



CITY OF MILES CITY AGENDA

*Regular Council Meeting
City Council Chambers*

*February 14, 2017
7:00 p.m.*

CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

1. APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES

- | | |
|---------------------------------|-----------|
| A. Regular City Council Meeting | 1/24/2017 |
| B. Human Resource Meeting | 2/02/2017 |
| C. Ad Hoc Wage Survey Meeting | 2/07/2017 |
| D. Finance Committee Meeting | 2/09/2017 |

2. SCHEDULE MEETINGS

3. REQUEST OF CITIZENS & PUBLIC COMMENT

4. APPOINTMENTS

5. PROCLAMATIONS

6. STAFF REPORTS

7. CITY COUNCIL COMMENTS

8. MAYOR COMMENTS

9. COMMITTEE RECOMMENDATIONS

Finance Committee Meeting- Send Bulk Water and Hydrant Replacement Debts for an Amount of \$529.37 to Collections.

10. BID OPENINGS

11. BID AWARDS

12. PUBLIC HEARINGS

- A. **RESOLUTION NO. 4027- 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 # 1000-007-420460-364 and to Fund the Repairs of Three Fire Vehicles**

13. UNFINISHED BUSINESS

- A. **RESOLUTION NO. 4027- (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 # 1000-007-420460-364 and to Fund the Repairs of Three Fire Vehicles**

14. NEW BUSINESS

- A. Discussion on Council Vacancy Policy
- B. **RESOLUTION NO. 4032- *(First Reading)* A Resolution Amending the City of Miles City's Program to Charge Mitigation Rates for the Deployment of Emergency and Non-Emergency Services by the Fire Department for Services Provided/Rendered for the City of Miles City**
- C. **RESOLUTION NO. 4033- A Resolution Approving a Montana Department of Transportation Utility Occupancy and Location Agreement Between the City of Miles City and the Montana Department of Transportation**
- D. **RESOLUTION NO. 4034- A Resolution Approving Purchase Agreement Renewal With Mid-Rivers Telephone Cooperative, Inc., For Telephone Services**
- E. **RESOLUTION NO. 4035- A Resolution Authorizing the City of Miles City to Enter Into an Interlocal Agreement with Custer County for Fiscal Years 2016-2017 and 2017-2018**
- F. **ORDINANCE NO. 1309- *(First Reading)* An Ordinance of the City Council of the City of Miles City, Montana Enacting Section 23-1 of the Code of Ordinances of the City of Miles City, Montana, and Adopting a Utility Rule Requiring a Property Owner's Consent to Annexation as a Condition of Receiving Water and/or Sewer Service**
- G. **ORDINANCE NO. 1310- *(First Reading)* An Ordinance Changing the Zoning of Tract No. 4 of the Dyba Addition to the City of Miles City From General Commercial Zone to Highway Commercial Zone, and Providing For a Hearing Thereon**
- H. **ORDINANCE NO 1311- *(First Reading)* An Ordinance Amending Sections 24-66(e) and 24-80, and Correcting the City of Miles City Zoning Map to Include City Property not Reflected and Removing Properties Lying Outside of the City Limits, and Providing for a Hearing Thereon**
- I. **APPROVAL OF JANUARY CLAIMS**

15. ADJOURNMENT

Public comment on any public matter that is not on the agenda of this meeting can be presented under Request of Citizens, provided it is within the jurisdiction of the City to address. Public comment will be entered into the minutes of this meeting. The City Council cannot take any action on a matter unless notice of the matter has been made on an agenda and an opportunity for public comment has been allowed on the matter. Public matter does not include contested cases and other adjudicative proceedings

REGULAR COUNCIL MEETING January 24, 2017
7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, January 24, 2017, in the City Hall Conference Room at City Hall, 17 S. 8th Street, Miles City, Montana. Mayor John Hollowell called the meeting to order. Council Members present were Brant Kassner, Dwayne Andrews, Ken Gardner, John Uden, Rick Huber, Jeff Erlenbusch, Kathy Wilcox and Susanne Galbraith.

