNS		281.52		19620	2520 108 430220	242	101000
125120	75261S	333 NORCO INC		263.00					
1	14974643	01/31/15 CHLORINE		263.00		18894	5210 80 430540	222	101000
125121	75262S	2270 NORTHWEST PIPE INC		2,685.58					
1	VARIOUS	01/31/15 REP CLAMP/COMP CPLC/FTNGS		987.35		19062	5210 23 430550	230	101000
2	VARIOUS	01/31/15 REP CLAMP/COMP CPLC/FTNGS		1,698.23*		19053	5210 23 430550	235	102270
125122	75263S	4057 ORION INTERNATIONAL CORP		214.00					
1	1214	01/31/15 CREDIT CHK: PD APPLICANTS		70.00		19721	1000 5 420140	220	101000
2	1214	01/31/15 BACKGROUND CHK: APPLICANTS		72.00		19065	5210 23 430550	350	101000
3	1214	01/31/15 BACKGROUND CHK: APPLICANTS		72.00		19065	5310 31 430630	350	101000

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125123	75264S	999999 PHOTOGRAPHIC SOLUTIONS	15.20					
1	28549	01/31/15 DIGITAL IMAGES ON CD	15.20		15-002	2935 11 460461	210	101000
125124	75265S	2529 RAILROAD MAINAGEMENT CO III, LLC	562.75					
1	315090	01/31/15 7.85" WTR LN ENCROCH	562.75		19059	5210 23 430550	532	101000
125125	75266S	2537 RDO EQUIPMENT CO	369.17					
1	165	01/31/15 FILTERS/PRESSURE S	369.17*		165 17	5610 87 430300	230	101000
6								
125126	75267S	2560 REGAN PLUMBING & HEATING	3,290.00					
1	215-46144	01/31/15 NATURAL GAS FURNACE	3,290.00*		168	5610 87 430300	230	101000
125127	75268S	1193 SANDRA K. PEARCY	19.95					
1		01/31/15 REIMB: BOTTLED WATER	19.95*		18075	1000 6 410300	220	101000
125128	75269S	4039 SCOTT GRAY	81.05					
1		01/31/15 CELL PHONE REIMB	64.84		19628	2510 107 430220	345	101000
2		01/31/15 CELL PHONE REIMB	16.21		19628	2520 108 430220	345	101000
125129	75270S	2740 SHERWIN WILLIAMS	122.77					
1	77551	01/31/15 PAINT SUPP: ANML SHLTR	122.77		19707	1000 21 440600	220	101140
125130	75271S	4013 SOLESTONE REIMB SERVICES	3,271.46					
1	6636	01/31/15 AMBULANCE BILLING	3,271.46		18780	5510 10 420730	350	101000
125131	75272S	2847 STEADMANS ACE HARDWARE	609.90					
1		VARIOUS 01/31/15 R & M MAINTENANCE	581.93*		180	5610 87 430300	230	101000
2		VARIOUS 01/31/15 OIL DRY	27.97		180	5610 87 430300	220	101000
125132	75273S	1780 MILES CITY MOTOR SUPPLY	217.69					
1		VARIOUS 01/31/15 PARTS	217.69*		179	5610 87 430300	230	101000
125133	75274S	2868 TAB ELECTRONICS INC	262.50					
1	52778	01/31/15 RADIO PROGRAMMING	262.50*		19709	1000 5 420140	230	101000
125134	75275S	2914 TOURISM BUSINESS IMPROVEMENT	11,416.00					
1		01/31/15 MONTHLY COLLECTIONS	11,416.00			7370 212500		101000
125135	75276S	2910 TONGUE RIVER ELECTRIC	445.96					
1		SOUTHGATE LIGHTING	401.84			2450 51 430263	341	101000
2		MICROWAGE LIGHT TOWER	44.12		18370	2850 105 420140	341	101000

