



CITY OF MILES CITY AGENDA

*Regular Council Meeting
City Council Chambers*

*September 27, 2016
7:00 p.m.*

CLOSED SESSION AT 6:00 PM- DISCUSSION ON SOUTHGATE LAWSUIT

CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

1. **APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES**
 - A. Regular City Council Meeting 9/13/2016
 - B. Human Resource Meeting 8/24/2016
2. **SCHEDULE MEETINGS**
3. **REQUEST OF CITIZENS & PUBLIC COMMENT**
4. **APPOINTMENTS**
Wage Survey Committee:
5. **PROCLAMATIONS**
6. **STAFF REPORTS**
Connie Muggli- Annual TIFD report
7. **CITY COUNCIL COMMENTS**
8. **MAYOR COMMENTS**
9. **COMMITTEE RECOMMENDATIONS**
Public Service- City to quitclaim Marion Street property (S28,T08N,R47E) to Paul R. Peterson and Helen Martin

Finance Committee- Purchase of Black Mountain Software for E-mail Billing
10. **BID OPENINGS**
11. **BID AWARDS**
12. **PUBLIC HEARINGS**

- A. **RESOLUTION NO. 3972- A Resolution Approving the Work Plan and Budget for Fiscal Year 2016-2017 For Tourism Business Improvement District No. 101, and Providing For Hearing Thereon**
- B. **RESOLUTION NO. 3973- A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 For the Downtown Urban Renewal Agency Fund 2310 and Providing For Hearing Thereon**
- C. **RESOLUTION NO. 3974- A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Fund # 1000-013-460433-121 and 134**
- D. **RESOLUTION NO. 3976- A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Fund # 2510-107-430220-111, 121 and 134**
- E. **RESOLUTION NO. 3977- A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Fund # 2520-108-430220-121**
- F. **ORDINANCE NO. 1304- An Ordinance Amending Section 15-2 And 15-4 of the Code of Ordinances of the City of Miles City, Montana, With Regards to Enforcement of Public Nuisances**

13. UNFINISHED BUSINESS

- A. **RESOLUTION NO. 3972- *(Second Reading)* A Resolution Approving the Work Plan and Budget for Fiscal Year 2016-2017 For Tourism Business Improvement District No. 101, and Providing For Hearing Thereon**
- B. **RESOLUTION NO. 3973- *(Second Reading)* A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 For the Downtown Urban Renewal Agency Fund 2310 and Providing For Hearing Thereon**
- C. **RESOLUTION NO. 3974- *(Second Reading)* A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Fund # 1000-013-460433-121 and 134**
- D. **RESOLUTION NO. 3976- *(Second Reading)* A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Fund # 2510-107-430220-111, 121 and 134**

- E. **RESOLUTION NO. 3977-** *(Second Reading)* A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Fund # 2520-108-430220-121
- F. **ORDINANCE NO. 1304-** *(Second Reading)* An Ordinance Amending Section 15-4 of the Code of Ordinances of the City of Miles City, Montana, With Regards to Enforcement of Public Nuisances
- G. **Discussion and approval on location of Courtroom**

14. NEW BUSINESS

- A. **MCI₂ Dedication of Band Shell/ Amphitheatre to City of Miles City**
- B. **COUNCIL HEARING: Interview for Ward II Council Vacancy**
- C. **RESOLUTION NO. 3978-** A Resolution Approving a Water Line Easement/Utility Right of Way Agreement With Miles Community College
- D. **RESOLUTION NO. 3980-** A Resolution Approving a Miscellaneous Professional Services Agreement to Furnish Engineering Services Between the City of Miles City and Kadramas, Lee & Jackson, Inc., For Services Related to Permit Application for 57 Pit at the Miles City Airport
- E. **RESOLUTION NO. 3981-** A Resolution Approving an Addendum to the Short Form of Agreement Between Owner and Engineer For Professional Services Between the City of Miles City, Montana, and Interstate Engineering, Inc., Extending the Term of Said Agreement
- F. **RESOLUTION NO. 3982-** A Resolution Adopting Findings of Fact and Approving the Amended Plat for the Purpose of Boundary Line Relocation of Amended Plat of Lots 12, 13 and A Portion of Govt Lot 9 of Block 1, Amended Plat of Baker Addition Within the City of Miles City
- G. **RESOLUTION NO. 3983-** A Resolution Establishing a Public Nuisance Cleanup Fund
- H. **RESOLUTION NO. 3984-** A Resolution Establishing Pay Rate for Administrative Assistant/Building Permit Technician
- I. **RESOLUTION NO. 3985-** A Resolution Establishing Pay Rate For Planner II
- J. **RESOLUTION NO. 3986-** A Resolution Establishing Pay Rate For General Office Clerk

- K. **ORDINANCE NO. 1305- *(First Reading)* An Ordinance Enacting Section 11-1 of the Code of Ordinances of the City of Miles City, Montana, to Establish Regulations Governing Fire Department Repository Units**

L. **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 September 13, 2016
7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, September 13, 2016, in the City Hall Conference Room at City Hall, 17 S. 8th Street, Miles City, Montana. City Mayor Hollowell called the meeting to order. Council Members present were John Uden, Dwayne Andrews, Susanne Galbraith, Brant Kassner, Jeff Erlenbusch, and Kathy Wilcox. Councilperson Ken Gardner was excused.

Also present were Attorney Dan Rice, Police Chief Doug Colombik, Public Utilities Director Allen Kelm, Fire Chief Gary Warren, Planner II Dawn Colton, Flplain Adm/AutoCad/Asst. PWPV Samantha Malenovsky, Firefighter Jake Richards and City Clerk/Minute Recorder Lorrie Pearce.

PLEDGE OF ALLEGIANCE

Mayor Hollowell led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

Regular Council Minutes: 8/23/2016

****** *Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of August 23, 2016, and seconded by Councilperson Erlenbusch. The motion passed by unanimous consent, 6-0*

Finance Committee Meeting Minutes: 8/23/2016

****** *Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting of August 23, 2016, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 6-0.*

Public Service Meeting Minutes: 8/11/2016

****** *Councilperson Andrews moved to approve the minutes of the Public Service Meeting of August 11, 2016, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 6-0*

SCHEDULE MEETINGS

REQUEST OF CITIZENS & PUBLIC COMMENT

Proposal for City to quitclaim Marion Street property (S28,T08N,R47E) to Paul R. Peterson and Helen Martin

Paul Peterson, 1603 Palmer Street, explained the area is not developed and close to the slough. He added that the property would be split 40 feet to Helen Martin and 40 feet to him and would be a benefit to the City because they would pay taxes on it.

*** Councilperson Uden moved to refer to the Public Service Committee, and seconded by Councilperson Galbraith. The motion **passed** by unanimous consent, 6-0*

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Clerk Pearce announced that Miles City Economic Development had given the City a scholarship for one Councilperson to attend the Leadership training. She said she would need to know by September 15 if anyone was interested. Also two letters had been received for the Council vacancy.

Chief Warren introduced Jake Richards, a new member to the fire department.

Planner Colton said she was getting close to submitting the analysis on the subdivision for Industrial Park.

Administrator Malenovsky said the America Corp issued a draft on its scope of work including cost estimates. She would need all comments to her soon because she needed to submit them to the Corp by September 29. America Corp will have a public meeting in Miles City on October 18; she suggested that Council meets with them earlier that day if there were any concerns or comments. She asked Council to keep thinking of ways to use the “in kind match” for the flood study.

CITY COUNCIL COMMENTS

Councilperson Uden said he would be out of town for about 8 days, but could be reached by phone.

Councilperson Andrews asked for the decision on what room to use as the Courtroom to be put on the next agenda.

*** Councilperson Andrews moved to put on the next agenda, a decision by Council as to where the City wants the Courtroom located, seconded by Councilperson Uden. The motion passed 6-0*

MAYOR COMMENTS

None

STANDING COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

A. RESOLUTION NO. 3970- A Resolution Authorizing the City of Miles City, Montana to Enter Into A Memorandum of Understanding With St. Vincent Healthcare for AED Deployment and Training Assistance

*** Councilperson Uden moved to approve the Resolution, by title only, seconded by Councilperson Kassner. On roll call vote, the motion passed 6-0*

B. RESOLUTION NO. 3971- A Resolution Approving a “Joint Application For Proposed Work in Montana’s Streams, Wetlands, Floodplains, and Other Water Bodies”

*** Councilperson Galbraith moved to approve the Resolution, by title only, seconded by Councilperson Kassner. On roll call vote, the motion passed 6-0*

C. RESOLUTION NO. 3972- (First Reading) A Resolution Approving the Work Plan and Budget for Fiscal Year 2016-2017 For Tourism Business Improvement District No. 101, and Providing For Hearing Thereon

*** Councilperson Galbraith moved to approve the Resolution, by title only, seconded by Councilperson Kassner. On roll call vote, the motion passed 6-0*

D. RESOLUTION NO. 3973- (First Reading) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 For the Downtown Urban Renewal Agency Fund 2310 and Providing For Hearing Thereon

*** Councilperson Galbraith moved to approve the Resolution, by title only, seconded by Councilperson Uden. On roll call vote, the motion passed 6-0*

E. RESOLUTION NO. 3974- (First Reading) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Fund # 1000-013-460433-121 and 134

*** Councilperson Galbraith moved to approve the Resolution, by title only, seconded by Councilperson Kassner. On roll call vote, the motion passed 6-0*

F. RESOLUTION NO. 3975- A Resolution Authorizing the City of Miles City, Montana to Enter into an Agreement With John Muggli Contracting LLC for Replacement of Water Main Line Under the Tongue River

*** Councilperson Uden moved to approve the Resolution, by title only, seconded by Councilperson Erlenbusch. On roll call vote, the motion passed 6-0*

G. RESOLUTION NO. 3976- (First Reading) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Fund # 2510-107-430220-111, 121 and 134

*** Councilperson Galbraith moved to approve the Resolution, by title only, seconded by Councilperson Kassner. On roll call vote, the motion passed 6-0*

H. RESOLUTION NO. 3977- (First Reading) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2016-2017 to Increase the Budgeted Amount in Fund # 2520-108-430220-121

*** Councilperson Galbraith moved to approve the Resolution, by title only, seconded by Councilperson Kassner. On roll call vote, the motion passed 6-0*

J. ORDINANCE NO. 1304- (First Reading) An Ordinance Amending Section 15-4 of the Code of Ordinances of the City of Miles City, Montana, With Regards to Enforcement of Public Nuisances

*** Councilperson Uden moved to approve the Ordinance, by title only, seconded by Councilperson Erlenbusch.*

Mayor Hollowell explained that the ordinance would make both the Code Enforcer and Police officers able to write violations.

Attorney Rice said Section 15-2 Penalty for violation of chapter needed to be added to the Ordinance.

Mayor Hollowell added that by adding the section, the City would be able to charge for our services, such as clean up.

*** On roll call vote, the motion passed 6-0*

Mayor Hollowell referred the ordinance to the Public Safety Committee.