Also present were City Attorney Dan Rice, Public Works Director Scott Gray, Public Utilities Director Allen Kelm, Police Chief Doug Colombik, Fire Chief Gary Warren, Grant Administrator /Historic Preservation Officer Connie Muggli, Planner II Dawn Colton, 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

City Council Minutes: 1/10/2017

- ** *Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of January 10, 2017, and seconded by Councilperson Kassner. The motion **passed** by unanimous consent, 8-0.*

Human Resource Committee Minutes: 1/05/2017

- ** *Councilperson Wilcox moved to approve the minutes of the Human Resource Committee Meeting of January 5, 2017, , and seconded by Councilperson Erlenbusch. The motion **passed** by unanimous consent, 8-0.*

Ad Hoc Wage Survey Committee Minutes: 1/03/2017

- ** *Councilperson Wilcox moved to approve the minutes of the Ad Hoc Wage Survey Committee Meeting of January 3, 2017, and seconded by Councilperson Erlenbusch. The motion **passed** by unanimous consent, 8-0.*

Public Safety Committee Minutes: 1/17/2017

- ** *Councilperson Gardner moved to approve the minutes of the Public Safety Committee Meeting of January 17, 2017, and seconded by Councilperson Uden. The motion **passed** by unanimous consent, 8-0.*

Finance Committee Minutes: 1/19/2017

- ** *Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting of January 19, 2017, and seconded by Councilperson Huber. The motion **passed** by unanimous consent, 8-0.*

SCHEDULE MEETINGS

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

- Human Resource: Thursday, February 2nd @ 5:15 p.m.
- Ad Hoc/Wage Survey: Tuesday, February 7th @ 5:15 p.m.
- Finance: Thursday, February 9th @ 6:00 p.m.

REQUEST OF CITIZENS & PUBLIC COMMENT

Duncan Bartholomew- President of Walleyes Unlimited to present a grant proposal, that FW&P is applying for a grant to install a fish jetty at Spotted Eagle.

Walleyes Unlimited President Bartholomew presented a proposal to Council for approval to build a fish jetty at Spotted Eagle. The presentation covered the following:

- No cost to the City- The grant from FW&P would pay 70% and Walleye Unlimited would pay 30%
- Jetty is made from concrete and felt the placement of it was the best site at this time- wants to build more in the future, (highlighted by blue on the map)
- Old cement from Montana street would be used for the footage, and then crushed rocks around it
- Felt the only maintenance needed by the City would be to control the weeds around it

- ** *Councilperson Uden moved to approve the jetty proposal, and seconded by Councilperson Huber and on roll call vote, passed unanimously 8-0.*

Installation of fish jetty at Spotted Eagle was passed

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Fire Captain Mike Miller and Mayor Hollowell: Presented badges to Firefighters Justin Trethewey and Taran Harbaugh. Both were promoted from probation to confirmed firefighters.

Director Gray: Last week started the next phase on the Florence Stacey Fountain. The marble was removed and stored. This spring the waterline, filtration and bed for bowl will be upgraded.

Administrator Muggli: Thanked Matt Hanvold for producing the video on the fountain. Since it was uploaded on Facebook there had been 10,350 shares and has helped with increasing the donation for the fountain.

Chief Colombik: Issued a press release for crimes in 2016 to the newspaper and Facebook. Council members will also receive a copy.

CITY COUNCIL COMMENTS

Dwayne Andrews: Had been receiving calls on the pigeon problem. Mayor Hollowell explained he is waiting on a couple of items and once received, aggressive action will be taken.

John Uden: Thanked Director Gray and his staff for the work being completed on the fountain. Shows the residents that something is being done.

MAYOR COMMENTS

- Explained the handout for Cities Thrive- By signing the proposal it would mean that the City would need to make some commitments to supporting mental health. He asked Council to read it over and e-mail or talk to him about their ideas
- Talked to the Water Works Director Dixie Rieger and she wanted to let the Parks Department know that she was very impressed by them and appreciated their quick response to all request.
- A corner of the Council chambers is being cleaned up. He asked Council to inspect the items found and get back to him if anyone had any ideas as to what to do with them. Councilperson Wilcox asked for an inventory list.
- Had done research on Custer County/City of Miles City being one of the highest places in Montana for taxes charged to retirees. He said the report he found showed Miles City was the third lowest taxed in the entire state at 6.25%.

