



CITY OF MILES CITY AGENDA

*Regular Council Meeting
City Council Chambers*

*August 11, 2015
7:00 p.m.*

CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

1. **APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES**
 - A. City Council Meeting 7/27/2015
 - B. Human Resource Committee Meeting 7/22/2015
 - C. Finance Committee Meeting 7/22/2015
 - D. Public Safety Committee Meeting 7/27/2015
 - E. Finance Committee Meeting 8/06/2015
2. **SCHEDULE MEETINGS**
Study Commission Meeting 8/20/2015
3. **REQUEST OF CITIZENS & PUBLIC COMMENT**
4. **APPOINTMENTS**
5. **PROCLAMATIONS**
6. **STAFF REPORTS**
7. **CITY COUNCIL COMMENTS**
8. **MAYOR COMMENTS**
MCC/Armory Heavy Equipment & CDL Program- Custer County/Miles City
9. **COMMITTEE RECOMMENDATIONS**
10. **BID OPENINGS**
BID AWARDS
11. **PUBLIC HEARINGS**
 - A. **RESOLUTION NO. 3813: A Resolution Approving the Work Plan and Budget for Fiscal Year 2015-2016 for Business Improvement District No. 101, and Providing for Hearing Thereon**

- B. **RESOLUTION NO 3816: A Resolution Establishing Fees For Copies and Scans**
- C. **RESOLUTION NO. 3818: 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 # 2372-020-521000-820 to Provide Funding for Transfer to General Fund Expenses Related to Permissive Levy Fund**
- D. **ORDINANCE NO., 1297: An Ordinance Changing the Zoning of Lots 11 and 12 in Block 4 of the Clark Addition to the City of Miles City, Montana, From General Commercial Zone to /Residential “A” Zone, and Providing for a Hearing Thereon**
- E. **ORDINANCE NO. 1298: An Ordinance Enacting Section 16-42 and Revising Sections 16-43 and 16-45 of the Code of Ordinances of the City of Miles City, Montana, so as to Establish a Definition of the Word “Firearm” as Used in the City Code**

12. UNFINISHED BUSINESS

- A. **RESOLUTION NO. 3813: *(Second Reading)* A Resolution Approving the Work Plan and Budget for Fiscal Year 2015-2016 for Business Improvement District No. 101, and Providing for Hearing Thereon**
- B. **RESOLUTION NO 3816: *(Second Reading)* A Resolution Establishing Fees For Copies and Scans**
- C. **RESOLUTION NO. 3818: *(Second Reading)* A Resolution Pursuant to 7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2014-2015 to Increase the Budgeted Amount in Fund # 2372-020-521000-820 to Provide Funding for Transfer to General Fund Expenses Related to Permissive Levy Fund**
- D. **ORDINANCE NO., 1297: *(Second Reading)* An Ordinance Changing the Zoning of Lots 11 and 12 in Block 4 of the Clark Addition to the City of Miles City, Montana, From General Commercial Zone to /Residential “A” Zone, and Providing for a Hearing Thereon**
- E. **ORDINANCE NO. 1298: *(Second Reading)* An Ordinance Enacting Section 16-42 and Revising Sections 16-43 and 16-45 of the Code of Ordinances of the City of Miles City, Montana, so as to Establish a Definition of the Word “Firearm” as Used in the City Code**

13. NEW BUSINESS

- A. **COUNCIL HEARING: Request for pay increase from Samantha Malenovsky**
- B. **RESOLUTION NO. 3821: *(First Reading)* A Resolution Pursuant to 2-9-212 of The Montana Code Annotated, Authorizing A Permissive Medical Levy for FY 2015-2016 to Fund Group Health Insurance Premium Contributions by The City and Providing For Hearing Thereon**
- C. **RESOLUTION NO. 3822: *(First Reading)* A Resolution Pursuant to 15-10-203 of The Montana Code Annotated, Authorizing The Budgeting of an Increased Amount of Ad Valorem Tax Revenues in FY 2015-2016 in Excess of The Property Tax Revenues For The Prior Fiscal Year and Providing for Hearing Thereon**
- D. **RESOLUTION NO. 3823: *(First Reading)* A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 165 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**
- E. **RESOLUTION NO. 3824: *(First Reading)* A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 167 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**
- F. **RESOLUTION NO. 3825: *(First Reading)* A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 171 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**
- G. **RESOLUTION NO. 3826: *(First Reading)* A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 172 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**
- H. **RESOLUTION NO. 3827: *(First Reading)* A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 195 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**
- I. **RESOLUTION NO. 3828: *(First Reading)* A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 202 to**

Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016

- J. **RESOLUTION NO. 3829: *(First Reading)* A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 173 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2015-2016**

- K. **RESOLUTION NO. 3830: *(First Reading)* A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 204 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 204 for the Fiscal Year 2015-2016**

- L. **RESOLUTION NO. 3831: *(First Reading)* A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 205 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 205 for the Fiscal Year 2015-2016**

- M. **RESOLUTION NO. 3832: *(First Reading)* A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 207 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 207 for the Fiscal Year 2015-2016**

- N. **RESOLUTION NO. 3835: A Resolution Creating a Special Improvement District Revolving Fund in Order to Secure Prompt Payment of Special Improvement District Bonds or Warrants**

- O. **APPROVAL OF JULY CLAIMS**

- P. **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 July 27 2015

7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Monday, July 27, 2015, in the City Hall Conference Room at City Hall, 17 S. 8th Street, Miles City, Montana. Mayor C. A. Grenz called the meeting to order. Council Members present were Mark Ahner, Ken Gardner, Jerry Partridge, Dwayne Andrews, Susanne Galbraith, John Hollowell and Roxanna Brush. Councilperson Sheena Martin was excused.

Also present were City Attorney Dan Rice, Fire Chief Gary Warren, Police Chief Doug Colombik, Public Utilities Director Allen Kelm, and City Clerk/Minute Recorder Lorrie Pearce.

PLEDGE OF ALLEGIANCE

Mayor Grenz led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

City Council Minutes: 7/14/2015

- ** *Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of July 14, 2015, and seconded by Councilperson Brush. The motion passed by unanimous consent, 7-0.*

Human Resource Committee Meeting: 6/22/15

- ** *Councilperson Gardner moved to approve the minutes of the Human Resource Committee Meeting of June 22, 2015, and seconded by Councilperson Brush. The motion passed by unanimous consent, 7-0.*

Finance Committee Meeting: 7/9/15

- ** *Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting of July 9, 2015, and seconded by Councilperson Andrews. The motion passed by unanimous consent, 7-0.*

SCHEDULE MEETINGS

None

REQUEST OF CITIZENS & PUBLIC COMMENT

Citizen and property owner Dorothy Willems reported to the Council that a variance had been approved for several years for 1808 North Strevell to block the

street off during the 4th of July. She said that it had gotten out of hand this year, with several hundreds of dollars of fireworks being ignited. She said that a huge mess was left in the street consisting of fireworks and beer cans. Also, her renter is autistic and the fireworks really bother her. She asked the City to consider denying the variance next year.

Director Kelm said that he will forward the situation to Director Gray.