K. Approval on Boundary Line Adjustment (Horizon Park, Lot F1)

*** Councilperson Galbraith moved to approve the Boundary Line Adjustment (Horizon Park, Lot F1), seconded by Councilperson Erlenbusch. On roll call vote, the motion passed 6-0*

L. Discussion of extension agreement with Custer County Water and Sewer District

Don Bundy Chairperson Board of Committee explained some of the District background.

- Started in the late 1970's or early 1980's to help funding of the sewer treatment plant, later water was added. Residents did not want the water because of the cost, CCWSD#1 went bankrupt.
- CCWSD#2 was established and helped pay for:
 1. \$45,000 in material for Carbon Hill project that went under the interstate
 2. \$10,000 for Carbon Hill water line repair
 3. \$50,000 for Carbon Hill water tank
 4. \$50,000 for Carbon Hill water tank extension
- The District serves the residents in Aye, Michaels and Richland Park Addition, North and South Haynes and Baker Highway.

Invested \$50,000 in the Valley Drive water line, and not sure if will be able to recoup its investment because of Bakken shutting down.

- District had 25-30 years of good relationship with the City and would like to continue with the relationship.

Jerry Backlund, 603 Eichler, had tried to get a meeting scheduled with no success. The District is financially sound, and generates money for the City. He requested that the District Board and the City sit down and talk about renewing the agreement. He said the City had talked about annexation and that would be a good thing to bring to Miles City citizens.

Uden felt that it was imperative that the Council works with the District to satisfy both sides. He felt that it was important to call a meeting to discuss the issues.

Mayor Hollowell said that two board members have met with him and the City is trying to figure out a proposal. He was not looking at short cutting the District with time. Anytime after September 26th would be a good time for a meeting.

M. APPROVAL OF AUGUST CLAIMS

*** Councilperson Galbraith moved to approve the August claims, seconded by Councilperson Uden. On roll call vote, the motion **passed** 6-0*

ADJOURNMENT

*** Councilperson Uden moved to adjourn the meeting, seconded by Councilperson Kassner, and **passed** unanimously.*

The meeting was adjourned at 8:00 p.m.

John Hollowell, Mayor

Lorrie Pearce, City Clerk

Human Resources Committee
August 24, 2016

The **Human Resources Committee** met Wednesday, August 24, 2016, at 5:15 p.m. in the Council Chambers at City Hall. Present were Committee Members Rachel Sloan, Kathy Wilcox and Jeff Erlenbusch. Absent was Committee Member Susanne Galbraith. Also present were Public Utilities Director Allen Kelm and Deputy City Clerk/HR Officer/Committee Recorder Linda Wilkins.

Committee Chairperson Rachel Sloan called the meeting to order.

1. Request of Citizens
None

2. Nominate a new chairperson

***Committee Member Erlenbusch nominated Committee Member Kathy Wilcox to Chairperson, seconded by Committee Chairperson Sloan. On roll call vote the motion **passed** unanimously, 2-0. Committee Member Wilcox abstained.*

3. Review changes to Personnel Policies

***Committee Member Wilcox moved that the attached changes to Personnel Policies be changed as noted upon review of City Attorney Dan Rice and MMIA Human Resource Specialist Angela Simonson, seconded by Committee Member Erlenbusch. On roll call vote the motion **passed** unanimously, 3-0.*

4. Review job description for part time clerk to the Finance Department

***Committee Member Wilcox moved to approve the General Office Clerk position description as presented, seconded by Committee Member Sloan. On roll call vote the motion **passed** unanimously, 3-0.*

5. Review wage for Administrative Assistant/Building Permit Technician

The findings of a mini-salary survey were presented and arguments presented by Public Utilities Director Kelm to the committee. It was determined through a calculation based on an average of wages published on O*Net website and a survey of Class 2 cities in Montana that a wage of \$20.87/hour would be considered an equitable wage based on the experience required to fill the position as outlined in the current position description.

***Committee Member Erlenbusch moved to pay the updated wage/salary for the Administrative Assistant/Building Permit Technician of \$18.72/hour with \$1/hour additional responsibilities along with \$1.15/hour longevity, seconded by Committee Member Sloan.*

***The motion was amended by Committee Member Erlenbusch to remove the \$1.15/hour longevity since it is a package plan through the union to \$18.72/hour wage plus \$1/hour for additional responsibility for a total \$19.72/hour. On roll call vote the motion **passed**, 2-1. Voting nay Committee Member Wilcox*

***Committee Member Erlenbusch moved to pay the updated wage for the Administrative Assistant/Building Permit Technician at \$20.87/hour retroactive to July 1, 2016, seconded by Committee Member Sloan. On roll call vote the motion passed unanimously, 3-0.*

6. Adjournment

***Committee Member Wilcox moved to adjourn, seconded by Committee Member Erlenbusch. The motion passed unanimously.*

The meeting was adjourned at 6:25 p.m.

Respectfully submitted,

Chairperson Kathy Wilcox

Recorder Linda Wilkins

Quote

08/19/2016



City of Miles City

Patti Bishop

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Melissa Chowning

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<i>Product Description</i>	<i>Purchase Price</i>	<i>Annual Fees</i>	<i>One-Time Conversion</i>	<i>Total</i>
<i>UB - E-mail Bills</i>	500.00	50.00		550.00
<i>UB Processing Interface-BDS</i>	500.00	125.00		625.00
Subtotals:	1,000.00	175.00		
Grand Total:				\$1,175.00

Public Hearing

+

unfinished Business

RESOLUTION NO. 3972

A RESOLUTION APPROVING THE WORK PLAN AND BUDGET FOR FISCAL YEAR 2016-2017 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 September 8, 2016, the trustees of said District did submit to the City Council their proposed work plan for FY 2016-2017;

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 2016-2017, 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 27th day of September, 2016, 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 13TH DAY OF SEPTEMBER, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 27TH DAY OF SEPTEMBER, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

EXHIBIT A

Lorrie Pearce

From: John Laney
Sent: Thursday, September 08, 2016 9:52 AM
To: Lorrie Pearce
Subject: Re: TBID Work plan and budget

Lorrie,
Attached is a budgeting breakdown.
Last year fy16 we spent \$85,511.00 in the following manner

Local Event Support 46,348.00 / 57%
Sport and Convention 18,668.00 / 22%
Advertising 14,516.00 / 17%
Insurance 3,100.00 / .04%
Tourism Support 2879.00 / .03% This Category Includes Lobbying and Membership Fees and Expenses

The percentages will stay constant for how the funds will be dispersed based on the funds collected that I am expecting to be smaller this year. Fy17

That should explain our plan and the successes we had last fiscal year.

Thanks for your patience Lorrie,
John

RESOLUTION NO. 3973

A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AMENDMENT OF FINAL BUDGET FOR FY 2016-2017 FOR THE DOWNTOWN URBAN RENEWAL AGENCY FUND 2310 AND PROVIDING FOR HEARING THEREON

WHEREAS, as permitted by §7-6-4006 MCA, the City of Miles City desires to amend its final budget for Fiscal Year 2016-2017 to provide for an additional expense account not previously included and to correct the amounts in each expenditure account to balance to the fiscal year appropriation for TIFD-Downtown Fund No. 2310;

AND WHEREAS, such amendment of the Final Budget for Fiscal Year 2016-2017 will change account number from 2310-11-460466-350 Professional Services to 2310-11-460466-730 Grants and Donations to Others;

AND WHEREAS, the provisions of §7-6-4006 MCA require public hearing upon any budget amendment resulting in an overall decrease in expenditures.

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

The expenditure accounts for the Final Budget for Fiscal Year 2016-2017 for TIFD-Downtown Fund No. 2310 shall be adjusted and a budget transfer authorized in the following amounts:

Professional Services: Fund No. 2310-11-460462-350 reduced in the amount of \$1,000 to the total of \$18,800;

Redevelopment: Fund No. 2310-11-460462-721 reduced in the amount of \$16,504 for a total of \$190,000

Professional Services: Fund No. 2310-11-460466-350 reduced in the amount of \$12,000; and

Grants and Donations to Others: Fund no. 2310-11-460466-730 increased in the amount of \$12,000;

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2016-2017 on the 27th day of September at 7:00p.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 1-4127 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 13TH DAY OF SEPTEMBER, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 27TH DAY OF SEPTEMBER 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 3974

A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AMENDMENT OF FINAL BUDGET FOR FY 2016-2017 TO INCREASE THE BUDGETED AMOUNT IN FUND # 1000-013-460433-121 AND 134.

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2016-2017 to authorize unbudgeted expenses related to Parks Department overtime and holiday pay;

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 2016-2017 for Parks Department Fund 1000-013-460433-121 shall be increased in the amount of \$6,800 (overtime pay) and Fund 1000-013-460433-134 shall be increased in the amount of \$3,400 (holiday pay).

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2016-2017 on the 27th day of September, 2016, at 7:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4128 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 13th DAY OF SEPTEMBER, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES
CITY, MONTANA, THIS 27th DAY OF SEPTEMBER, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 3976

A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AMENDMENT OF FINAL BUDGET FOR FY 2016-2017 TO INCREASE THE BUDGETED AMOUNT IN FUND # 2510-107-430220-111, 121, AND 134.

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2016-2017 to authorize unbudgeted expenses related to SID 204 wages, overtime and holiday pay;

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 2016-2017 for SID 204-Fund 2510-107-430220-111 shall be increased in the amount of \$2,418 (wages); Fund 2510-107-430220-121 shall be increased in the amount of \$6,000 (overtime pay); and Fund 2510-107-430220-134 shall be increased in the amount of \$896 (holiday pay).

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2016-2017 on the 27th day of September, 2016, at 7:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4128 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 13th DAY OF SEPTEMBER, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES
CITY, MONTANA, THIS 27th DAY OF SEPTEMBER, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 3977

A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AMENDMENT OF FINAL BUDGET FOR FY 2016-2017 TO INCREASE THE BUDGETED AMOUNT IN FUND # 2520-108-430220-121.

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2016-2017 to authorize unbudgeted expenses related to SID 205 overtime pay;

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 2016-2017 for SID 205 Fund 2520-108-430220-121 shall be increased in the amount of \$2,100 (overtime pay).

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2016-2017 on the 27th day of September, 2016, at 7:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4128 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 13th DAY OF SEPTEMBER, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY

CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES
CITY, MONTANA, THIS 27th DAY OF SEPTEMBER, 2016.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

ORDINANCE NO. 1304

AN ORDINANCE AMENDING SECTIONS 15-2 AND 15-4 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY, MONTANA, WITH REGARDS TO ENFORCEMENT OF PUBLIC NUISANCES.

WHEREAS, the City Council of the City of Miles City has determined that it is necessary and appropriate to amend Sections 15-2 and 15-4 of the Code of Ordinances of the City of Miles City so as to allow cost of nuisance abatement to be assessed to property taxes, clarifying required notice provisions, and to expressly authorize a police officer, in addition to the code enforcement officer, to enforce public nuisance ordinances;

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

Section 1. 15-2 shall be amended to read as follows:

“Sec. 15-2. – Penalty for violation of chapter.