STANDING COMMITTEE RECOMMENDATIONS

Public Safety Committee- Fire Department Resolution concerning Response Fees- The vote was tied 2-2: "The resolution governing added response fees for the fire department will not be presented to the local citizens of Miles City or their insurance carriers.

** *Councilperson Gardner moved to send to resolution an amendment to the previously passed resolution to specify that no Miles City resident or their insurance carrier is billed for the response fee, seconded by Councilperson Uden.*

*** After a long discussion, Councilperson Galbraith moved to amend the main motion to say "no Miles City resident will be charged unless the accident is found to be criminal negligent" she referred to Attorney Rice for proper verbiage, seconded by Councilperson Erlenbusch. The amended motion passed 8-0*

***On roll call vote the amended main motion passed unanimously, 7-1 with Councilperson Wilcox voting no*

Finance Committee- Write a letter in support of the Local Option Tax

** *Councilperson Galbraith moved for the City of Miles City to write a letter of support for the local option tax, seconded by Councilperson Erlenbusch. On roll call vote, the motion passed 8-0 **Mayor Hollowell agreed to write the letter before the next Council meeting***

OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

- A. **RESOLUTION NO. 4022: A Resolution Establishing Fees for Review of Subdivision Plats, Examination of Proposed Divisions of Land, Zoning Amendments, Appeals to the Board of Adjustment and Providing for a Hearing Thereon**

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

- B. **ORDINANCE NO. 1308: An Ordinance Amending Ordinances 1073, 1262, 1277 and 1295, Revising "Administration Rules of the City of**

Miles City Water and Sewer Services, Accounts, Delinquencies and Termination”

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

UNFINISHED BUSINESS

- A. RESOLUTION NO. 4022: *(Second Reading)* A Resolution Establishing Fees for Review of Subdivision Plats, Examination of Proposed Divisions of Land, Zoning Amendments, Appeals to the Board of Adjustment and Providing for a Hearing Thereon**

****** *Councilperson Galbraith moved to approve the Resolution, by title only, The motion was seconded by Councilperson Erlenbusch and on roll call vote, passed unanimously 8-0. Resolution No. 4022 was adopted*

- B. ORDINANCE NO. 1308: *(Second Reading)* An Ordinance Amending Ordinances 1073,1262,1277 and 1295, Revising “Administration Rules of the City of Miles City Water and Sewer Services, Accounts, Delinquencies and Termination”**

****** *Councilperson Erlenbusch moved to adopt the Ordinance, read by title only, seconded by Councilperson Galbraith and, on roll call vote, passed unanimously, 8-0. Ordinance No. 1308 was adopted.*

NEW BUSINESS

- A. Approval to Apply For SAFER Grant**

****** *Councilperson Galbraith moved to approve applying to the SAFER grant for one firefighter, seconded by Councilperson Wilcox.*

Councilperson Uden asked Chief Warren why the fire department would need another full time employee since it is at full staff. Chief Warren said that it would allow them to put Battalion Chief Stevens on daytime to write grants and other administrative duties, right now he puts in quite a few hours of overtime to complete them. Mayor Hollowell added that the fire department is at full staff according to what they are budgeted for, not necessarily for what they need. The department is staffed at thirteen and to be fully staffed to fill every shift, they would need twenty eight. Battalion Chief Stevens said according to union contract the fire

department is considered fully staffed, but according to NFPA they are not. Attorney Rice said the City is fully insured with the Tort cap, which is the most that we could be sued for. He didn't feel that the City was at any financial risk.

Battalion Chief Stevens said that 1101 hours of overtime would be saved for administrative staff pay, if one person was moved to days.

Councilperson Uden thought every department needed to be fiscally conservative, and didn't feel that the money asked for right now should be approved.

*** Councilperson Uden moved to refer the approval of the grant to the public safety committee. The motion was not seconded.*

Councilperson Galbraith explained that the SAFER grant match would cover 75% for the first two years and 35% match. First year it would cost the city approximately \$12,000 and the second year it would cost the city a little over \$12,000. She thought with the saving of paying the overtime that it is a no brainer. The hiring of one more person would also help in making ambulance trips to Billings a reality and added that those trips pay back 85% on ambulance calls.