02/05/15  
15:15:04

CITY OF MILES CITY  
Claim Details  
For the Accounting Period: 1/15

Page: 15 of 17  
Report ID: AP100

\* ... Over spent expenditure

Claim Line #	Check	Invoice #/Inv Date/Description	Vendor #/Name/ Line \$	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
125136	75277S	368 TUMBLEWOOD ENVIRONMENTAL INC.,		2,750.00					
1	198	01/31/15 HEALTH/SANITARIAN SERV		2,750.00		19134	2270 37 440140	350	101000
125137	75278S	4081 ULTRAMAX		2,574.00					
1	149736	434 01/31/15 .223 55: 200 BX;12 GAGE TA		2,574.00*		19726	1000 5 420140	227	101000
		19711							
125138	75279S	3039 UTILITIES UNDERGROUND LOCATION		58.24					
1	4125076	01/31/15 LOCATES		29.12		19060	5210 23 430550	360	101000
2		01/31/15 LOCATES		29.12			5310 31 430630	360	101000
125139	75280S	3290 ZEE MEDICAL SERVICE COMPANY		83.90					
1	016577197	01/31/15 MEDICAL REFILL: PD		83.90		19716	1000 5 420140	220	101000
125140	75281S	4065 ZEIER CONSULTING		1,043.01					
1	1610	01/31/15 PHASE II OF TIF-PROF SERV		871.25		15-001	1000 11 411840	350	101000
2	1610	01/31/15 PHASE II: TIF-PROF SERV:TRVL		171.76		15-001	1000 11 411840	370	101000
			# of Claims	108	Total:	203,581.70			

CITY OF MILES CITY  
Fund Summary for Claims  
For the Accounting Period: 1/18

Fund/Account	Amount
1000 GENERAL	
001000 Cash - Operating	\$44,424.31
001140 Animal Control/donated by Nefsy	\$102.77
2000 LIBRARY	
1,1000 Cash - Operating	\$2,060.05
2000 Health	
001000 Cash - Operating	\$2,750.00
2000 Social Government/Study Commission	
001000 Cash - Operating	\$890.30
2000 BUILDING CODE ENFORCEMENT	
001000 Cash - operating	\$1,719.85
2000 LEGAL FEES-(Gen. City)	
001000 Cash - operating	\$14,440.45
2000 LEGAL FEES- MilesAdda Dist	
001000 Cash - operating	\$2,493.19
2000 LEGAL FEES- Balsam Est	
001000 Cash - operating	\$128.02
2000 LEGAL FEES- Mile-Stev	
001000 Cash - operating	\$1,196.86
2000 LEGAL FEES- (SG-Frick)	
001000 Cash - Operating	\$903.68
2000 LEGAL FEES- (SG-MOUNV)	
001000 Cash - Operating	\$577.77
2000 LEGAL FEES- (Milestown Estates)	
001000 Cash - Operating	\$112.63
2000 STR. MAINT DIST #004	
001000 Cash - Operating	\$11,953.04
2000 STR. MAINT DIST #005	
001000 Cash - Operating	\$2,627.45
2000 Fire Department	
001000 Cash - operating	\$3,195.23
2000 Historic Preservation	
001000 Cash - Operating	\$102.08
2000 RETIRED SENIOR VOLUNTEERS PROG (RSVP)	
001000 Cash - Operating	\$51.75
2000 STATE Non-Federal Cash operating-Custer	
001000 Cash - operating-Fuller	\$2,181.00
001000 Cash - operating-Fuller	\$879.16
2000 WATER UTILITY	
001000 Cash - Operating	\$30,667.61
001000 Cash - Curb Stop Replacement Fee	\$1,797.23
2000 SEWER UTILITY	
001000 Cash - Operating	\$19,219.55
2000 AMBULANCE FUND	
001000 Cash - Operating	\$23,221.22
2000 AIRPORT OPERATING	
001000 Cash - Operating	\$12,440.29
2000 PUBLIC WORKS	
001000 Cash - Operating	\$1,359.25
2000 TRAIL	
001000 Cash - Operating	\$11,416.00
2000 CUSTER TO WATER & SEWER DISTRICT	
001000 Cash - Operating	\$10,771.05

Total: \$203,777.75