- (a) Unless otherwise specified by the provisions of this chapter, any person who violates the provisions of this chapter shall be deemed guilty of creating and maintaining a public nuisance, and upon conviction thereof shall be punishable by a fine for the first offense of not less than \$100.00 and not more than \$500.00 or by imprisonment for a term not to exceed six months, or both. The second offense shall be punishable by a fine of not less than \$300.00 and not more than \$500.00 or by imprisonment for a term not to exceed six months, or both. The third or subsequent offense shall be punishable by a fine of \$500.00 or by imprisonment for a term not to exceed six months, or both.
- (b) The court may order that in the city be authorized to abate the public nuisance if the property owner or occupant fails to do so, and that the costs incurred by the city in abating said nuisance shall be assessed to the real property and taxed as a special assessment against the same.
- (c) Each day of failure to comply with the provisions of this chapter shall constitute a separate offense.”

Section 2. 15-4 shall be amended to read as follows:

“Sec. 15-4. – Enforcement procedure.

The prohibitions in this chapter may be enforced as follows:

- (1) If the code enforcement officer or police officer, in the officer's reasonable discretion, determines that the alleged public nuisance presents an emergency, then he shall issue a citation and may take immediate action to abate the public nuisance. In such circumstances, the officer shall have the authority to contact city employees and to request their assistance in abating the nuisance.
- (2) If the code enforcement officer or police officer, in the officer's reasonable discretion, determines that the alleged public nuisance is not an emergency, then the officer shall provide a notice to the owner and occupant, if any, advising the owner and occupant of the complaint and requesting that the alleged public nuisance be abated within a period of not more than ten days. The officer shall reinspect at the end of the ten day period. If the owner or occupant has not abated the alleged public nuisance within the time required by the notice, then the officer shall issue a citation and take those actions reasonably necessary to abate the alleged public nuisance.
- (3) Notice to the owner of the property; or, if the owner is not the occupant of the property, then notice to the occupant of the property; shall be given by one of the following methods, and such notice shall be deemed to have been given upon completion of any one of the following:
 - a. personal service; or,
 - b. certified mail, return receipt requested, addressed to the occupant at the physical address of the property; or,
 - c. by posting notice in a conspicuous place upon the property.
- (4) Notice to the owner, if the officer is able to determine that the occupant is not the owner of the property, shall be given by certified mail, return receipt requested, addressed to the owner or owners as named in the most current assessment list for the parcel of property at the address set forth in such assessment list, and shall be deemed complete upon such mailing. Confirmation of actual notice to the owner, if the owner is not the occupant, shall not be required in order to proceed with enforcement of this chapter as to the occupant, however, cost of abatement may not be assessed to the property owner's taxes if notice was not provided to the property owner as set forth herein."

Section 3. This Ordinance shall become effective thirty (30) days after its final passage.

Said Ordinance read and put on its passage this ____ day of _____, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this ____ day of _____, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

New Business

RESOLUTION NO. 3978

A RESOLUTION APPROVING A WATER LINE EASEMENT/UTILITY RIGHT-OF-WAY AGREEMENT BETWEEN THE CITY OF MILES CITY AND MILES COMMUNITY COLLEGE.

WHEREAS, Miles Community College (“MCC”) is in the process of developing certain property, and desires to extend City water main lines over and across their property to provide domestic water and fire protection service, and to grant an easement to the City to allow the same;

AND WHEREAS, the City and MCC have certain responsibilities and obligations related thereto, which have been reduced to writing;

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

1. The “Water Line Easement/Utility Right-of-Way Agreement” attached hereto as Exhibit “A”, and made a part hereof, is hereby approved and adopted by the Council;
2. The Mayor of the City of Miles City is hereby empowered and authorized to execute said Agreement on behalf of the City of Miles City and to 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, THIS 27TH DAY OF SEPTEMBER, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

EXHIBIT A

After Recording, Return to:
City of Miles City
Box 910
Miles City, MT 59301

Water Line Easement/Utility Right-of-Way Agreement

This Water Line Easement/Utility Right of Way Agreement ("Agreement") is made and entered into as of the date executed by both parties, by and between:

"MCC": Miles Community College 2715 Dickinson Street Miles City, Montana 59301	"City": City of Miles City 17 S. 8 th Street Miles City, MT 59301
--	--

RECITALS

WHEREAS, the MCC owns the real property described below and is constructing improvements on and to the property which require the extension of a water main across MCC property while serving a local water line to supply domestic water and water for fire protection to MCC;

WHEREAS, MCC is willing to construct the main line across its property in order to provide the best possible delivery of municipal water that it can but does not want to maintain ownership of the water main infrastructure;

WHEREAS, MCC has the duties, rights and powers to grant licenses, easements, and rights-of-way for water main lines over this property;

WHEREAS, the City needs a water main line easement/utility right-of-way for the installation and maintenance of the water main across MCC property to serve the MCC real property and other property in Miles City;

WHEREAS, MCC wishes to grant a water main line easement/utility right-of-way across its property for these purposes;

NOW, THEREFORE, in consideration of the mutual promises set forth in this Agreement, and other valuable consideration, the parties agree as follows:

1. **Grant of Water Main Line Easement/Utility Right-of-Way.** MCC hereby grants and conveys unto the City and its successors, assigns, lessees, licensees, and agents, a public water main easement/utility right-of-way along, and across a portion of the MCC property, described below and as shown on the attached Exhibit A.

2. **Purpose of Water Main Extension Easement/Utility Right-of-Way.** This water main easement/utility right-of-way is for the purpose of allowing the construction of and installing, using, maintaining, or repairing an underground water main and other related and necessary equipment, to supply Miles City municipal water services to MCC property and to eventually extend municipal water to additional landowners.

3. **Description and Location of the Water Main Extension Easement/Utility Right-of-Way.** The Water Main Extension Easement/Utility Right-of-Way is located as shown on the attached Exhibit A and as described below:

A 20' wide public water main right-of-way across a portion of the Grantor's property, described as Tract X, as shown on Dependent Resurvey and Subdivision of Tract Y, approved August 12, 1987, lying in the NE1/4, Section 5, Township 7 North, Range 47 East, Principal Meridian Montana, Custer County, Montana, as described in the United States of America Patent Number 25-92-0078, filed as Document Number 123597, in the Custer County Clerk and Recorder's Office; with a centerline described as follows:

Beginning at a point which lies on the westerly line of said Tract X, which lies N24°52'46"E, a distance of 233.83 feet from the southwest corner of said Tract X and lies S24°52'46"W, a distance of 237.29 feet from the northwest corner of said Tract X; thence S65°00'25"E, a distance of 535.00 feet to the ENDING POINT, which lies S88°38'01"E, a distance of 583.44 feet from the southwest corner of said Tract X, and lies S41°06'24"E, a distance of 585.69 feet from the northwest corner of said Tract X.

Said right-of-way containing 10,700 square feet or 0.246 acres more or less. As shown on the attached Exhibit A.

4. **Scope and Use of the Water Main Easement/Utility Right-of-Way.** The water main easement/utility right-of-way may only be used for constructing, installing, using, maintaining, repairing, improving, and replacing the underground water main and any appurtenances of the main.

5. **Additional Rights.** In addition, the City has the additional and reasonable right of ingress and egress from the water main easement/utility right-of-way over land of the MCC using existing roads where practicable. In granting this water main easement/utility right-of-way, MCC agrees that all facilities, including all equipment initially installed on the Grantor's

property at the Grantor's expense and all equipment subsequently installed on the Grantor's property at Grantee's expense, shall be and remain the property of the Grantee.

6. **Use of the Water Main Easement/Utility Right-of-Way by MCC.** MCC reserves the right to occupy, use, and cultivate the area described on Exhibit A for all purposes not inconsistent with and not interfering with the rights granted by this water main easement/utility right-of-way. MCC shall not use the area within the water main easement/utility right-of-way in any manner that interferes with its use as a buried water main.

7. **Miles City Representations.** By accepting this water line easement/utility right-of-way, the Grantee agrees to the following:

- 7.1 After initial construction, prior to commencing any reconstruction, operation, repair, maintenance, or removal of any facility, the MCC shall be given a 30 day notice by the City, either orally or in writing when entry shall be made, except when emergency repair is required to maintain service of the water main line. The city shall notify the MCC after emergency work is completed. The notice shall be deemed given when received by the Grantor at its address stated above.
- 7.2 Subsequent to the City accepting ownership of water main line, the City will restore any damage caused to the MCC lawns resulting from the City's use of the easement, at the City's expense. MCC shall not place any trees, shrubs, fences, buildings, recreational facilities, or any other property, nor develop any flowing water or springs, in the easement area, and the City shall not be responsible for paying for damages to the same.
- 7.3 All facilities of the City will be placed in a location in the area described on Exhibit A, by MCC. MCC shall not disturb or remove any City facilities, and shall be responsible for any damages caused to the facilities by MCC or its agents.
- 7.4 Once the City assumes ownership, if disturbed, the City will restore the surface to its original contour as nearly as practical, including the moving or burying of all newly exposed rocks, reseeding with approved grasses and forbs, patching pavement or concrete parking or driving surfaces, all to the reasonable satisfaction of MCC or its representative. Furthermore, the City will repair any and all damaged trees, fences, buildings, roads, parking areas, recreational facilities and parts of all drainage or irrigation systems which damage may have resulted from the reconstruction, repair, maintenance, operation or removal of the City's facilities on MCC property, so long as the same have not been placed on the easement area, contrary to the provisions set forth in 7.2.
- 7.5 Only activities and developments directly related to and necessary for the operation of the water main line are approved.
- 7.6 This instrument and its covenants and agreements shall inure to the benefit of and be binding and obligatory upon the successors and assigns of both parties.
- 7.7 In the event of default by either party to any or the terms of this Agreement, the other party may give a written notice that specifies the default and a period of at least 30 days from the date of notice within which the default must be corrected. If the defaulting party does not correct the default within the specified time period, the other party may take whatever action is necessary to cure the default, and the costs associated with curing said default shall be immediately due and payable to the non-

defaulting party. Under no circumstances shall the City be required to remove buried utilities unless the same poses an immediate public health or safety threat as determined by the Department of Environmental Quality. If the Agreement is terminated, MCC will be authorized to remove the buried utilities if it is in its best interests to do so. Any failure of either party to take action under this paragraph shall not constitute a waiver of any of the provisions of this Agreement.

8. **Water Main Easement/Utility Right-of-Way to Run With the Land.** The benefits and burdens of this Agreement will run with the title to the land whether or not the water Main easement/utility right-of-way is referred to in conveyances of those properties.

9. **Time of Essence.** Time will be of the essence in complying with the terms and conditions of this Agreement.

10. **Attorneys' Fees.** If either party to this Agreement institutes legal proceedings to enforce the terms of this Agreement, the unsuccessful party to the proceedings will pay the reasonable attorney's fees, paralegal fees, expert witness fees, out of pocket expenses and legal costs of the prevailing party, as they may be approved by the court having jurisdiction over the proceedings.