Councilperson Andrews said that after the end of the three years, the city would have to pay full price. Councilperson Galbraith replied, if there was a vacancy after the three years, it would not have to be filled. Mayor Hollowell added that it could be made known that after the three years the employee could be let go. Attorney Rice said there is a revision for an reduce in force in the union contract.

Administrator Muggli explained that the percent paid in those three years would be for the first year wages, it would not increase when that person received a wage increase.

*** On roll call vote the motion **failed**, 5-3, with Councilperson Gardner, Huber, Uden, Kassner and Andrews voting no **Approval to apply failed***

B. RESOLUTION NO. 4026- A Resolution Authorizing the Assignment of a Certain Lease Agreement Between the City of Miles City and Brenda Baugatz to Russell E. Van Dyke and Donna L. Dukart for the Lease of mobile Home Space in Bender Park

*** Councilperson Galbraith moved to approve the resolution and to amend the*

agreement by striking out Donna L. Dukart, seconded by Councilperson Uden. On roll call vote, the motion passed by unanimous consent, 8-0.
Resolution No. 4026 was adopted

C. **RESOLUTION NO. 4027- (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 # 1000-007-420460-364 and to Fund the Repairs of Three Fire Vehicles**

*** Councilperson Uden moved to refer the resolution to finance committee, and seconded by Councilperson Huber. After a short discussion, Councilperson Uden removed his recommendation and was also approved by Councilperson Huber.*

*** Councilperson Galbraith moved to approve the Ordinance, read by title only and seconded by Councilperson Gardner. On roll call vote, the motion passed by unanimous consent, 8-0. **Resolution No. 4027 passed on first reading and referred to Finance Committee by the Mayor***

D. **RESOLUTION NO. 4028- A Resolution Granting a Revocable License to Montana Fish, Wildlife & Parks for Placement of Bat Houses in Spotted Eagle Recreation Area, Bender Park, and Water Works Park**

*** Councilperson Uden moved to approve the resolution, by title only, and seconded by Councilperson Andrews. On roll call vote, the motion passed by unanimous consent, 8-0. **Resolution No. 4028 was adopted***

E. **RESOLUTION NO. 4029- A Resolution Approving a Contract Amendment With the Montana Department of Commerce for Extension of Time to Complete Main Street Program Contract Services**

*** Councilperson Gardner moved to approve the resolution, by title only, and seconded by Councilperson Kassner. On roll call vote, the motion passed by unanimous consent, 8-0. **Resolution No. 4029 was adopted***

F. **RESOLUTION NO. 4030- A Resolution Authorizing the City of Miles City to Adopt a Policy for the Miles City Façade Improvement Grant Program**

*** Councilperson Uden moved to approve the resolution, by title only, and seconded by Councilperson Andrews. On roll call vote, the motion passed by unanimous consent, 8-0. **Resolution No. 4030 was adopted***

G. **RESOLUTION NO. 4031- A Resolution Approving an Addendum to Agreement Between the City of Miles City and Interstate Engineering, Inc., Pertaining to Long Range Transportation Plan Services**

** *Councilperson Galbraith moved to approve the resolution, by title only, and seconded by Councilperson Uden. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4031 was adopted*

ADJOURNMENT

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

The meeting was adjourned at 8:40 p.m.

John Hollowell, Mayor

Lorrie Pearce, City Clerk

Human Resources Committee
February 2, 2017

The **Human Resources Committee** met Thursday, February 2, 2017, at 5:15 p.m. in the Conference Room at City Hall. Present were Committee Members Kathy Wilcox, Susanne Galbraith, Jeff Erlenbusch and John Uden. Also present were City Clerk Lorrie Pearce and Deputy City Clerk/HR Officer /Committee Recorder Linda Wilkins.

Committee Chairperson Kathy Wilcox called the meeting to order. Correct Agenda to read February 2, 2017

1. Request of Citizens
None

2. Committee Member Comments

Chairperson Wilcox welcomed John Uden to the committee. Committee Member Erlenbusch also welcomed Committee Member Uden to the committee. Committee Member Uden notified the chairperson that he may abstain from voting on an issue if he has not familiarized himself with it. There was discussion regarding the packets, Chairperson Wilcox commented that she would e-mail packages the day before the meeting.