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Allen Kelm: Reported that the City is enforcing the Americans with Disabilities Act. Any construction completed will have new storm barrels installed, fire hydrants replaced, along with the installation of ADA corners. He added that the ADA corners will cost \$4000 to \$6000 each.

Gary Warren: Reported that half of the Fire Department is in Hazardous Material Training and will be certified by the Billings Hazardous Material Team.

CITY COUNCIL COMMENTS

None

MAYOR COMMENTS

None

STANDING COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

- A. RESOLUTION NO. 3815: A Resolution Approving the Conveyance of Certain Vacated Property Via Quitclaim Deed to Jerry D. Doedon**

****** *Councilperson Galbraith moved to pass the Resolution by title only, seconded*

by Councilperson Gardner and on roll call vote passed unanimously 7-0
Resolution No. 3815 passed.

B. RESOLUTION NO. 3816: (First Reading) A Resolution Establishing Fees For Copies and Scans

** *Councilperson Galbraith moved to approve the Resolution, by title only. The motion was seconded by Councilperson Gardner. After a brief discussion, on roll call vote the Resolution passed unanimously 7-0.*

C. RESOLUTION NO. 3795: (First Reading) A Resolution of Intent and Final Resolution Levying an Assessment Upon Benefitted Property in the City of Miles City, Montana, Special Improvement District 211, to Defray the Cost of the paving of Arrowhead Lane

** *Councilperson Galbraith moved to approve the Resolution, by title only. The motion was seconded by Councilperson Hollowell.*

Councilperson Ahner thought that on page 2, section 5 the second sentence should possibly say “assessing” instead of assessment. Also on page 2, section 6, first sentence should possibly say “stating” instead of starting. He also noticed that Exhibit B was missing.

** *Councilperson Ahner moved to amend the Resolution to the proper wording and include Exhibit B seconded by Councilperson Brush and on roll call vote passed unanimously 7-0*

** *On roll call vote, Councilperson Galbraith’s original motion passed unanimously 7-0*

D. RESOLUTION NO. 3817: A Resolution Approving an Interlocal Agreement Between the City of Miles City and the County of Custer to Cooperate in the Provision of Health Services

** *Councilperson Brush moved to approve the Resolution, by title only. The motion was seconded by Councilperson Gardner.*

Councilperson Hollowell wondered why the Council was presented the resolution.

Mayor Grenz said that the combination of the City and County Board it would handle environmental issues

Councilperson Brush said that the City residents are paying for both the County Health Board and the City Health Board. The County and City

are using the same sanitation so it would be logical to combine the two boards and make an attempt to work together.

*** On roll call vote, the motion passed unanimously 7-0.*

Resolution No. 3817 passed

E. RESOLUTION NO. 3818: (First Reading) A Resolution Pursuant to 7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2014-2015 to Increase the Budgeted Amount in Fund # 2372-020-521000-820 to Provide Funding for Transfer to General Fund Expenses Related to Permissive Levy Fund

*** Councilperson Gardner moved to approve the Resolution, by title only. The motion was seconded by Councilperson Galbraith and on roll call vote, passed unanimously 7-0. Resolution was referred to Finance Committee*

F. RESOLUTION NO. 3834: A Resolution Approving an Amended Collective Bargaining Agreement Between the City of Miles City and the Local 600 Fire Fighters Union

*** Councilperson Brush moved to approve the Resolution, by title only. The motion was seconded by Councilperson Gardner and on roll call vote, passed unanimously 7-0.*

G. APPROVAL OF JUNE CLAIMS

*** Councilperson Galbraith moved to approve the June claims. The motion was seconded by Councilperson Andrews, and passed unanimously 7-0.*

ADJOURNMENT

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

The meeting was adjourned at 7:45 p.m.

C. A. Grenz, Mayor

Lorrie Pearce, City Clerk

Human Resources Committee
July 22, 2015

The **Human Resources Committee** met Wednesday, July 22, 2015, at 6:00 p.m. in the Conference Room at City Hall. Present were Chairperson Roxanna Brush, Committee Members Mark Ahner and Ken Gardner. Also present was Lieutenant Justin Russell, Captain Ryan Smith, and HR/Payroll Officer/Committee Recorder Billie Burkhalter-Lockie. Committee Member Sheena Martin was excused.

Committee Chairperson Brush called the meeting to order

1. REVIEW AND RECOMMENDATION OF LOCAL 600 CBA REVISIONS

*** Committee Member Ahner moved to recommend to City Council to approve the Local CBA Revisions as presented. The motion was seconded by Committee Member Gardner.*

There was discussion concerning how the contract would affect the employees in the fire department. After further discussion, Committee Member Ahner stated he thought the added language was a good idea.

*** On original motion and on roll call vote, motion passed unanimously.*

2. REQUEST OF CITIZENS:

-None.

3. COMMITTEE MEMBER COMMENTS:

-None.

4. ADJOURNMENT:

*** Committee Member Ahner moved to adjourn the meeting. The motion was seconded by Committee Member Gardner and passed.*

The meeting was adjourned at 6:20 p.m.

Respectfully submitted,

Billie D. Burkhalter-Lockie

Chairperson Roxanna Brush

Finance Committee Meeting July 22, 2015

The Finance Committee met Wednesday, July 22, 2015, at 6:00 p.m. in the City Hall Conference Room. Present were Committee Chairperson Susanne Galbraith and Committee Members Dwayne Andrews, and John Hollowell. Committee Member Sheena Martin was excused.

Also present was Fire Chief Gary Warren.

Committee Chairperson Galbraith called the meeting to order.

1. Request of Citizens:

None

2. Review and Recommendation Resolution No 3816: A Resolution Establishing Fees

For Copies and Scans

*** Committee member Hollowell moved to recommend to Council to approve the Resolution, seconded by Chairperson Galbraith.*

Committee Member Andrews thought the .50 was a little high.

Clerk Pearce explained that in 1995 the Finance Committee moved to raise the cost of copies from .25 to .50. It's to cover the cost of leasing the machine, maintenance, and administrative fees.

*** The motion passed 3-0*

3. Review and Recommendation on Ordinance No. 1297: An Ordinance changing the zoning of lots 11 and 12 of the Clark Addition to the City of Miles City, Montana from General Commercial Zone to Residential A Zone and Providing a Hearing Thereon.

*** Committee member Hollowell moved to recommend to Council to approve the Ordinance, seconded by Chairperson Andrews. The motion passed 3-0*

4. Fiscal Year 2015/2016 Budget Discussion

There was a short discussion on changes to the budget.

5. Adjournment

****** *Committee member Andrews moved to adjourn the meeting, seconded by Committee Member Galbraith and passed unanimously, 3-0.*

The meeting was adjourned at 6:11 p.m.

Chairperson Susanne Galbraith

Recorder Lorrie Pearce

Public Safety Committee Meeting

July 27, 2015

6:00 p.m.

Chairperson Ahner opened the meeting with all members present. Mayor Grenz and Chief of Police, Doug Colombik were also present.