11. **Entire Agreement.** This instrument constitutes the entire agreement between the parties. No party will be bound by any terms, conditions, understandings, warranties, statements or representations, oral or written, not contained in this agreement. Each party acknowledges that the execution of this Agreement was not induced or motivated by any promise or representation made by any other party, other than the promises and representations expressly set forth in this agreement.

12. **Interpretation to Support Validity.** If any provision of this Agreement can be interpreted in two ways, one of which would render the provision valid and the other of which would render the provision invalid, the provision will be interpreted in the manner that would render it valid.

13. **Severability of Invalid Provisions.** If any provision of this Agreement is declared or becomes invalid, unenforceable or contrary to law, the parties agree that the provision will be considered severed from the remaining provisions of this Agreement and will not affect the validity, legality, or enforceability of the other provisions of this Agreement, and the remainder will be interpreted as if it never contained the provision.

14. **Applicable Law.** This Agreement is governed by and will be construed in accordance with the laws of the State of Montana with venue in Custer County.

DATED as of the date set forth below each signature.

MCC:	City:
MILES COMMUNITY COLLEGE	The city of Miles City
By: _____ Dr. Stacy Klippenstein, President	By: _____, Mayor
Dated: _____	Dated: _____

STATE OF MONTANA)
 : ss.
County of Custer)

This instrument was acknowledged before me on ___ day of _____, 2016, by **Dr. Stacy Klippenstein**, as President of Miles Community College.

Printed or typed name:

Notary Public for the State of Montana

STATE OF MONTANA)
 : ss.
County of Custer)

This instrument was acknowledged before me on ___ day of _____, 2016, by _____ as Mayor of Miles City.

Printed or typed name:

Notary Public for the State of Montana

RESOLUTION NO. 3980

A RESOLUTION APPROVING A MISCELLANEOUS PROFESSIONAL SERVICES AGREEMENT TO FURNISH ENGINEERING SERVICES BETWEEN THE CITY OF MILES CITY AND KADRMAS, LEE & JACKSON, INC., FOR SERVICES RELATED TO PERMIT APPLICATION FOR 57 PIT AT THE MILES CITY AIRPORT.

WHEREAS, the City of Miles City and Kadrmass, Lee & Jackson, Inc., desire to enter into a Miscellaneous Professional Services Agreement to assist with preparing an application for open cut mining related to fifty-seven gravel pit located at the Miles City Airport;

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

1. The "Miscellaneous Professional Services Agreement" attached hereto as Exhibit "A", and made a part hereof, is hereby approved and adopted by the Council;
2. The Mayor of the City of Miles City is hereby empowered and authorized to execute said Agreement on behalf of the City of Miles City and to 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, THIS 27th DAY OF SEPTEMBER, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk



Miscellaneous Professional Services Agreement

KLJ Project # 2516112 Effective Date 8/8/2016

Client Information

Name City of Miles City
 Billing Address PO Box 910
 City, State, Zip Miles City, Montana 59301 Business # (406) 234-2903

Authorized By

Name Jeff Langkau
 Title Airport Manager Cell # (406) 951-0955
 Business # (406) 951-0955

Project Description Prepare DEQ Form B-1 Open Cut Mining Plan of Operation and Application to amend the reclamation date of the original 2004 permit.

Detailed Description of Services

Prepare an updated opencut mining permit application for the Fifty-Seven Pit (Site No. 1450). The Fifty-Seven Pit is an existing gravel pit which was originally permitted in 2004. The gravel pit is located on Airport property and has been used for both on-airport and off-airport project. The city of Miles City would like to extend the reclamation date of the permit as the pit is still being used for projects. The existing permit had a reclamation date of November 2015. The Montana Department of Environmental Quality has notified the city of Miles City that because the reclamation date has expired it will be necessary to submit a new application to amend the reclamation date. This will require completing DEQ Form B-1 Opencut Mining Plan of Operation and Application. In conversations with the DEQ the application will be submitted based on available information from the 2004 application and any new information which readily exists. No new field studies or surveys are to be conducted. Following DEQ review of the new application additional studies or field surveys may be required. If additional studies or field surveys are required they would be completed under a supplement to this Agreement.

Project Location

Township 8N Range 47E Section 30
 City of Miles City County Custer State MT

Estimated Completion Date of Services Within 45 calendar days of contract execution and delivery to KLJ.

Estimated Fees for Services \$9,500.00 Type Hourly Rates plus Expenses

Special Conditions to be considered

None

Other Items

None

TERMS AND CONDITIONS


- Consultant will submit monthly invoices for the percentage of the work completed. Kadrmas, Lee & Jackson, Inc. (KLJ) will promptly submit said invoice to the Owner and pay Consultant's monthly invoices within fifteen (15) days of receipt of payment from Owner.
- Payment for services is due and payable when billed. Any amount not paid within 30 days will be subject to a late payment charge of 1.5% per month. If payment is based upon Hourly Rates Plus Expenses it will be an amount equal to Kadrmas, Lee & Jackson, Inc. (KLJ) Direct Labor Costs times a designated factor for labor, overhead and profit for the services of all KLJ's personnel engaged on the Project, plus Reimbursable Expenses and KLJ's Consultant charges times a factor of 1.15, if any.
- Payment for services does not include any agency review fees, submittal fees, permit fees or other such fees. Client will pay all such fees directly.
- To the fullest extent permitted by law, Client and KLJ (1) Waive against each other, and the other's employees, officers, directors, agents, insurers, partners and consultants, any and all claims for or entitlement to special, incidental, indirect or consequential damages arising out of, resulting from, or in any way related to the Project, and (2) Agree that KLJ's total liability to Client under this Agreement shall be limited to the total amount of compensation received by KLJ.
- KLJ agrees, to the fullest extent permitted by law, to indemnify and hold harmless the Client, its officers and employees (collectively, Client) against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, to the extent cause by KLJ's negligent performance of professional services under this Agreement and that of its consultants or anyone for who KLJ is legally liable. The Client agrees, to the fullest extent permitted by law, to indemnify and hold harmless KLJ, its officers, directors, employees and consultants (collectively KLJ) against all damages, liabilities or costs, including reasonable attorneys' fees and defense costs, to the extent caused by the Client's negligent acts in connection with the Project and the acts of its contractors, subcontractors or anyone for whom the Client is legally liable. Neither the Client nor KLJ shall be obligated to indemnify the other party in any manner whatsoever for the other party's own negligence.
- The project schedule is dependent upon Client and/or agency reviews and comments being received in a timely manner. An initial schedule will be submitted when written notice to proceed is received from the Client. The schedule will be updated during the progression of the services as needed.
- If electronic files are provided to Client, any use or reuse of original or altered digital files or data will be for the specific project or purpose intended. Client will, to the fullest extent permitted by law, indemnify and hold KLJ harmless from any and all claims, suits, liability, demands or costs arising from manipulation, use or reuse of digital files or data.
- The standard of care for all services performed or furnished by KLJ under this Agreement will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality. KLJ makes no warranties, express or implied, under this Agreement or otherwise, in connection with KLJ's services.
- This Agreement is to be governed by the law of the state in which the Project is located.

IN WITNESS WHEREOF, the parties hereto have executed this agreement and the Client hereby authorizes the above-described services to be performed by Kadrmas, Lee & Jackson, Inc. under the above terms and conditions set forth.

Client City of Miles City
 Date _____

Signature _____
 Printed Name _____
 Title _____

Kadrmas, Lee & Jackson, Inc.
 Date 8/16/16

Signature 
 Printed Name Tom Neigum, P.E.
 Title Aviation Services Manager

RESOLUTION NO. 3981

A RESOLUTION APPROVING AN ADDENDUM TO THE SHORT FORM OF AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF MILES CITY, MONTANA, AND INTERSTATE ENGINEERING, INC., EXTENDING THE TERM OF SAID AGREEMENT

WHEREAS, the City of Miles City has engaged Interstate Engineering, Inc., for professional services related to the development of the Miles City Long Range Transportation Plan;

AND WHEREAS, the parties desire to extend the term of said agreement until December 31, 2016, to allow for completion of the terms of the Short Form of Agreement Between Owner and Engineer for Professional Services previously entered into by the parties.

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

1. The Addendum to the Short Form of Agreement Between Owner and Engineer for Professional Services, between the City of Miles City, Montana, and Interstate Engineering, Inc., 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 document on behalf of the City of Miles City 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 REGULAR MEETING THIS 27TH DAY OF SEPTEMBER, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

Exhibit "A"

ADDENDUM

THIS ADDENDUM to the **Short Form of Agreement Between Owner and Engineer for Professional Services** dated _____ (the "Agreement"), between the City of Miles City, Montana, and Interstate Engineering, Inc., services related to the Miles City Long Range Transportation Plan, approved by the City of Miles City through Resolution No. 3854, is hereby amended to read as follows:

"1.01 *Basic Agreement and Period of Service*

...

B. Engineer shall complete its services on or before the 31st day of December, 2016."

The Agreement shall remain unchanged in all respects except as otherwise expressly set forth herein.

DATED this _____ day of _____, 2016.

CITY OF MILES CITY, MONTANA

By: _____
John Hollowell, Mayor

Attest:

Lorrie Pearce, City Clerk

INTERSTATE ENGINEERING, INC.

By: Chris B. A.

SR. TRANSPORTATION ENG. / OFFICE MGR.
Title

RESOLUTION NO. 3982

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING THE AMENDED PLAT FOR THE PURPOSE OF BOUNDARY LINE RELOCATION OF AMENDED PLAT OF LOTS 12, 13 AND A PORTION OF GOVT LOT 9 OF BLOCK 1, AMENDED PLAT OF BAKER ADDITION WITHIN THE CITY OF MILES CITY

WHEREAS, Dennis Petrik and Bradley Petrik have requested that the City of Miles City approve a boundary line relocation involving Lots 12, 13 and a Portion of Govt Lot 9 of Block 1 of the Baker Addition within the City of Miles City, Custer County, Montana;

AND WHEREAS, the City of Miles City is authorized to approve the relocation of common boundary lines for five or fewer lots within a platted subdivision pursuant to Section 76-3-207(1)(d) and 76-3-207(1)(f), MCA.

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

It does hereby adopt the Staff Report to City Council, File #BLA 2016-08, attached hereto as Exhibit "A" as findings of fact, and based on such findings of fact, approves the "*Amended Plat of Lots 12, 13 and Portion of Govt Lot 9, Block 1, Amended Plat of Baker Addition, Env. 58A, NE1/4SE1/4, Section 28, Township 8 North, Range 47 East, P.M.M. City of Miles City, Custer County, Montana,*" said amended plat being attached hereto as Exhibit "B."

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT A DULY CALLED MEETING THIS 28TH DAY OF JUNE 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

EXHIBIT A

Report for City Council
Meeting Date September 27, 2016

File #BLA-2016-08 – Petrik Boundary Line Adjustment
Block 1, Lots 12 & 13, portion of Government Lot 9, Baker Addition

The subject properties are Lots 12, 13 and a Portion of Govt Lot 9 of Block 1 of the Baker Addition in Miles City, MT. The applicants, Dennis Petrik, 819 Woodbury St and Bradley Petrik, 1910 Bridge St, Miles City, MT, propose an aggregation of two lots, followed by a boundary line adjustment to create two residential tracts of equal size from three original parcels. The properties will continue as residential land use.