3. Elect Committee Chair

*** Committee Member Uden moved to reappoint Kathy Wilcox for the coming year as Committee Chair, seconded by Committee Member Galbraith.*

*** Committee Member Galbraith moved that nominations be closed, seconded by Committee Member Uden. By unanimous consent the nominations were closed.*

*** By a voice vote, Committee Member Wilcox was elected as the Chairperson. Ayes 4, Nays 0*

Chairperson Wilcox thanked the committee for their vote of confidence, and will try not to let them down.

4. Unfinished Business

A. Draft position descriptions template, City non-union positions- pended to after completion of the Wage Survey

Chairperson Wilcox explained to Committee Member Uden that the committee will be working on a more standardized position description and would be working on pay scales.

B. Development of wage scales for City non-union position- pended to after completion of the Wage Survey

C. Job Descriptions review- Finance Department; pended from January 2017

Chairperson Wilcox asked HR Officer Wilkins to review the changes to the City Clerk Position Description. HR Officer Wilkins stated that some changes were suggested by Clerk Pearce and others were deletion of repetition in the position description. Clerk Pearce commented that she reviewed the position description and made changes in line with the recommendations of the committee for position descriptions. HR Officer Wilkins stated that the performance standards were realigned with City Personnel Policy. Clerk Pearce noted that the position description stated her supervisor is also City Council, which is incorrect because the position is only supervised by the Mayor. Committee had wording added under Financial Duties ...”accounting procedures ...”. Under Personnel Management add wording to indicate that performance evaluations are to be done annually and submits a written appraisal to HR Officer.

***Committee Member Galbraith moved to approve the City Clerk position description with the changes as noted, seconded by Committee Member Erlenbusch. On roll call vote, the motion passed 4-0.*

Chairperson Wilcox asked HR Officer Wilkins to review the changes made to the Utility Billing Assistant Position Description. Committee Member Galbraith suggested that language be added under Summary of Work "other permits or receipts as needed." Class for this position would be Clerk, add exempt or non-exempt. Remove under Utility Billing & Collection & Information System sixth bullet "assists in reconciling utility billing activity with the general ledger."

***Committee Member Uden moved the committee approve the Utility Billing Assistant Position Description with additions as noted, seconded by Committee Member Erlenbusch. On roll call vote, the motion passed 4-0.*

D. Final review and recommendation: Interim Council Vacancies policy/procedure

Chairperson Wilcox asked Clerk Pearce to explain the changes made to the policy. Clerk Pearce commented that most of the changes made by the City Attorney were in the word "should" to "shall". Chairperson Wilcox explained to Committee Member Uden that the policy was to give all applying to serve on the council equal time and consistency in the process. Chairperson Wilcox liked the idea of discussing the individual applicants and then having the applicants come back to the next Council Meeting for the nomination of the new council member. Committee Member Galbraith brought up the issue of an open meeting and an open ballot. Committee Member Erlenbusch stated that since the policy had been presented to the City Attorney, he should have advised what needed to be taken out of the policy. Committee Members Uden and Galbraith commented on not liking the time limits of the interview. Changes to item 6, strike "a.", change "c." to "Council members may then ask questions of the interviewee." and strike all bullets under c. If taking out item 7, the whole process will have to be changed. Committee Member Galbraith thought it would be good to ask the City Attorney if the council can rank order applicants or would this be a ballot. Clerk Pearce stated she had added quite a bit of language to the policy after reviewing current and previous City Attorney opinions and Attorney Rice had looked it over after she had made the changes. After discussion it was determined that further revision was required to the policy and it should be sent back to the City Attorney.

***Committee Member Erlenbusch moved to table the Interim Council Vacancy Policy until the policy is sent back to the City Attorney for review, seconded by Committee Member Uden. By unanimous consent, the motion passed Ayes 4, Nays 0*

5. New Business
None

6. Schedule Committee's Next Meeting
The next meeting was scheduled March 23, 2017 at 5:15 p.m.

7. Adjournment

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

The meeting was adjourned at 6:30 p.m.