1. Review of Ordinance #1298: An Ordinance Enacting Section 16-42 and Revising Sections 16-43 and 16-45 of the Code of Ordinances of the City of Miles City, Montana, So as the Establish a Definition of the Word "Firearm" as Used in the City Code.

*** Committee member Galbraith moved to approve ordinance #1298. Committee member Brush seconded the motion.*

Committee Chair Ahner noted that the copy of the Ordinance in our packet, under Section 2, Sec. 16-43.- Discharge of firearms, sub (a) shot should be changed to shoot. There was a short discussion.

*** Original motion passed unanimously, 4-0*

2. Requests of Citizens- None

*** Committee member Galbraith moved to adjourn the meeting seconded by Committee member Brush and passed unanimously, 4-0.*

Chairperson Mark Ahner

Recorder Roxanna Brush

Finance Committee Meeting August 6, 2015

The Finance Committee met Thursday, August 6th, 2015, at 6:00 p.m. in the City Hall Conference Room. Present were Committee Chairperson Susanne Galbraith and Committee Members Dwayne Andrews and John Hollowell. Committee Member Sheena Martin was excused.

Also present were Fire Chief Gary Warren, and Committee Recorder/City Clerk Lorrie Pearce.

Committee Chairperson Galbraith called the meeting to order.

1. REQUEST OF CITIZENS:

-None.

2. DISCUSSION OF AMBULANCE BILL

The client explained that he thought the Ambulance bill was too high for his ride to the Glendive Medical Center. He said that Blue Cross Blue Shield and Medicare denied paying for the bill because it was a non-emergency situation. After a brief discussion, it was decided to set his payments at \$20.00 a month and the client would try to work with his insurance company to pay the bill.

****** *Committee Chairperson Galbraith moved to set the clients payments at \$20.00 a month. The motion was seconded by Committee Member Hollowell and, on roll call vote, passed unanimously, 3-0.*

3. *RESOLUTION NO. 3795: A RESOLUTION OF INTENT AND FINAL RESOLUTION LEVYING AN ASSESSMENT UPON BENEFITTED PROPERTY IN THE CITY OF MILES CITY, MONTANA, SPECIAL IMPROVEMENT DISTRICT 211, TO DEFRAY THE COST OF THE PAVING OF ARROWHEAD LANE*

****** *Committee Member Hollowell moved to change Section 3 as suggested by Attorney Rice and with the change to recommend to Council to approve Resolution No 3795. The motion was seconded by Committee Member Galbraith.*

Committee Member Hollowell read Attorney Rice's correction to Resolution No. 3795.

Section 3. FINANCING. The City has obtained financing through the Montana Intercap Loan Fund at a variable interest rate, with the present annual interest rate being 1.25%. The principle amount of the assessment, together with interest to accrue thereon ~~over said term at the average interest rate of the loan plus 1% pursuant to MCA 7-12-~~

4189 (a) and (c), is the basis for the assessment of each lot. at an annual rate equal to 1% plus the interest rate payable on the outstanding bonds or warrants, plus an additional 1%, pursuant to MCA 7-12-4189 (3) (a), (b) and (c), is the basis for the assessment of each lot.

Clerk Pearce explained that Arrowhead Lane property owners will be paying on a 3.25% loan. And the City had to borrow and extra \$2,834 that will be held in a debt service fund until the loan is paid off. Once the loan is paid off the money will be transferred into the General Fund.

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

4. ADJOURNMENT

** *Committee Member Andrews moved to adjourn the meeting, seconded by Committee Chairperson Hollowell and passed unanimously, 3-0.*

The meeting was adjourned at 6:15 p.m.

Susanne Galbraith, Chairperson

**Lorrie Pearce
Recorder/City Clerk**

Public Hearing

RESOLUTION NO. 3813

A RESOLUTION APPROVING THE WORK PLAN AND BUDGET FOR FISCAL YEAR 2015-2016 FOR TOURISM BUSINESS IMPROVEMENT DISTRICT NO. 101, AND PROVIDING FOR HEARING THEREON

WHEREAS, the City of Miles City by Ordinance 1202 established Business Improvement District No. 101;

AND WHEREAS, §7-12-1132 MCA requires the trustees of such business improvement district to annually submit to the City Council of the City of Miles City, for its approval, a work plan and proposed budget for the ensuing fiscal year;

AND WHEREAS, on June 12, 2015, the trustees of said District did submit to the City Council their proposed work plan for FY 2015-2016;

AND WHEREAS, the City Council has considered and approves of such work plan and proposed budget, and desires to finally approve the same, following a public hearing as required by §7-12-1132(3) MCA

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

Upon hearing and full consideration, the City Council of the City of Miles City hereby approves the work plan and proposed budget of Business Improvement District No. 101 for FY 2015-2016, attached hereto as Exhibit "A" and made a part hereof.

BE IT FURTHER RESOLVED that pursuant to §7-12-1132(3) MCA, a public hearing shall be held on the above proposed approval on the 11th day of August, 2015, at 7:00 p.m. in the Council Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §15-10-203 MCA, at least 2 times with at least 6 days separating each publication. Such publication shall be placed in a portion of the newspaper other than that portion utilized for legal and classified advertisements.

**SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 14TH
DAY OF JULY, 2015.**

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY,
MONTANA, THIS 11TH DAY OF AUGUST, 2015.**

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

Exhibit "A"

In accordance with City of Miles City Ordinance No. 1202 this is the Marketing Plan for FY 15/16 using a July 1, 2015 through June 30, 2016 fiscal year.

Formulas: By using a conservative number of Rooms within the district (502) and a occupancy rate of (50% annually) it calculated to \$91,615.00. As has been the practice of all previous TBID's formed in Montana a customary fee of \$1.00 per room night is being used for these calculations. This yields a marketing budget of \$91,615.00 for this fiscal year.

Using the last three years of bed tax collections as a basis for dividing the funds into a quarterly budget base it percentages out as follows: 1st Quarter 36%, 2nd Quarter 21%, 3rd Quarter 15%, and 4th Quarter 28%.

1st Quarter: \$32,984.00

2nd Quarter: \$19,236.50

3rd Quarter: \$13,732.50

4th Quarter: \$25,662.00

Total \$91,615.00

EVENT ADVERTISING	\$40,000.00
MARKETING EXPENSE	\$21,500.00
PRINT ADVERTISING	\$8,500.00
RADIO ADVERTISING	\$5,000.00
SPORTING EVENTS	\$8,500.00
TRAVEL	\$1,115.00
RECRUITMENT	\$5,000.00
INSURANCE	\$2,000.00
OPPORTUNITY	\$13,083.55
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	\$104,698.55

RESOLUTION NO. 3816

A RESOLUTION ESTABLISHING FEES FOR COPIES AND SCANS.