The proposed *Amended Plat of Lots 12, 13 and a Portion of Govt Lot 9 of Block 1, Amended Plat of Baker Addition* reconfigures Lots 12, 13 and a portion of Government Lot 9. This amended plat is exempt from Subdivision Review per MCA section 76-3-207(1)(d) & (f) but is subject to the survey requirements in MCA 76-3-401.

76-3-207. Divisions or aggregations of land exempted from review but subject to survey requirements and zoning regulations -- exceptions -- fees for examination of division. (1) Except as provided in subsection (2), unless the method of disposition is adopted for the purpose of evading this chapter, the following divisions or aggregations of tracts of record of any size, regardless of the resulting size of any lot created by the division or aggregation, are not subdivisions under this chapter but are subject to the surveying requirements of 76-3-401 for divisions or aggregations of land other than subdivisions and are subject to applicable zoning regulations adopted under Title 76, chapter 2:

- (d) for five or fewer lots within a platted subdivision, the relocation of common boundaries;*
- (f) aggregation of parcels or lots when a certificate of survey or subdivision plat shows that the boundaries of the original parcels have been eliminated and the boundaries of a larger aggregate parcel are established. A restriction or requirement on the original platted lot or original unplatted parcel continues to apply to those areas.*

This review is being conducted according to the Miles City Code of Ordinances (MCCO) effective May 2015.

The Amended Plat of Block 1 of the Baker Addition does not create new tracts of record. The southern boundary line of Lot 13 is to be eliminated, thus aggregating Lots 12 & 13. The southern boundary of Lot 12 will be moved 51 feet south to create a new tract of record 13A totaling 0.369 acres (16,094 sq. ft.) The existing tract "Portion of Government Lot 9" will reduced from 0.546 acres (23,783.4 sq. ft.) to 0.369 acres (16,094 sq. ft.).

All tracts are appropriately zoned Residential A (RA) and no change in land use is proposed. The properties are bordered by RA districts to the south, west and east. There is a Mobile Home A (MA) zone to the north, across the Tongue River Slough. The properties are currently vacant and appear to be located in the Flood Fringe. No development is proposed on the lots at this time. Any development on these lots will be a residential use to be reviewed and approved by the Building Inspection Department. Requirements of Chapter 24-53 (Zoning), Chapter 12 (Floodplain) and Chapter 5 (Building Codes) of the Miles City Code of Ordinances (MCCO) will apply to development on the subject tracts, along with any applicable Federal and State regulations. Municipal services are readily available. The newly created lots will have legal and physical access via Montana Ave.

The subject parcels have two easements on the properties: Montana-Dakota Utilities on the south and west boundaries; Mid-Rivers Coop has a blanket easement covering both of the new lots.

This boundary line adjustment will not:

- create additional lots or tracts of land
- impact the ability of the government to provide local services
- endanger public health and safety
- create or expand a non-conforming use
- create an expansion or cost of services
- increase the amount of roads currently being maintained by the City
- significantly increase emergency response times, traffic load, fire protection levels, schools and school routes, or landfill requirements
- create any special or rural improvement districts that would obligate the local government either administratively or financially.

Per MCA 76-3-207, the proposed amended plat is not a subdivision, is not subject to subdivision review and does not appear to be an attempt to evade subdivision review. It appears that the completed project will meet the intent of subdivision regulations stated in MCA 76-3-102. Custer County's Examining Land Surveyor has reviewed the preliminary plat for compliance with MCA 76-3-401. Therefore, staff recommends approval of the amended plat as proposed.



EXEMPTION CLAIM APPLICATION
BOUNDARY LINE ADJUSTMENT
AND/OR AGGREGATION OF LANDS

Miles City Community Services & Planning
17 South 8th Street, PO Box 910
Miles City, MT 59301

Date Received: SEP 12 2016
to be completed by City

Attach a check payable to the City of Miles City for \$200.00 and submit the application materials (Original, plus 2 copies) to the City of Miles City Community Services and Planning Department, 17 S. 8th Street, Miles City, MT, 59301.

1. Property owner(s): (If more than 2, please attach additional sheets)

a. Name: Dennis Petrik Occupation: _____
Address: 819 Woodbury Street Phone: 406-951-7311
City, State, Zip: Miles City, MT, 59301 Email: _____

b. Name: Bradley Petrik Occupation: _____
Address: 1910 Bridge Street Phone: + 406-951-1417
City, State, Zip: Miles City, MT, 59301 Email: _____

2. Surveyor/Representative:

Name: Quinn W. Wright Firm: DOWL
Address: 713 Pleasant Street Phone: 406-234-6666
City, State, Zip: Miles City, MT, 59301 Email: qwright@dowl.com

3. Parcel Description(s) of Existing Tract(s): (If more than 2, please attach additional sheets)

a. Address: No Address at this Time

Tax ID Number: _____ Geocode: 14-1740-28-4-46-05-0000

Section: 28 Township: 8 North Range: 47 East

Other legal description: Portion of Govt. Lot 9, Block 1, Amended Plat of Baker Addition, Warranty Deed Doc. #162927
Lots 12 & 13, Block 1, Amended Plat of Baker Addition, Warranty Deed Doc. #162927

Zoning District: _____ Minimum Lot Size: _____

How and when the parcel was created (example: Subdivision: X Addition, 10/3/92):

Amended Plat of Baker Addition, Envelope Number 58A, 6/1973



EXEMPTION CLAIM APPLICATION
BOUNDARY LINE ADJUSTMENT
AND/OR AGGREGATION OF LANDS

Miles City Community Services & Planning
17 South 8th Street, PO Box 910
Miles City, MT 59301

Date Received: SEP 12 2016
to be completed by City

b. Address: _____

Tax ID Number: _____ Geocode: _____

Section: _____ Township: _____ Range: _____

Other legal description: _____

Zoning District: _____ Minimum Lot Size: _____

How and when the existing parcel was created (example: Subdivision: X Addition, 10/3/92):

4. Proposed Exemption(s):

This application is used for proposals to relocate common boundaries between adjoining properties, and/or the aggregation of lots. Please indicate which exemptions apply to this proposal by checking the appropriate box(es):

- A division made outside of platted subdivisions for the purpose of relocating common boundary line(s) between adjoining properties. [76-3-207(1)(a), MCA]
- For five or fewer lots within a platted subdivision, the relocation of common boundaries. [76-3-207(1)(d), MCA]
- A division made for the purpose of relocating a common boundary line between a single lot within a platted subdivision and adjoining land outside a platted subdivision. A restriction or requirement on the original platted lot or original unplatted parcel continues to apply to those areas. [76-3-207(1)(e), MCA]
- Aggregation of parcels or lots when a certificate of survey or subdivision plat shows that the boundaries of the original parcels have been eliminated and the boundaries of a larger aggregate parcel are established. A restriction or requirement on the original platted lot or original unplatted parcel continues to apply to those areas. [76-3-207(1)(f), MCA]



EXEMPTION CLAIM APPLICATION
BOUNDARY LINE ADJUSTMENT
AND/OR AGGREGATION OF LANDS

File No. BLA-2016-08
to be completed by City

Miles City Community Services & Planning
17 South 8th Street, PO Box 910
Miles City, MT 59301

Date Received: SEP 12 2016
to be completed by City

a. Reasons/justification for use of the exemption:

Adjust the boundaries to have two equal sized parcels.

b. Intentions for uses of the property (List or discuss the property owners' intentions for the use of each resulting parcel. For example, will the parcel(s) be used for agriculture, commercial, residences, etc.):

Lot 12A will be used for residential purposes.

Lot 13A will be used for residential purposes.

c. Intentions for disposition (For example, is the intent to correct a building or fence encroachment, to bring the property into compliance with zoning requirements, to prepare tracts for sale, etc.):

Adjust the boundaries to have two equal sized parcels.

5. Required attachments:

Submit the original, signed application, along with two additional copies of the completed application and the information listed below.

- a. Copies of recorded deeds documenting present ownership of affected parcels.
- b. Copies of all deeds, contracts, restrictions, and covenants related to this property recorded or entered into within the past year.
- c. Site plan (or draft certificate of survey or subdivision/amended plat) showing the approximate gross and net lot sizes (in acreage or square feet), proposed property lines, and all existing and



EXEMPTION CLAIM APPLICATION
BOUNDARY LINE ADJUSTMENT
AND/OR AGGREGATION OF LANDS

Miles City Community Services & Planning
17 South 8th Street, PO Box 910
Miles City, MT 59301

Date Received: SEP 12 2016
to be completed by City

proposed structures. The site plan should also identify property line setbacks, parking spaces, and any other information necessary to demonstrate compliance with the zoning code.

- d. Documentation of approved variances from zoning requirements related to the affected parcels.
- e. Copies of existing and proposed deed restrictions or covenants, if any.
- f. All documentation in support of the sanitation exemption(s), if applicable.
- g. Copies of any existing permits for the development on the property (building permits, floodplain permits, etc.), as applicable.

6. Acknowledgments:

I/We, the undersigned landowner(s) and exemption claimant(s) understand that the State of Montana provides that certain divisions of land, which would otherwise constitute subdivisions, are exempt from local subdivision review and approval, unless the transactions are an attempt to evade the Montana Subdivision and Platting Act or local subdivision regulations.

I/We affirm that this exemption claim is not an attempt to evade the Montana Subdivision and Platting Act or the Miles City Subdivision Regulations.

I/We recognize that I/We may be subject to penalties if my actions are deemed to be an effort to evade subdivision review, as set forth in Montana law:

- 76-3-301(3), MCA: If transfers not in accordance with the Montana Subdivision and Platting Act are made, the City Attorney shall commence action to enjoin further sales or transfers and complete compliance with all provision of the Montana Subdivision and Platting Act. The cost of such action shall be imposed against the party not prevailing.
- Violations: Any person who violates any provision of the Montana Subdivision and Platting Act or any local regulations adopted pursuant thereto shall be guilty of a misdemeanor and punishable by a fine of not less than \$100 or more than \$500 or by imprisonment in a county jail for not more than 3 months or by both fine and imprisonment. Each sale, lease, or transfer of each separate parcel of land in violation of any provision of this chapter or any local regulation adopted pursuant thereto shall be deemed a separate and distinct offense.
- I/We also recognize that making false statements on this form could subject me to criminal prosecution for False Swearing (per MCA 45-7-202) and Perjury (per MCA 45-7-201).
- I/We also recognize that per 45-7-203(1), MCA (Unsworn falsification to authorities), A person commits an offense under 45-7-203 if, with the purpose to mislead a public servant in performing an official function, the person:
 - (a) makes any written false statement that the person does not believe to be true;



EXEMPTION CLAIM APPLICATION
BOUNDARY LINE ADJUSTMENT
AND/OR AGGREGATION OF LANDS

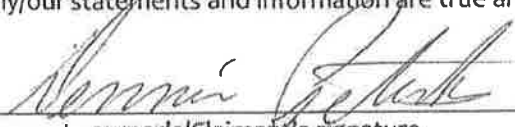
Miles City Community Services & Planning
17 South 8th Street, PO Box 910
Miles City, MT 59301

Date Received: SEP 9 2016
to be completed by City


- (b) purposely creates a false impression in a written application for any pecuniary or other benefit by omitting information necessary to prevent statements from being misleading;
- (c) submits or invites reliance on any writing that the person knows to be forged, altered, or otherwise lacking in authenticity; or
- (d) submits or invites reliance on any sample, specimen, map, boundary mark, or other object that the person knows to be false.