Respectfully submitted,

Chairperson Kathy Wilcox

Recorder Linda Wilkins

Wage Survey Ad Hoc Committee
February 7, 2017

The **Wage Ad Hoc Committee** met Tuesday, February 7, 2017, at 5:15 p.m. in the Conference Room at City Hall. Present were Committee Members Kathy Wilcox, Rick Huber, Jeff Erlenbusch, Susanne Galbraith, City Clerk Lorrie Pearce, Deputy City Clerk/Human Resource Officer/Recorder Linda Wilkins, Local 600 Member Eddie Kanduch, Sarah Lewin, Local 283A Members Hannah Nash, Patti Bissell, Tom Speelmon, Local 283 B Member Chris Fetty

Committee Chairperson Kathy Wilcox called the meeting to order.

1. Request of Citizens
None

2. Committee Member Comments

Local 600 commented that the information on the wage spreadsheet was for the incorrect cities. The wage spreadsheet will be updated to include the correct figures.

There was discussion on a ratio that could be used to create an equitable number when comparing Miles City to larger communities. Using mill levy values was discussed or a percentage of payroll to revenue. It was also brought to the attention of the committee that it was not their responsibility to interpret the information gathered, but to provide wage information to the Mayor and the Unions for use during labor negotiations.

Committee Members discussed the cost of having an outside survey completed. Member Wilkins had obtained information from Associated Employers and the cost would range from \$10,000 to \$15,000 for 63 positions and this was just a ball park quote. Also a completed survey from another Montana county may be for sale later in the spring. Associated Employers said that an April 30, 2017 deadline would be a tight should the City contract with them to complete a wage survey.

The timeline of the survey was also discussed. If it is determined extra time is needed for a completed wage survey this should be discussed by the unions and an agreement made with management. It was agreed that the wage spreadsheet should be reviewed, that any corrections would be made and a narrative would be added explaining how the wage information had been collected.

3. New Business

- A. Union staff Updates to Wage Survey Spreadsheet

- Local 283-A; City (Tom S, Hannah, Patty B)
- Local 283-B; Police (Denise or alternate)
- Local 600; Fire (Eddy K; Sarah L)

- B. Non- union Staff Updates

4. Recommendation for transmission of the spreadsheet to the Mayor and Council members
Postponed
5. Recommendation for posting on the City's website.
Postponed
6. Recommendation for disbanding of the Ad Hoc Wage Survey Committee
Postponed

Another meeting was scheduled for Tuesday, March 7, 2017 at 5:15 p.m.

6. Adjournment – 5:55 p.m.

Respectfully submitted,

Committee Chairperson Kathy Wilcox

Recorder Linda Wilkins

Finance Committee Meeting

February 9, 2017

The Finance Committee met Thursday, February 9, 2017 at 6:00 p.m. in the City Hall Conference room. Present were Committee Chairperson Susanne Galbraith and Committee Members Kathy Wilcox and Dwayne Andrews.

Also present, Fire Chief Gary Warren, Public Works Director Scott Gray and City Clerk/Recorder Lorrie Pearce.

Committee Chairperson Galbraith called the meeting to order.

1. Request of Citizens:

None

2. Approval of Concrete Crushing Services

Director Gray explained the following bids received for concrete crushing and recycling services. He said the concrete crushing and concrete recycling were in the same bid.

- John Muggli Contracting- Quote of \$42,500 included 3500-4000 cubic yards of concrete to be crushed and recycled, would take care of all material
- Knife River- Quote of approximately \$35,000 to \$40,000, would not take care of the material, and City would have to set up an area for crushing and stockpiling
- Fisher Industries- Would not mobilize to job unless there was a minimum of 20,000 yards

Director Gray recommended the City hire John Muggli Contracting

*** Committee Member Andrews moved to approve John Muggli Contracting for the concrete crushing and recycling services, seconded by Committee Member Wilcox and passed 3-0*

3. Approval of Concrete Recycling Services

*** Committee Member Andrews moved to approve John Muggli Contracting for the concrete crushing and recycling services, seconded by Committee Member Wilcox and passed 3-0*