WHEREAS, the City of Miles City from time to time provides copies and scans documents for members of the public upon request;

AND WHEREAS, in order to recoup the materials and administration expenses to the City for providing such services, the City Council of the City of Miles City proposes that the fees set forth herein are reasonable and appropriate and should be adopted;

AND WHEREAS, Section 7-6-4013 MCA requires a public hearing prior to the establishment and final adoption of such fees;

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

1. The following fees for the following services are hereby adopted:

Prices for copies

(Large-36x24 or larger)

Zoning map (lots of color)-----\$25.00

Plain & Address maps (little to no color)-----\$15.00

(Medium-larger than 11x17 & smaller than 36x24)

Zoning map (lots of color)-----\$20.00

Plain & Address maps (little to no color)-----\$10.00

(Small-11x17 or smaller)

Zoning map (lots of color)-----\$10.00

Plain & Address maps (little to no color)-----\$5.00

Copies per page of Ordinances, resolutions, policies, and other office documents (letter sized)

\$0.50 for black and white

\$1.00 for color

(Double sided is equivalent to 2 pages)

Scanning of documents: \$5.00 per page any size

BE IT FURTHER RESOLVED that a public hearing shall be held on the establishment of the above fees on the 11th day of August, 2015 at 7:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4128 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 27th DAY OF JULY, 2015.

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 11th DAY OF AUGUST, 2015.

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 3818

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 # 2372-020-521000-820 TO PROVIDE FUNDING FOR TRANSFER TO GENERAL FUND EXPENSES RELATED TO PERMISSIVE LEVY FUND

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

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

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

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

The appropriations for the Final Budget for Fiscal Year 2014-2015 for Permissive Levy Fund No. 2372 shall be increased in the following amount:

Fund No. 2372-020-521000-820 (Permissive Levy Fund No. 2372, (Transfer to General Fund), in the sum of \$5,107.98.

The following budget transfer is hereby authorized:

A transfer to Fund No. 1000-383000 (General Fund No. 1000 (Transfer In) from Fund No. 2372-020-521000-820 (Permissive Levy Fund No. 2372) in the sum or \$5,107.98

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2014-2015 on the 11th day of August, 2015, at 7:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4128 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 27TH DAY OF JULY, 2015.

C. A. GRENZ, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES
CITY, MONTANA, THIS 11TH DAY OF AUGUST, 2015.

C. A. GRENZ, Mayor

ATTEST:

Lorrie Pearce, City Clerk

ORDINANCE NO. 1297

AN ORDINANCE CHANGING THE ZONING OF LOTS 11 AND 12 IN BLOCK 4 OF THE CLARK ADDITION TO THE CITY OF MILES CITY, MONTANA, FROM GENERAL COMMERCIAL ZONE TO RESIDENTIAL "A" ZONE, AND PROVIDING FOR A HEARING THEREON.

WHEREAS, the owners of the below described real property, Casey Lapp and Beth Lapp, have made application for the property to be rezoned from General Commercial District (GC) zone to Residential A (RA) 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 June 25, 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 General Commercial District (GC) zone to Residential A (RA) zone, to wit:

Lots 11 and 12 in Block 4 of the Clark Addition to the City of Miles City, 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 11th day of August, 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 14th day of July, 2015.

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this 11th day of August, 2015.

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

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

June 26, 2015

Mayor Grenz and City Council,

RE: Proposed re-zone for 200 North Lake Avenue (Clark Addt., Blk 4, Lots 11 & 12)

The Miles City Zoning Commission conducted its public hearing on June 25, 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 from General Commercial (GC) to Residential "A".

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

Respectfully,

A handwritten signature in cursive script that reads "LeRoy S. Meidinger". The signature is written in black ink and is positioned above the typed name of the signatory.

LeRoy Meidinger, Chair
Zoning Commission



PETITION FOR ZONE CHANGE

Community Services & Planning

City of Miles City 17 S. 8th Street, P.O Box 910 Miles City, MT 59301 406-234-3493

Date Received: 5-26-15
(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, Bern Lapp (Signature) is/are petitioning the City of Miles City to rezone the following property:

LEGAL DESCRIPTION OF PROPERTY:

Street Address or General Location 200 N. Lake

Tract/s _____ in Section _____ Township _____ Range _____
Clark Addt; B1K 4; Lots 11 + 12

OR

Lot/Tract/s _____ of ~~_____~~ (Subdivision Name) in Section _____ Township _____ Range _____

Assessor Number/s or Geocode _____

PRIMARY CONTACT:

Applicant Name: Casey Lapp / Bern Lapp (Please print) If a business: _____ Contact Name _____ (Please print)

Address: 200 North Lake Ave.

Phone: _____ Cell Phone: 853-0762 Email: bern.lapp@hotmail.com
853-3269

DESCRIPTIVE DATA:

Total area in acres: 0

Existing Zoning: Gen. Comm. Proposed Zoning: Residential "A"

Existing Use: Residential

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: Selling home

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

Miles City Zoning Committee

Staff Report

June 25, 2015

Zone Change Request

Beth Lapp has requested a change in the zoning designation of her property from General Commercial to Residential A, which is located in the Clark Addition. The proposed zone change would make it possible to sell the home. Surrounding land uses include General Commercial to the Southwest and North and Residential to the South and East 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 residential designation would result in allowing this property to be sold. 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 South of the property which would help with fire protection. The property is assessable by Valley Drive East to the north of the property, Palmer St. to the south of the property, and N. Lake to the West 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. Therefore, the proposed zone change will have some impact on public health, safety or general welfare. The proposed zone change will provide more residential property for this area, 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 three streets. Pedestrian traffic is available by a sidewalk to the south 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 similar in size of a residential lot 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 a state highway, and 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 Southwest and North is General Commercial, and zoning to the South and East is Residential. This is an area with a mixture of General Commercial and Residential nearby. Changing the zoning to Residential A will allow for the property to be sold as residential and would therefore promote compatible urban growth. The proposed land use is for the property to be sold as Residential A to allow it to be sold as a residence.

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 Residential A 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.

RE-ZONE
200 North Lake
Property Owner List
for
Casey and Beth Lapp

Casey & Beth Lapp
200 N. Lake
Miles City, MT 59301

600 Café
600 Main Street
Miles City, MT 59301

Carla King
210 N. Lake
Miles City, MT 59301

Montameda Properties, LLC
1820 Valley Dr. East
Miles City, MT 59301

Michael Dishon
211 N. Custer
Miles City, MT 59301

Lynne & Jerry Lufborough
PO Box 1035
Miles City, MT 59301

Sigrid Laird
203 N. Custer
Miles City, MT 59301

Larry Bennett
118 N. Lake
Miles City, MT 59301

Brett & Keely Dodd
110 N. Lake
Miles City, MT 59301

Kathy Groh
108 N. Lake
Miles City, MT 59301

Karina Soucy
119 N. Custer
Miles City, MT 59301

Alan & Colleen Schock
619 S. Center
Miles City, MT 59301

Richard Schieffert
PO Box 417
Miles City, MT 59301

Jerome & Billie Struck
210 N. Cottage
Miles City, MT 59301

Sidney & Nancy Reynolds
RR 1, Box 2296
Miles City, MT 59301

Roberta Jones
202 N. Custer
Miles City, MT 59301

Wm. & Ashley Hubbell
206 N. Custer
Miles City, MT 59301

Glenn Zimmer
120 N. Custer
Miles City, MT 59301

6/29/15

From: Casey Lapp

200 North Lake Ave, Miles City, MT 59301

To: Lorrie Pearce

City Clerk, Miles City, MT 59301

Dear Lorrie Pearce of the City Clerk's office:

I am writing in regards to the rezone applicatoin for my residence at 200 North Lake Ave in Miles City, MT 59301. My wife Beth Lapp has filled out the application with both of our names but my name did not appear on the request according to an email from Dan Rice.