7. Signatures:

I/We, as Claimant(s), has/have read the foregoing Exemption Claim Application, and affirm that my/our statements and information are true and correct to the best of my/our knowledge.


Property owner's/Claimant's signature

Date: 9-9-16


Property owner's/Claimant's signature

Date: 9-9-16

Montana Cadastral

SEARCH

DATA

TOOLS

LEGEND

DISCLAIMER

HELP



Friday, September 09, 2016 1:06:17 PM -

RESOLUTION NO. 3983

A RESOLUTION ESTABLISHING A PUBLIC NUISANCE CLEANUP FUND.

WHEREAS, the City of Miles City intends to assess certain fees related to the cleanup of public nuisance properties, which may be assessed to the property taxes of the owners of said public nuisance properties;

AND WHEREAS, the City has determined that it is prudent to establish a separate fund for the handling of such income and expense related thereto;

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

1. It does hereby establish a Public Nuisance Cleanup Fund No. 1000-018-420532

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT A REGULAR MEETING THIS 27th DAY OF SEPTEMBER, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 3984

A RESOLUTION ESTABLISHING PAY RATE FOR ADMINISTRATIVE ASSISTANT /BUILDING PERMIT TECHNICIAN.

WHEREAS, the City of Miles City (“City”) and the Montana State Council No. 9 Of The American Federation of State, County and Municipal Employee, AFL-CIO Local No. 283-A union (“Union”) have entered into a Collective Bargaining Agreement dated October 5, 2011 (“CBA”);

AND WHEREAS, the City and the Union agree that the new position description of Administrative Assistant/Building Permit Technician is established;

AND WHEREAS, the City and the Union agree that the position of Administrative Assistant/Building Permit Technician shall have a base rate established at \$19.74/hour.

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

1. The CBA between the City and the Union shall be amended to reflect that the position of “Administrative Assistant/Building Permit Technician” is adopted, and;
2. The base wage paid to the Administrative Assistant/Building Permit Technician shall be \$19.74/hour.
3. This Resolution shall not be effective unless and until the same is approved by the Union.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 27th DAY OF SEPTEMBER, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

The foregoing resolution establishing the position of “Administrative Assistant/Building Code Technician” and the base wage for such position shall be \$19.74/hour is hereby APPROVED.

AFSCME COUNCIL No. 9

Local 283-A

By: _____

By: _____

Name/Title:

Name/Title:



CITY OF MILES CITY
Position Description

Last Revised:	June 21, 2016
Effective:	June 21, 2016

ADMINISTRATIVE ASSISTANT/BUILDING PERMIT TECHNICIAN

DEPARTMENT: Public Works/Utilities

ACCOUNTABLE TO: Public Works & Utilities Directors

SUMMARY OF WORK: This position is responsible for providing administrative and clerical support services in the Public Works/Utilities Department. This is a full time, permanent position.

JOB CHARACTERISTICS: This position provides departmental staff assistance and support services to the Public Works/Utilities Director(s), the Building Official and Streets/Utilities/City Shop/Parks Foreman(s). Maintain excellent public relations through communication with the public and other departments and agencies. Services include greeting and assisting the public on a daily basis. Work is performed under the direction of the Director(s) and requires considerable initiative and independent judgment.

AREAS OF JOB ACCOUNTABILITY AND PERFORMANCE:

The duties of the Administrative Assistant pertain to and shall include, but not be limited to the following:

- Greet and help walk-in customers or route to the proper person. Answer calls and route to proper person.
- Taking, referring, and handling incoming messages from telephone, fax and radio transmission.
- Respond courteously to inquiries; provide information within scope of responsibility.
- Set up, manage and maintain accurate records, both manual and electronic files.
- Communicate effectively with supervisors and co-workers by telephone, in written form, e-mail, or in person.
- Perform various tasks and duties for Boards and Commission (postings, agendas, Legal notices, recordings, minutes, etc.).
- Perform day-to-day administrative tasks such as maintaining information files and processing paperwork.
- Compiling, coding, categorizing, calculating, tabulating and verifying information.
- Prepare and monitor the process of purchase orders, verify incoming invoices with purchase orders and obtain approval signatures.



CITY OF MILES CITY Position Description

Last Revised:	June 21, 2016
Effective:	June 21, 2016

ADMINISTRATIVE ASSISTANT/BUILDING PERMIT TECHNICIAN

- Track and maintain credit card receipts and accounting.
- Work with the public to process various applications.
- Open, read, route and distribute incoming mail or other materials.
- Prepare timesheets and charge out each employee's time to the proper category.
- Prepare and maintain bi-monthly, quarterly and annual time recap reports.
- Under the direction of the Director(s) schedule regular and non-routine work.
- Develop specific goals and plans to prioritize, organize and accomplish your work, to ensure deadlines are met.
- Order supplies for office and City Hall (as needed).
- Handle emergencies promptly and effectively-dispatch crews in a timely manner.
- Prepare billing for reimbursable services.
- Maintain City wide fuel card system (reporting and billing).
- Complete Special Event Permits and Park User Permits.
- Must be familiar with Zoning regulations, Building code regulations and other related City ordinances.
- Use computers for various applications, such as word processing.
- Operate office equipment such as fax machines, copiers, or phone systems and arrange for repairs when equipment malfunctions.
- Complete forms in accordance with City's procedures (Building Permits, Zoning, Board of Appeals, Home Occupation).
- Make copies of correspondence or other printed material.
- Operate electronic mail systems and coordinate the flow of information, internally or with other organizations.
- Compose, type and distribute meeting notes, route correspondence, or monthly reports.
- Implement a new Building Permit application and reporting system.
- Other duties as assigned by the immediate supervisor.

Building Permit Department:

- Assist with permit applicants and others by phone and in person.
- Answer questions related to land use, zoning ordinances and applicable local and state laws.
- Interprets and explains policies and regulations accurately and tactfully to the public assisting with the completion of building permit applications.
- Processes and reviews building permit applications, documents and plan



CITY OF MILES CITY Position Description

Last Revised:	June 21, 2016
Effective:	June 21, 2016

ADMINISTRATIVE ASSISTANT/BUILDING PERMIT TECHNICIAN

submittals to assure accuracy and compliance with pertinent laws and established criteria.

- Calculates and processes permit fee and provides fee estimates as requested.
- Records and balances permit-related monetary transactions.
- Provides information to the public relating to the statues of projects and permits.
- Prepare and process monthly reports and submit to appropriate contractors, businesses, citizens, departments and Census Bureau.
- Prepare annual recaps and reports for the State.
- Prepare applications for mailing once approved.
- Compose correspondence as directed by the Building Official.
- Prepare and complete Certificates of Occupancies.
- Consult with Building Official and Flood Plain Administrator for building and flood plain code verification.
- Other duties as assigned by immediate supervisor.

Board of Appeals: Assist applicant with the application; contact members for availability on meeting date and time; compose legal and proper notices; prepare Board of Appeals agenda and mail; prepare signs for posting; attend, record and transcribe meeting minutes and distribute; maintain and file all appeals accordingly; prepare annual recap.

Zoning Commission: Contact members for availability of meeting date and time. Prepare agendas, attend, record, transcribe and distribute meeting minutes, maintain records of the Commission's action. When needed, compose legal notices and postings accordingly.

Home Occupation Applications: Compile legal property owners' name and addresses for the permit to be presented before the City Council; maintain records of such permits.

Excavation Permits: Assist applicant in completing the permit and prepare paperwork for billing customers as needed.

Planning Board: Work in conjunction with the Planner and coordinate with board chairperson for meeting agenda items. Contact members for availability of meeting date and time; complete agendas and mailing, attend meetings, record and transcribe minutes and compose legal notices and postings accordingly. Maintain records and minutes of the Boards action.



CITY OF MILES CITY Position Description

Last Revised:	June 21, 2016
Effective:	June 21, 2016

ADMINISTRATIVE ASSISTANT/BUILDING PERMIT TECHNICIAN

JOB REQUIREMENTS:

Knowledge: This position requires knowledge of administrative and clerical procedures and systems such as word processing, managing files and records, stenography and transcription, forms, and other office procedures and terminology. Requires knowledge of the structure and content of the English language; including the meaning and spelling of words, composition and grammar. Knowledge of electronic equipment, including computer hardware and software, applications and programming. Requires familiarity with land descriptions, legal descriptions, zoning ordinances, building codes and correspondence documents. Knowledge of procedures and techniques of permit processing.

Skills/Abilities: This position requires skills in telephone etiquette, typing, use of the computer, 10-key pad, and other various office equipment and machines, use of various software programs for word processing, database and spreadsheets. This position required the ability to type 35 wpm with accuracy in a setting with many interruptions; transcribe from a digital voice recorder; hand written draft or verbal instructions; communicate effectively orally and in writing; follow verbal and written instructions; greet the public in a courteous and professional manner; read ordinary print and type; provide information and assistance to the public; work with attention to detail and accuracy; maintain accurate records and minutes from the boards and commissions; have a broad knowledge of general office skills; must be able to do basic accounting and mathematical computations with a high degree of accuracy. The ability to arrange required tasks, in order, and recognize when correction is required. Learn permit processing and procedures to ensure compliance with city ordinances and laws. Interpret and explain policies and regulations accurately and tactfully to the public. Respond to public relating to status of projects and permits. Perform mathematic calculations. Foster an environment that embraces diversity, integrity, trust and respect. Prioritize work and coordinate several activities simultaneously despite interruptions. Establish an effective working relationship with fellow employees, supervisor(s) and the public; requires tact in dealing with difficult people and adhere to standards of confidentiality.

Physical Requirements: Repetitive movement of hands and fingers – typing and/or writing. Occasional standing, walking, stooping, kneeling or crouching. Reach with hands and arms. Talk and hear.