I am requesting the rezone of 200 North Lake Ave from commercial to Residential A.

If you have any questions please feel free to call me at (406) 853-3269 or my wife Beth Lapp can be reached at (406) 853-0762 as I am unavailable during the daytime.

Sincerely,

A handwritten signature in black ink, appearing to read 'Casey Lapp', written in a cursive style.

Casey Lapp

Homeowner of 200 North Lake Ave.

ORDINANCE NO. 1298

AN ORDINANCE ENACTING SECTION 16-42 AND REVISING SECTIONS 16-43 AND 16-45 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY, MONTANA, SO AS TO ESTABLISH A DEFINITION OF THE WORD "FIREARM" AS USED IN THE CITY CODE.

Pursuant to the authority granted under § 45-8-351(2)(a), the City Council of the City of Miles City has previously enacted ordinances to regulate the discharge of rifles, shotguns and handguns, and the concealed carry of certain weapons on certain public property. Said ordinances are inconsistent as to the definition of "firearms," and as such, the City Council desires to adopt a definition for the same, to ensure consistency in the Code of Ordinances. Further, the City Council desires to clarify the carrying of weapons in City Parks with regards to concealed weapons permit holders.

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

Section 1. There is hereby enacted a Section 16-42, entitled "Firearms – definition."

"Sec. 16-42. – Firearms - definition.

- (a) Whenever used in the Code of Ordinances of the City of Miles City, Montana, the word "Firearm" shall include the following:
- (1) Any small arms weapon, including, but not limited to a rifle, shotgun, pistol, or revolver, which fires a projectile which is propelled by gunpowder;
 - (2) Any bb gun or pellet gun, with the exception of toy type guns which shoot non-metallic projectiles at a velocity which is not great enough to penetrate human skin."

Section 2. Section 16-43(a) and 16-43(b) shall be amended to read as follows:

"Sec. 16-43. – Discharge of firearms.

- (a) It shall be unlawful for any person to willfully shoot or fire off a firearm within the limits of the city.
- (b) It shall be unlawful for any person to willfully discharge a firearm upon any city-owned or city leased property within three miles beyond the city limits of the City of Miles City, including, but not limited to, Spotted Eagle Recreation Area, Frank Wiley Field, the city wastewater treatment plant and adjoining former lagoon area,

the city water treatment plant property and pumping plant park, and the industrial site west of the city limits. This prohibition shall not apply to authorized users of the Miles City Police Department pistol range adjacent to the city water treatment plant, nor to shotgun users of the trap shooting range at Spotted Eagle Recreation Area during daylight hours. The following hunting exceptions apply: with permission obtained 24 hours in advance from the airport manager or the waste water plant manager/operator, archery for big game hunting; shotgun and archery hunting of upland game birds, spring turkey and waterfowl on city-owned property which is fenced outside of the runways at the airport, and hunting access is also allowed at the wastewater plant, providing hunting access to the river.

Section 3. Section 16-45(a) shall be amended to read as follows:

“Sec. 16-45. – Carrying weapon in prohibited place.

(a) It is unlawful for any person to purposely or knowingly carry, concealed or unconcealed, any dirk, dagger, firearm, slingshot, sword, sword cane, billy knuckles made of any metal or hard surface, knife having a blade four inches long or longer, razor, not including a safety razor, or other deadly weapon in the following places:

- (1) In a publicly owned building within the city limits;
- (2) In a park within the city, unless such person has a concealed weapon permit (CWP) valid in the State of Montana, in which case they may carry the same in a concealed fashion;
- (3) In a school within the city limits.

Section 4. This Ordinance shall become effective thirty (30) days after its final passage.

Said Ordinance read and put on its passage this 14th day of July, 2015.

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this 11th day of August, 2015.

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

Unfinished Business

Same as Public Hearing

New Business

FELT, MARTIN, FRAZIER & WELDON, P.C.
ATTORNEYS AT LAW

LAURENCE R. MARTIN
KENNETH S. FRAZIER
JEFFREY A. WELDON
MARY E. DUNCAN
MARTIN S. SMITH
BURT N. HURWITZ
RYAN P. BROWNE

208 North Broadway, Suite 313
P. O. Box 2558
Billings, Montana 59103-2558

Telephone: 406-248-7646
Facsimile: 406-248-5485
Cell: 406-670-1439
Email: jweldon@feltmartinlaw.com

JAMES R. FELT (1920-1993)
RANDOLPH JACOBS, JR. (Of Counsel)

April 28, 2015

C. A. Grenz, Mayor
City of Miles City
P.O. Box 910
Miles City, MT 59301-0910

Via E-mail and U.S. Mail

RE: Salary Adjustment Requests

Dear Mayor Grenz:

This follows our recent conversation and your request from me to follow up with respect to the requests by Billie Burkhalter and Samantha Malenovsky to have their wages reviewed for fiscal year 2015-2016 with reference to the Letter of Agreement of 2012. I reviewed the information in my file and discussed the issues with Chief Colombik.

The Letter of Agreement, as we have discussed previously, is not, in my view, a model of careful draftsmanship. However, I think it is clear with respect to responding to the requests from Ms. Burkhalter and Ms. Malenovsky.

Section B.2.b. provides that the members of the Wage and Benefit Committee who represented the various employee groups shall annually meet with the "City" to determine for each position how the provisions of Section B.2.a. should apply for the upcoming fiscal year with respect to any wage adjustment. I understand that Ms. Burkhalter and Ms. Malenovsky would like that Committee to conduct the review and make a recommendation to the Finance Committee.

I believe their request is not required or appropriate under the provisions of the Letter of Agreement. First, as I understand it, the Committee has been disbanded. It was not a permanent standing committee of the City and no longer functions. The Wage and Benefit Committee may, however, have to be reconstituted, but in the future, to comply with the provisions of Section B.2.c. to commission another wage and benefit study "not later than April 30, 2017." In addition, the Letter of Agreement only provides that the annual meeting be with the "City" but does not specify any particular committee for such meeting. As a result, the appropriate committee would

C.A. Grenz, Mayor
April 28, 2015
Page 2


be the committee which has the authority to make recommendations concerning wage adjustments. I understand that to be the Human Resources Committee as presently constituted.

Any wage adjustments which should occur pursuant to the Letter of Agreement are, according to the language of the Letter of Agreement, based on the base wages established by the MSU wage study. Neither Ms. Burkhalter's position nor Ms. Malenovsky's position had base wages established by the study because of the uniqueness of their positions which prevented an appropriate comparison for purposes of the study. Thus, there is no base wage established by the study upon which to apply the language of Section 2.B.2.a of the Letter of Agreement for purposes of a wage adjustment.

Unless any of the facts recited above are incorrect, it would appear that Ms. Burkhalter and Ms. Malenovsky should present any request for a wage adjustment to the Human Resources Committee who would then act upon it in accordance with its regular and usual practice and procedure.

Please let me know if you have any questions about the above. If there are additional facts and issues which I have not covered, I would be happy to review them and incorporate them into an additional letter.

Sincerely yours,



Laurence R. Martin

LRM/ct

cc: Dan Rice
Chief Colombik

RESOLUTION NO. 3821

A RESOLUTION PURSUANT TO §2-9-212 OF THE MONTANA CODE ANNOTATED, AUTHORIZING A PERMISSIVE MEDICAL LEVY FOR FY 2015-2016 TO FUND GROUP HEALTH INSURANCE PREMIUM CONTRIBUTIONS BY THE CITY AND PROVIDING FOR HEARING THEREON

WHEREAS, the City of Miles City contributes funds for employee group health insurance premiums;

AND WHEREAS, §2-9-212 MCA permits the City of Miles City to levy an annual property tax, designated "Permissive Medical Levy," to fund the payment of such health insurance premiums in the amount in excess of the base contribution as determined under §2-18-703(4)(c) MCA for group benefits under §2-18-703 MCA;

AND WHEREAS, such levy is not subject to the mill levy limitation set forth in §15-10-420 MCA;

AND WHEREAS, the City of Miles City desires to levy such property tax for Fiscal Year 2015-2016;

AND WHEREAS, the provisions of §2-9-212(2)(b) MCA require public hearing upon any increase in such permissive medical levy prior to implementing such levy;

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

That a property tax levy of 19.31 mills be imposed, pursuant to §2-9-212 MCA, for the purposes of funding the premium for group health insurance for Fiscal Year 2015-2016.

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed levy on the 25th day of August, 2015, at 7:00 p.m. in the City Hall Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4127 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 11th DAY OF AUGUST, 2015.

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY,
MONTANA, THIS 25th DAY OF AUGUST, 2015.**

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 3822

A RESOLUTION PURSUANT TO §15-10-203 OF THE MONTANA CODE ANNOTATED, AUTHORIZING THE BUDGETING OF AN INCREASED AMOUNT OF AD VALOREM TAX REVENUES IN FY 2015-2016 IN EXCESS OF THE PROPERTY TAX REVENUES FOR THE PRIOR FISCAL YEAR AND PROVIDING FOR HEARING THEREON

WHEREAS, the City Council of the City of Miles City, Montana intends to budget for real and personal property tax revenues for Fiscal Year 2015-2016 in excess of the property tax revenues for Fiscal Year 2014-2015, exclusive of taxes on properties appearing for the first time on the property tax records;

AND WHEREAS, §15-10-203 MCA requires the adoption of a resolution of the City Council authorizing such action;

AND WHEREAS, pursuant to §15-10-203 MCA, published notice and public hearing is required prior to adoption of this resolution;

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

It hereby authorizes the budgeting of real and personal property tax revenues for FY 2015-2016 in excess of the real and personal property tax revenues for FY 2014-2015.

BE IT FURTHER RESOLVED that pursuant to §15-10-203 MCA, a public hearing shall be held on the above proposed levy on the 25th day of August, 2015, at 7:00 p.m. in the City Hall Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §15-10-203 MCA and §7-1-4127 MCA, at least 2 times with at least 6 days separating each publication. Such publication shall be placed in a portion of the newspaper other than that portion utilized for legal and classified advertisements.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 11th DAY OF AUGUST, 2015.

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY,
MONTANA, THIS 25th DAY OF AUGUST, 2015.**

C.A. Grenz, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 3823

A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 165 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2015-2016

WHEREAS, the City Council for the City of Miles City, Montana did, on the 25th of February, 1968, create a special improvement district in said City, known and designated as Special Improvement Lighting District No. 165; and,

WHEREAS, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2015-2016 is estimated by the City Council at the sum of \$168,594 and,

WHEREAS, the property in said Special Improvement Lighting District No. 165 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2015-2016 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 165.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MILES CITY, MONTANA, THAT:

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 165, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 165 amounting to 0.005611 per square foot;

Section 2: A description of each lot or parcel of land, the total square footage of property contained therein, the name of the owner and the amount assessed against each lot or parcel of land in Special Improvement Lighting District 165, is attached hereto as Exhibit "A" and made a part hereof, and shall, upon passage, be kept on file in the City Clerk's Office.

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 25th day of August, 2015, at 7:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

Section 4: The City Clerk is hereby authorized and directed to publish in a newspaper of general circulation within the City of Miles City, in the manner provided for in 7-1-4127 MCA, a

notice stating that the resolution levying the special assessment to defray the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for Special Improvement Lighting District No. 165 is on file at City Hall and subject to inspection.

Section 5: Said notice shall state time and place at which objections to the final adoption of this resolution will be heard by the City Council, and the last publication of said notice shall be published at least five (5) days before the time set by the Council for hearing objections to the final adoption of this resolution.

PASSED BY THE CITY COUNCIL THIS 11th day of August, 2015.

MAYOR

ATTEST:

LORRIE PEARCE
CITY CLERK

WHEREAS, the above-entitled Resolution was filed in the Office of the City Clerk on the 11th day of August, 2015, and has ever since been on file in said office subject to public inspection.

WHEREAS, the City Clerk, having given notice of the passing and filing of said Resolution by publishing, in accordance with 7-1-4127 MCA, said notice in the Miles City Star, a newspaper published in Miles City, with the last date of publication at least five (5) days before the day set therein for hearing all objections to the final adoption of said Resolution.

WHEREAS, a hearing on objections was conducted by the City Council on August 25th, 2015, pursuant to published notice;

WHEREAS, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2015-2016 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

THEREFORE, BE IT RESOLVED that the Resolution 3823 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2015-2016 Tax Statement.

08/06/15
10:37:25

CITY OF MILES CITY
Trial Balance
For the Accounting Period: 6 / 15

Page: 1 of 1
Report ID: L120

2400 LTG M D#165-(Gen City)

Account	Beginning	Debit	Credit	Net Change	Ending Balance
ASSETS					
101000 Cash - Operating	63,030.51	3,433.02	14,968.46 (	11,535.44)	51,495.07
118120 Special Assessments Receivable 2012	124.68	0.00	0.00	0.00	124.68
118130 Special Assessments Receivable 2013	578.38	0.00	30.60 (	30.60)	547.78
118140 Special Assessments Receivables-201	8,158.01	0.00	3,295.43 (	3,295.43)	4,862.58
172000 Revenues (Credit)	(160,661.56)	0.00	3,433.02 (	3,433.02)	(164,094.58)
Total ASSETS	(88,769.98)	3,433.02	21,727.51 (	18,294.49)	(107,064.47)
LIABILITIES AND FUND EQUITY					
202000 Accounts Payable	0.00	14,968.46	14,968.46	0.00	0.00
223000 Deferred Revenue/Uncollected Taxes	8,862.43	3,326.03	0.00 (	3,326.03)	5,536.40
242000 Expenditures (Debit)	(143,037.61)	14,968.46	0.00 (	14,968.46)	(158,006.07)
271000 Unreserved Fund Balance	45,405.20	0.00	0.00	0.00	45,405.20
Total LIABILITIES AND FUND EQUITY	(88,769.98)	33,262.95	14,968.46 (	18,294.49)	(107,064.47)

A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 25th day of August, 2015.