EDUCATION AND EXPERIENCE

The above knowledge, skills and abilities are typically acquired through a combination of education and experience, or equivalent to:



CITY OF MILES CITY Position Description

Last Revised:	June 21, 2016
Effective:	June 21, 2016

ADMINISTRATIVE ASSISTANT/BUILDING PERMIT TECHNICIAN

Required Education

- High school diploma or GED

Preferred Experience

- Previous work-related skill, knowledge or experience of 1 year
- Demonstrated proficiency in applicable software programs
- Ability to type 35 wpm with zero errors on a five minute typing test

PERFORMANCE STANDARDS: Evaluation of this position will be based primarily upon performance of the preceding requirements and duties. Examples of job performance criteria include, but are not limited to the following:

- Performs assigned duties.
- Observes work Hours.
- Demonstrates Punctuality.
- Deals tactfully with the public.
- Establishes and maintains effective working relationships with fellow employees, supervisors, City departments and the public.
- Proofread documents, records, or other files to ensure accuracy.
- Answer telephones to direct calls or provide information.
- Operate communications equipment or systems.
- Greet customers or visitors.
- Order materials and supplies.
- Search files or reference materials to obtain needed information.
- Operate office equipment.
- Operate computers or computerized equipment.
- Maintain current knowledge related to work activities.
- Send information, materials or documentation.
- Record information from meetings or other formal proceedings.
- Refer customers to appropriate personnel.
- Distribute incoming mail.
- Demonstrates the ability to learn state laws and local ordinances.
- Maintain accurate and timely records, reports and minutes.
- Demonstrate computer skills and knowledge.
- Demonstrate knowledge of land and legal descriptions.



CITY OF MILES CITY
Position Description

Last Revised:	June 21, 2016
Effective:	June 21, 2016

ADMINISTRATIVE ASSISTANT/BUILDING PERMIT TECHNICIAN

- Ability to handle multiple interruptions and adjust priorities throughout the day.
- Ability to communicate effectively with diverse and sometimes irate individuals.
- Ability to remain calm and work efficiently to situations ranging from routine to emergency.
- Ability to organize, meet deadlines and deal with multiple responsibilities.
- Adhere to standards of confidentiality.

Approved by Human Resource Committee:

Signed: _____

Date: _____

Reviewed by:

Supervisor: _____

Date: _____

Supervisor: _____

Date: _____

Received & Reviewed by:

Employee: _____

Date: _____

RESOLUTION NO. 3985

A RESOLUTION ESTABLISHING PAY RATE FOR PLANNER II

WHEREAS, the City of Miles City (“City”) has established a new position description of Planner II;

AND WHEREAS, the City has established an annual base salary of \$40,206.36 for the position ;

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

1. The base salary paid to the Planner II shall be \$40,206.36/annually.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 27th DAY OF SEPTEMBER, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk



CITY OF MILES CITY Position Description

Last Revised:	June 21, 2016
Effective:	June 21, 2016

Planner II

Position: Planner II
Department: Community Services & Planning
Accountable To: Director of Public Works
Bargaining Unit: N/A
FLSA: Exempt

Summary of Work: This is a full time permanent position. The primary function of this position is to provide support for the various programs administered under the Planning department including short and long-term planning, grants management and land management. Serves as planner, under the instruction of the Public Works Director and occasional assistance from planning professionals, administering land use regulation through the Montana Subdivision and Platting Act (MSPA), local subdivision regulations and other land use regulations. Provides technical assistance and information to staff and the public in the administration of planning program areas and ordinances, including maps, charts or tables. Prepares staff reports and recommendations for special use permits land use projects. This position prepares updates for the subdivision regulations, other development plans, assists in annexation and public right-of-way vacation activities. This position also provides grant preparation and administration guidance. The work is fast-paced with multiple tasks involving policy development and compliance, financial funding, project development, coordination of intra-agency schedules for funding, prepares funding applications for grants and loans for the Public Works and Public Utilities departments and supervises administration of successful grants and loans. This position responds to requests for information from the public regarding infrastructure, planning, and funding programs.

JOB CHARACTERISTICS:

- **Nature of Work:** This position performs the duties of program administration, technical services, grants administration, and program operations to the Planning Board, the Community Services & Planning Department and other City departments. Provides technical and program information to the public regarding subdivision, development plans and annexations.
- **Personal Contacts:** Frequent contact with the general public, city, county, state and federal officials, fellow employees, contractors, business groups, special interest groups, non-profit groups, engineering firms, land developers, and financial institutions.



CITY OF MILES CITY Position Description

Last Revised: June 21, 2016

Effective: June 21, 2016

Planner II

- **Supervision Received:** Under the direct supervision of the Director of Public Works.
- **Essential Functions:** Position requires the ability to read and interpret written material, legal documents, aerial photography, topographic maps, plat maps and drawings, and engineering designs; communicate orally and in writing; travel to meetings, training, and development site inspections, calculate, and comprehend complex rules and regulations.

AREAS OF JOB ACCOUNTABILITY AND PERFORMANCE:

- Supports the administration of the MSPA, coordinates development plan updates, reviews deeds and plats submitted for recording. Provides assistance and coordination of grant applications and administrative tasks. Prepares and administers department budgets under the direction of the Director of Public Works.

JOB REQUIREMENTS:

- **Knowledge:** This position requires knowledge of land use laws, environmental laws, annexations and the practical application thereof; budget and financial administration, community development strategies, computer-aided mapping, public contracting, funding research and applications, administrative tasks and surveys.
- **Skills:** This position requires skill in math, reading, communication, creative problem-solving, and computer operation including MS Office, Internet applications and GIS. Effective public speaking and writing skills are important.
- **Abilities:** This position requires the ability to interpret and apply federal law, state law and administrative regulations, and local ordinances; serve as liaison between local government and other community groups and governmental agencies; prepare reports; attend evening meetings; travel; communicate effectively orally and in writing; follow verbal and written instructions; establish effective working relationships with fellow employees, supervisors, and the public.
- **Physical Requirements:** Physical requirements include occasional lifting/carrying 25 pounds; visual acuity, speech and hearing; hand and eye coordination and manual dexterity necessary to operate a computer keyboard and basic office equipment. Subject to sitting, standing, reaching, walking, twisting, and kneeling to perform the essential functions. Working conditions are primarily inside an office environment.

EDUCATION AND EXPERIENCE: The above knowledge, skills, and abilities are typically acquired through a combination of education and experience equivalent to a Bachelor's Degree in a STEM



CITY OF MILES CITY Position Description

Last Revised:	June 21, 2016
Effective:	June 21, 2016

Planner II

(Science, Technology, Engineering, and Mathematics) related field or combination of equivalent education and experience.

JOB PERFORMANCE STANDARDS: Evaluation of this position will be based primarily upon performance of the preceding requirements and duties. Examples of job performance criteria include, but are not limited to, the following:

- ./ Performs assigned duties.
- ./ Observes work hours.
- ./ Demonstrates punctuality.
- ./ Deals tactfully with the public.
- ./ Establishes and maintains effective working relationships with fellow employees, supervisors, and the public.
- ./ Effectively serves as liaison for various groups.
- ./ Prepares and submits accurate and timely reports.
- ./ Maintains accurate and timely records.
- ./ Administers the MSPA program.
- ./ Demonstrates the ability to learn complex land use laws, planning theory and funding programs.
- ./ Effectively coordinates updates to local subdivision regulations and other development plans.

Approved by Human Resource Committee:

Signed: _____

Date: _____

Reviewed by:

Supervisor: _____

Date: _____

Received & Reviewed by:

Employee: _____

Date: _____

RESOLUTION NO. 3986

A RESOLUTION ESTABLISHING PAY RATE FOR GENERAL OFFICE CLERK

WHEREAS, the City of Miles City (“City”) has established a new position description of General Office Clerk;

AND WHEREAS, the City has established an annual base wage of \$13.41/hr. for the position ;

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

1. The base wage paid to the General Office Clerk shall be \$13.41/hr.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 27th DAY OF SEPTEMBER, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk



CITY OF MILES CITY
Position Description

Last Revised:	8/24/2016
Effective:	8/24/2016

GENERAL OFFICE CLERK

DEPARTMENT: Finance

ACCOUNTABLE TO: City Clerk

SUMMARY OF WORK: Under general supervision, is responsible for performing general clerical duties.

JOB CHARACTERISTICS:

Nature of Work: Clerical

Supervision Exercised: None

Essential Functions:

- Detailed compilation and filing of City Resolutions and Ordinances
- Maintain City Resolutions and Ordinances on website
- Comply with records retention schedules
- Assemble and Distribute City Council Packets
- General Filing
- Assemble outside service contracts after approval by City Council
- Preparing letters, documents, etc. for mailing
- Performs related duties and fulfills responsibilities as required.

KNOWLEDGE, SKILLS AND ABILITIES

- Skill in operating a computer
- Skill in operating a ten key adding machine or calculator
- Knowledge of Microsoft Office Software including, Word, Excel, Outlook



CITY OF MILES CITY
Position Description

Last Revised:	8/24/2016
Effective:	8/24/2016

GENERAL OFFICE CLERK

- Ability to communicate effectively, both verbally and in writing
- Skill in basic filing systems
- Ability to perform basic mathematical calculations
- Ability to establish and maintain effective working relationships with the general public and City staff

EDUCATION AND EXPERIENCE:

- Graduation from high school or a General Education Development (GED) Certificate

PHYSICAL REQUIREMENTS

Physical requirements include occasional lifting/carrying of 20 pounds; visual acuity, speech and hearing; hand and eye coordination and manual dexterity necessary to operate a computer keyboard and basic office equipment. Subject to sitting, standing, reaching, walking, twisting, and kneeling to perform the essential functions. Working conditions are primarily inside an office environment.

Approved by Human Resource Committee: August 24, 2016

Signed: _____ Date: _____

Supervisor: _____ Date: _____

ORDINANCE NO. 1305

AN ORDINANCE ENACTING SECTION 11-1 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY, MONTANA, TO ESTABLISH REGULATIONS GOVERNING FIRE DEPARTMENT REPOSITORY UNITS.

WHEREAS, the City Council of the City of Miles City has determined that it is necessary and appropriate to enact Section 11-1 pertaining to regulations governing fire department repository units to the Code of Ordinances of the City of Miles City. The City recognizes that said repository units assist in providing the fire department rapid entry into locked buildings, increasing the chance of survival in a fire and a reduced risk of substantial property damage caused by delays in gaining entry into a structure, or caused as a result of forced entry into a structure.

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

Section 1. That there is hereby enacted a Section 11-1, entitled Fire Department Repository Units, as follows:

Sec. 11-1. – Fire Department Repository Units.

- (a) The owner or person in control of the following types of buildings as set forth in this section shall install and maintain a Fire Department Repository Unity of a type approved by the Fire Chief of the City of Miles City. A list of approved units, along with order forms, shall be maintained by the Fire Inspector. Repository Units shall be mounted between 6 and 8 feet above ground level, on the right hand side of the main entrance. The following buildings shall be required to install Repository Units at the owner's expense:
1. Any newly constructed apartment building or other rental building containing four (4) or more residential living units and which access to the building or to common areas or mechanical or electrical rooms within the building is denied through locked doors.
 2. Any newly constructed nonresidential building which is used for a commercial or industrial purpose.
 3. Any existing or newly constructed non-residential building where a fire detection or suppression system is monitored by an alarm company or has an external audible alarm.
 4. Any building or facility containing a quantity of hazardous materials which would require compliance with Title III of SARA (Superfund Amendment Reauthorization Act).