MAYOR

ATTEST:

LORRIE PEARCE
CITY CLERK

08/06/15
10:37:25

CITY OF MILES CITY
Trial Balance
For the Accounting Period: 6 / 15

Page: 1 of 1
Report ID: L120

2400 LTG M D#165-(Gen City)

Account	Beginning	Debit	Credit	Net Change	Ending Balance
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LIABILITIES AND FUND EQUITY					
202000 Accounts Payable	0.00	14,968.46	14,968.46	0.00	0.00
223000 Deferred Revenue/Uncollected Taxes	8,862.43	3,326.03	0.00 (3,326.03)	5,536.40
242000 Expenditures (Debit)	(143,037.61)	14,968.46	0.00 (14,968.46)	(158,006.07)
271000 Unreserved Fund Balance	45,405.20	0.00	0.00	0.00	45,405.20
Total LIABILITIES AND FUND EQUITY	(88,769.98)	33,262.95	14,968.46 (18,294.49)	(107,064.47)

CITY OF MILES CITY
Expenditure Budget by Org Report -- MultiYear Actuals
For the Year: 2015 - 2016

46 SID #165

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		11-12	12-13	13-14	14-15	Budget	Exp.	Budget	Changes	Budget	Budget
2400	LTG M D#165-(Gen City)										
430263	STREET LIGHTING										
341	Electric Utility Services	105,865	121,344	116,770	110,154	117,500	94%	117,500		117,500	100%
533	Machinery and Equipment R	47,044	40,675	51,339	46,852	47,000	100%	47,000		47,000	100%
	Account:	152,909	162,019	168,109	157,006	164,500	95%	164,500	0	164,500	100%
521000	Interfund Operating Transfers Out										
820	Transfers to Other Funds	1,000	1,000	1,000	1,000	1,000	100%	1,000		1,000	100%
	Account:	1,000	1,000	1,000	1,000	1,000	100%	1,000	0	1,000	100%
	Fund:	153,909	163,019	169,109	158,006	165,500	95%	165,500	0	165,500	100%
	Orgn:	153,909	163,019	169,109	158,006	165,500	95%	165,500	0	165,500	100%
	Grand Total:	153,909	163,019	169,109	158,006	165,500		165,500	0	165,500	

RESOLUTION NO. 3824

A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 167 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2015-2016

WHEREAS, the City Council for the City of Miles City, Montana did, on the 25th of February, 1968, create a special improvement district in said City, known and designated as Special Improvement Lighting District No. 167; and,

WHEREAS, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2015-2016 is estimated by the City Council at the sum of \$31,557 and,

WHEREAS, the property in said Special Improvement Lighting District No. 167 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2015-2016 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 167.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MILES CITY, MONTANA, THAT:

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 167, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 167 amounting to .012696 per square foot;

Section 2: A description of each lot or parcel of land, the total square footage of property contained therein, the name of the owner and the amount assessed against each lot or parcel of land in Special Improvement Lighting District 167, is attached hereto as Exhibit "A" and made a part hereof, and shall, upon passage, be kept on file in the City Clerk's Office.

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 25th day of August, 2015, at 7:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

Section 4: The City Clerk is hereby authorized and directed to publish in a newspaper of general circulation within the City of Miles City, in the manner provided for in 7-1-4127 MCA, a

notice stating that the resolution levying the special assessment to defray the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for Special Improvement Lighting District No. 167 is on file at City Hall and subject to inspection.

Section 5: Said notice shall state time and place at which objections to the final adoption of this resolution will be heard by the City Council, and the last publication of said notice shall be published at least five (5) days before the time set by the Council for hearing objections to the final adoption of this resolution.

PASSED BY THE CITY COUNCIL THIS 11th day of August, 2015.

MAYOR

ATTEST:

LORRIE PEARCE
CITY CLERK

WHEREAS, the above-entitled Resolution was filed in the Office of the City Clerk on the 11th day of August, 2015, and has ever since been on file in said office subject to public inspection.

WHEREAS, the City Clerk, having given notice of the passing and filing of said Resolution by publishing, in accordance with 7-1-4127 MCA, said notice in the Miles City Star, a newspaper published in Miles City, with the last date of publication at least five (5) days before the day set therein for hearing all objections to the final adoption of said Resolution.

WHEREAS, a hearing on objections was conducted by the City Council on August 25th, 2015, pursuant to published notice;

WHEREAS, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2015-2016 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

THEREFORE, BE IT RESOLVED that the Resolution 3824 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2015-2016 Tax Statement.

A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 25th day of August, 2015.

MAYOR

ATTEST:

LORRIE PEARCE
CITY CLERK

2420 LTG M D#167-(MilesAddn Etc)

Account	Beginning	Debit	Credit	Net Change	Ending Balance
ASSETS					
101000 Cash - Operating	14,760.61	520.79	2,577.81 (	2,057.02)	12,703.59
118130 Special Assessments Receivable 2013	132.29	0.00	0.00	0.00	132.29
118140 Special Assessments Receivables-201	1,364.63	0.00	503.58 (	503.58)	861.05
172000 Revenues (Credit)	(32,774.91)	0.00	520.79 (	520.79)	(33,295.70)
Total ASSETS	(16,517.38)	520.79	3,602.18 (	3,081.39)	(19,598.77)
LIABILITIES AND FUND EQUITY					
202000 Accounts Payable	0.00	2,577.81	2,577.81	0.00	0.00
223000 Deferred Revenue/Uncollected Taxes	1,496.92	503.58	0.00 (	503.58)	993.34
242000 Expenditures (Debit)	(27,871.02)	2,577.81	0.00 (	2,577.81)	(30,448.83)
271000 Unreserved Fund Balance	9,856.72	0.00	0.00	0.00	9,856.72
Total LIABILITIES AND FUND EQUITY	(16,517.38)	5,659.20	2,577.81 (	3,081.39)	(19,598.77)

08/06/15
10:49:50

CITY OF MILES CITY
Expenditure Budget by Org Report -- MultiYear Actuals
For the Year: 2015 - 2016

Page: 2 of 6
Report ID: B240A1

48 SID #167

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		11-12	12-13	13-14	14-15	Budget	Exp.	Budget	Changes	Budget	Budget

2420	LTG M D#167-(MilesAddn Etc)										
430263	STREET LIGHTING										
341	Electric Utility Services	19,668	19,093	21,454	22,538	21,900	103%	23,280		23,280	106%
360	Contr R & M					0	0%	9,000		9,000	****%
533	Machinery and Equipment R	7,954	7,320	8,031	6,911	9,000	77%			0	0%
	Account:	27,622	26,413	29,485	29,449	30,900	95%	32,280	0	32,280	104%
521000	Interfund Operating Transfers Out										
820	Transfers to Other Funds	1,000	1,000	1,000	1,000	1,000	100%	1,000		1,000	100%
	Account:	1,000	1,000	1,000	1,000	1,000	100%	1,000	0	1,000	100%
	Fund:	28,622	27,413	30,485	30,449	31,900	95%	33,280	0	33,280	104%
	Orgn:	28,622	27,413	30,485	30,449	31,900	95%	33,280	0	33,280	104%

RESOLUTION NO. 3825

A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 171 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2015-2016

WHEREAS, the City Council for the City of Miles City, Montana, did on the 10th day of November, 1969, create a special improvement district in said City, known and designated as Special Improvement Lighting District No. 171; and

WHEREAS, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2015-2016 is estimated by the City Council at the sum of \$4,267 and,

WHEREAS, the property in said Special Improvement Lighting District No. 171 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2015-2016 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 171.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MILES CITY, MONTANA, THAT:

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 171, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 171 amounting to .005382 per square foot;

Section 2: A description of each lot or parcel of land, the total square footage of property contained therein, the name of the owner and the amount assessed against each lot or parcel of land in Special Improvement Lighting District 171, is attached hereto as Exhibit "A" and made a part hereof, and shall, upon passage, be kept on file in the City Clerk's Office.

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 25th day of August, 2015, at 7:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

Section 4: The City Clerk is hereby authorized and directed to publish in a newspaper of general circulation within the City of Miles City, in the manner provided for in 7-1-4127 MCA, a

notice stating that the resolution levying the special assessment to defray the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for Special Improvement Lighting District No. 171 is on file at City Hall and subject to inspection.

Section 5: Said notice shall state time and place at which objections to the final adoption of this resolution will be heard by the City Council, and the last publication of said notice shall be published at least five (5) days before the time set by the Council for hearing objections to the final adoption of this resolution.

PASSED BY THE CITY COUNCIL THIS 11thday of August, 2015.

MAYOR

ATTEST:

LORRIE PEARCE
CITY CLERK

WHEREAS, the above-entitled Resolution was filed in the Office of the City Clerk on the 11thday of August, 2015, and has ever since been on file in said office subject to public inspection.

WHEREAS, the City Clerk, having given notice of the passing and filing of said Resolution by publishing, in accordance with 7-1-4127 MCA, said notice in the Miles City Star, a newspaper published in Miles City, with the last date of publication at least five (5) days before the day set therein for hearing all objections to the final adoption of said Resolution.

WHEREAS, a hearing on objections was conducted by the City Council on August 25th, 2015, pursuant to published notice;

WHEREAS, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2015-2016 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

THEREFORE, BE IT RESOLVED that the Resolution 3825 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2015-2016 Tax Statement.

A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 25th day of August, 2015.

MAYOR

ATTEST:

LORRIE PEARCE
CITY CLERK

6000

City/Town/County of Miles City

NON-LEVIED FUNDS - SUMMARY SCHEDULE

Fiscal Year: 20

16

Balans est

Fund #	Fund Name	(1) Appropriation	(2) Budgeted Cash Reserve	(3)=(1)+(2) Total Requirements	(4) Cash Available (Less current liabilities)	(5) Total Non-Tax Revenues	(6)=(4)+(5) Total Resources	Estimated Ending Cash Balance
2430	LTG Dist # 171 (33%)	4501	1,486	5,987	1,720	4,267	5,987	1,486
	LTG Dist # 171 25	4,501	1,125	5,626	1,720	3,906	5,626	1,125
	LTG Dist # 171 33%			0		0	0	0
	LTG Dist # 171 33%			0		0	0	0
	LTG Dist # 171 33%			0		0	0	0
	Last Year 30.52 33%			0		0	0	0
				0		0	0	0
				0		0	0	0
				0		0	0	0
				0		0	0	0
				0		0	0	0
				0		0	0	0
				0		0	0	0
				0		0	0	0
				0		0	0	0
				0		0	0	0
				0		0	0	0
				0		0	0	0
				0		0	0	0
				0		0	0	0
				0		0	0	0
				0		0	0	0
TOTAL		9,002	2,611	11,613	3,440	8,173	11,613	2,611

*Total Revenues compared to Total Appropriations: (829)

*If negative appropriations exceed revenues

Revision June 2012 Total Requirements compared to Total Resources 0

*If other than zero budget is not balanced

0. *

4,267.00

792,760.00

0.005382*

33%

0.005382*

6,000.00

32.292000*

32.292000+

30.520000-

1.772000*

0. *

3,906.00

792,760.00

0.004927*

25%

0.004927*

6,000.00

29.562000*

29.562000+

30.520000-

0.958000*

Replace (3) missing!

08/06/15
10:50:46

CITY OF MILES CITY
Trial Balance
For the Accounting Period: 6 / 15

Page: 2 of 9
Report ID: L120

2430 ITG M D#171-(Balsam Est)

Account	Beginning	Debit	Credit	Net Change	Ending Balance
ASSETS					
101000 Cash - Operating	1,780.86	73.45	134.50 (	61.05)	1,719.81
118140 Special Assessments Receivables-201	71.12	0.00	71.12 (	71.12)	0.00
172000 Revenues (Credit)	(4,020.06)	0.00	73.45 (	73.45)	(4,093.51)
Total ASSETS	(2,168.08)	73.45	279.07 (	205.62)	(2,373.70)
LIABILITIES AND FUND EQUITY					
202000 Accounts Payable	0.00	134.50	134.50	0.00	0.00
223000 Deferred Revenue/Uncollected Taxes	71.12	71.12	0.00 (	71.12)	0.00
242000 Expenditures (Debit)	(3,392.49)	134.50	0.00 (	134.50)	(3,526.99)
271000 Unreserved Fund Balance	1,153.29	0.00	0.00	0.00	1,153.29
Total LIABILITIES AND FUND EQUITY	(2,168.08)	340.12	134.50 (	205.62)	(2,373.70)

08/06/15
10:49:50

CITY OF MILES CITY
Expenditure Budget by Org Report -- MultiYear Actuals
For the Year: 2015 - 2016

Page: 3 of 6
Report ID: B240A1

49 SID #171

Account	Object	Actuals				Current	%	Prelim.	Budget	Final	% Old
		11-12	12-13	13-14	14-15	Budget	Exp.	Budget	Changes	Budget	Budget
2430 LTG M D#171-(Balsam Est)											
430263 STREET LIGHTING											
230	Repair and Maintenance Su	48		459	300	700	43%	600		600	85%
341	Electric Utility Services	1,419	1,446	1,522	1,527	1,700	90%	1,801		1,801	105%
360	Contr R & M	641	119	122	700	500	140%	1,100		1,100	220%
	Account:	2,108	1,565	2,103	2,527	2,900	87%	3,501	0	3,501	120%
521000 Interfund Operating Transfers Out											
820	Transfers to Other Funds	1,000	1,000	1,000	1,000	1,000	100%	1,000		1,000	100%
	Account:	1,000	1,000	1,000	1,000	1,000	100%	1,000	0	1,000	100%
	Fund:	3,108	2,565	3,103	3,527	3,900	90%	4,501	0	4,501	115%
	Orgn:	3,108	2,565	3,103	3,527	3,900	90%	4,501	0	4,501	115%