- (b) The owner or person in control of the buildings or facilities described in Section 11-1(a) above shall cause to be placed in such Repository Unit a key to the following areas:
 - 1. Locked points of access in the exterior of the building or facility;
 - 2. Locked points of access to common areas, such as hallways or utility rooms, contained in such buildings or facilities;
 - 3. Locked mechanical rooms;
 - 4. Locked electrical rooms;
 - 5. All other locked areas, other than individual apartments or rented rooms, as directed by the Fire Chief.
- (c) The fire chief may require additional information to be stored within the Repository Unit, to include an emergency contact card, diagram showing locations of utility and fire protection controls, and any other contents as may be required by the Fire Chief or his/her designee.
- (d) All properties required by this section to have a Repository Unit shall have a period of six months from the final passage of this section to have said unit in place. Any newly constructed property required by this section to have a Repository Unit shall install said unit prior to the City issuing an occupancy permit to for the property.
- (e) The Board of Appeals for the City of Miles City may waive the requirements of this section for good cause shown, and only after a hearing before the Board of Appeals following notice to the Fire Chief of such request.
- (f) Violation of this ordinance shall be accomplished through citations issued by the Fire Chief or his/her designee, cited into City Court, and punishable by a fine not less than \$100.00 and not more than \$500.00, with each day of a continuing or existing violation being considered a separate offense.

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

Said Ordinance read and put on its passage this 27th day of September, 2016.

John Hollowell, Mayor

ATTEST: _____
Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this 10th day of October, 2016.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

August 25, 2016
Thursday

****Appropriate Appointment to City Council****

City Council
City of Miles City

Rob Shipley
603 South 4th Street
Miles City

Gentlepersons:

As all of you may easily and almost joyfully recognize, I was nearly overcome with apoplexy seeing and then reading the front page of yesterday's Miles City Star. The City Council - - - - -FINALLY - - - - - got rid of the last of its two (2) very WORST EVER mayors !!!!!

Are all of you up to accepting, and, appreciating TRUTH and FACTS?

- A. Not me, but my family did a great deal for Miles City from 1945 through 1997. My wonderful parents, dba Beacon Carter Service and W&S Propane Company, bought, owned, maintained and paid a couple of millions of property taxes on no fewer than thirty-eight (38) Miles City properties. They owned at one time six (6) gasoline stations and trucks stops; four (4) cafes and restaurants; the Vaughn Ragsdale complex on Main Street and.....it was not Roger Lothspiech who opened up the "Strip", South Haynes Avenue from the state school to the Interstate, it was R.D. and Mary Shipley when they built and opened Interstate Enco in May, 1964.
- B. Let the record reflect it is my steadfast contention John Hollowell's crushing of criminal Grenz last November is assuredly the widest margin success in all of Miles City's mayoral events since 1878. Two thirds to one third is actually an astounding success.
- C. I am miffed to write the least why John Uden would misrepresent Grenz as he did pre-interview. "Mr. Grenz is qualified with city government." Duh? Hello? Where has any mayor in Montana history ever been lawfully forced to resign for wasting over \$400,000 of city money in five (5) useless and asinine lawsuits as was Grenz in April, 2006? When has a Montana city

or town ever.....EVER.....been so willing to bend over backwards and elect again the dummy and the fool in order to gift to him a real second chance? And what did he do with the ****real**** second chance? He blew it !!!!! Not only did he not impress the majority of the wonderful people who ARE Miles City with anything significant, he acted the bastard criminal again and gained for himself and wife and the city yet another four million dollar (\$4,000,000) lawsuit. And, and, and.....what each of you absolutely must become aware.....he oversaw, supervised, accepted and passed along as “business as usual” one (1) and very possibly two (2) very deadly category “A” federal felonies. He was in charge when Dan Rice (whom he appointed) and Jeff Noble eagerly and most despicably conspired upon and against City Judge Al Homme and gained for themselves two (2) totally despicable and absolutely VOID felony perjury Oaths of Office. Good people, trust me, please do. I was plastered with a very, very minor Category “D” felony in July of 1988, twenty-eight (28) years ago. I know more about felonies than perhaps ninety percent (90%) of all Montanans, trust me that I do. Mine was for having my ex-wife so incredibly false report me to the BATF, Bureau of Alcohol, Tobacco and Firearms, which got me busted for buying and selling firearms without a “current” FFL, Federal Firearms License. {{{ 100% truth - -- Elaine stole (contrary to the divorce decree of the district court) our FFL from our Custer Pawn and Consignment where she and I had bought, sold, traded and pawned well over thirteen hundred (1,300) rifles, pistols and shotguns from 1977 through 1983. So, after Elaine divorced me and my wonderful father, R.D. Shipley, passed away and I inherited his life time very sweet gun collection of 222 rifles, pistols and shotguns worth \$99,640.00; Elaine was *hot* she was not going to get her 50% share.....so, she devised an illegal way to rat me off to the BATF. }}} But my category “D” felony is sooooooooooooo minor a felony it does not restrict in any way the right to vote, and, especially, it also does not restrict in any way the right to buy and sell and own firearms, as many hundreds of them as anyone would ever want to collect. Category “A” felonies, like federal felony perjury.....are damned serious. And with Jeff Noble and Dan Rice, will certainly require their being disbarred by the Montana Bar Association.

D. According to Uden’s next words, “ And this is not a personality or popularity contest.....”. Therefore, standing before each of you, girded with

TRUTH before all of you that stands before all of Miles City as tall and proud as a mountain.....I wish to be immediately appointed to serve my home town to the very best of my ability.

3.Kathy Wilcox is to be commended for her very forthright introspection of criminal Grenz.

4.Grenz's guttural diatribe, "First off, the only reason I'm here is because I care." Yeah, right, Butch; like you cared so much in both terms as Montana's worst ever mayor racking up over four and a half million dollars (\$4,500,000) in seven (7) lawsuits and embarrassing all good public officials all over our great state.

5.Praise, praise, praise and more praise must be discussed for the nay votes from Jeff Erlenbusch, Susanne Galbraith, Brant Kassner, Kathy Wilcox, Dwayne Andrews and Ms Sloan. Praise and more praise. They voted for JUSTICE and eradicated Miles City of its worst ever mayor and for all the right reasons.

I do not here advocate to any of you to view me as being similar to Donald Trump in his asking for the Black American vote, "What the hell have you got to lose?" What I ask here is precisely, look me over from stem to stern, I do have a very good resume of decent credentials and none of them align in any way, shape nor form with any of the criminal high minded lunacy of pauper joey whalen and criminal two time loser, Butch Grenz.

1. Very resolute Christian.
2. Still engaged in college seeking a PhD in Theology or Divinity.
3. Thirty-seven (37) years total time under contract with the U.S. Navy and U.S. Naval Reserve, i.e., U.S. Navy veteran.
 - a. Specifically a very good benefit, a Navy air traffic controller where everything in ATC is so exact and so precise flying has become the safest mode of human transportation the world has ever known or will ever know. {{{ Precisely the absolute reciprocal of the lawyer profession where LIES and LIES and more LIES are the prize, just as long as there results a win.}}}
 - b. Also, was screened by the USNR and FBI to be awarded as was necessary for a time, a TOP SECRET Clearance.

4. Shipley family legacy. I would appreciate being able to do for Miles City a great deal as did my wonderful parents in their ninety-two (92) years of combined service living here in the town that they loved. {{ Ship, 1945 to 1985 (40 years), and Mary, 1945 to 1997 (52 years)
 - a. R.D. Shipley was a deputy sheriff in Terry in 1933 and 1934; he moved to Billings and learned to fly and became a Northwest Airlines captain in WWII; and, from 1952 to 1960 he was an eight (8) years badge carrying Montana Fish and Game Commissioner.
 - b. Mary earned her BS degree at MSC, 1939, and her MS degree there also in 1967. From 1956 to 1960 she was the State President of AAUW, American Association of University Women. And she insisted when MCC was building the Centra, she and Ship donated ten thousand dollars (\$10,000).
5. Plus, I also offer to all of you well over sixteen thousand (16,000) HARD hours of internet study of law; all law, constitutional law, case law, admiralty law, and tort law. I can nearly quote verbatim perhaps more than fifty (50) statutes of the Montana Code from memory alone.

Furthermore, I offer to each of you the May/June 2016 issue of "Magic". Enjoy pages 12 and 13, Mayor Tom Hanel and wife, Robin. They are so well received everywhere in Montana because.....they LOVE Billings. Butch Grenz became the worst mayor ever in all of Montana because.....he is a hater. If he wasn't he wouldn't lie, and all haters lie.

In summation, please deduce the TRUTH and FACTS that my family legacy before me and my desire here expressed to serve is quality stuff with which you each desire to comingle our assets.

Thank you sincerely,

Rob Shipley

Jeff Williams M.D.

1611 Tompy Street
Miles City, MT 59301



August 25, 2016

City of Miles City, City Council
17 South 8th Street
Miles City, MT 59301

To whom it may concern,

The purpose of this letter is to notify the current City Councilors that I am interested in being considered for appointment to fill the vacant City Councilor position for Ward 2. I meet the minimum criteria to fill the vacancy in that I am a US Citizen, I am more than 18 years old, and I have been a resident of Ward 2 for at least 60 days prior to any appointment.

The three reasons for my interest in being appointed to the City Council are as follows:

- 1) I have a strong interest in participating in the economic growth of Miles City,
- 2) I have a strong interest in participating in my community within a leadership role,
- 3) I believe that I would be an asset in helping to shape the future for Miles City.

While I do not have prior experience in the role of a public servant, I have experience in serving in leadership roles in the private sector. I currently serve as Chairman of two committees within the Medical Staff at Holy Rosary Healthcare and hold positions as a member of two other Medical Staff Committees. I have served as the President of the Medical Staff at Holy Rosary Healthcare for two years. I also currently serve as the President of the Miles City Maltfest which is a 501(c)(3) organization dedicated to creating a fun social fundraising event in Miles City and then using the proceeds to reinvest in this community. Thank you for your consideration.

Warm regards,

Jeff Williams M.D.



Cynthia E. Reid
119 Balsam Drive
Miles City, MT 59301
406-853-3532
reidgang@midrivers.com

September 21, 2016

Mayor John Hollowell and Miles City Council Members
PO Box 910
Miles City, MT 53901

RE: Application to fill vacancy on Miles City Council

Dear Mr. Hollowell and members of the Miles City Council:

I wish to apply for the position of council member left vacant by Rachel Sloan.

I have experience in administration in a variety of fields over the past 35 years, and I hope that I would be able to provide assistance and insight to the matters that face the council on a regular basis. I am particularly interested in the resolution of the flood insurance crisis in Miles City and maintaining an efficient and effective relationship with Custer County on overlapping services.

I have worked as a comptroller in oil & gas transportation, legal secretary, customer service in banking, Custer County Treasurer, securities and investment sales and service, hotel management, and sanitation services. My specific duties have included all aspects of accounting (accounts payable/receivable, payroll, budgeting, and inventory), human resources, customer service, investing of county funds, and contract bidding.

I understand that this position will end at the end of 2017, and that further retention of this position will require that I run for election in November 2017.

If you have any questions or concerns regarding my application, please contact me at 406-853-3532 or reidgang@midrivers.com.

Thank you for your consideration.


Cynthia E. Reid