4. Bulk water and hydrant replacement debts to collection

*** Committee Member Galbraith moved to recommend to Council to send an amount of \$529.37 for bulk water and hydrant replacement to collection, seconded by Committee Member Wilcox. On roll call vote, it passed 3-0*

5. RESOLUTION NO 4027- 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 # 1000-007-420460-364 and to Fund the Repairs of Three Fire Vehicles

*** Committee Member Galbraith moved to recommend to Council to approve the Resolution, seconded by Committee Member Wilcox.*

Chief Warren explained the repairs to the three fire vehicles. He said all of them did not pass the NFPA angle pump test. After a short discussion, he said that he will be looking for a local vendor to perform the test and that most of the repairs are completed in house.

***On roll call vote, it passed 3-0*

6. Discussion on Number of Fire Personal

Tabled until next meeting

7. Discussion on Capital Improvement Plan

Chairperson Galbraith said that she had two policies from smaller towns and was looking for something that would fit the City of Miles City better. The consensus of the committee was that the policy should fit the City's needs and rank the needs from urgent to less needed.

8. Review Statement of Revenue Budget Versus Actual

Clerk Pearce reviewed the statement with the Committee

9. Adjournment

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

The meeting was adjourned at 6:45 p.m.

Susanne Galbraith, Chairperson

Lorrie Pearce Recorder/City Clerk

**PUBLIC HEARINGS
&
UNFINISHED BUSINESS**

RESOLUTION NO. 4027

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 # 1000-007-420460-364 AND TO FUND THE REPAIRS OF THREE FIRE VEHICLES

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2016-2017 to provide funding for three fire vehicles, as permitted by §7-6-4006 MCA;

AND WHEREAS, such amendment of the final budget will result in an overall increase in appropriation authority within fund # 1000-007-420460-364,

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 General Fund Fire Department Fund No. 1000 shall be increased in the following amount:

Fund No. 1000-007-420460-364 (General Fund Fire Department Fund No.1000, R&M Vehicles), in the sum of \$33,237.00.

The appropriations for the Final Budget for Fiscal Year 2016-2017 for General Fund Fire Department Fund No. 1000 shall be decreased in the following amount:

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 14th day of February, 2017, 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 §7-1-4127 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 24TH DAY OF JANUARY, 2017.

ATTEST:

Lorrie Pearce, City Clerk

JOHN HOLLOWELL, Mayor

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 14TH DAY OF FEBRUARY, 2017.

ATTEST:

Lorrie Pearce, City Clerk

JOHN HOLLOWELL, Mayor

New Business

RESOLUTION NO: 4032

A RESOLUTION AMENDING THE CITY OF MILES CITY'S PROGRAM TO CHARGE MITIGATION RATES FOR THE DEPLOYMENT OF EMERGENCY AND NON-EMERGENCY SERVICES BY THE FIRE DEPARTMENT FOR SERVICES PROVIDED/RENDERED FOR THE CITY OF MILES CITY.

WHEREAS, the City of Miles City previously implemented and adopted a program to charge mitigation rates for the deployment of emergency and non-emergency services by the fire department for services provided/rendered for the City of Miles City by Resolution 4007, and the City desires to amend the same;

WHEREAS, the emergency and non-emergency services response activity to incidents continues to increase each year; Environmental Protection requirements involving equipment and training, and Homeland Security regulations involving equipment and training, creating additional demands on all operational aspects of the fire department services; and

WHEREAS, the fire department has investigated different methods to maintain a high level of quality of emergency and non-emergency service capability throughout times of constantly increasing service demands, where maintaining an effective response by the fire department decreases the costs of incidents to insurance carriers, businesses, and individuals through timely and effective management of emergency situations, saving lives and reducing property and environmental damage; and

WHEREAS, raising real property tax to meet the increase in service demands would not be fair when the responsible party(s) should be held accountable for their actions; and

WHEREAS, City of Miles City residents support the fire department through payment of property taxes and should not be assessed any amounts for the services set forth herein so long as the at-fault individual was not driving under the influence of alcohol or drugs, driving recklessly, or involved in the commission of a criminal act, contributing to or resulting in the need for services; and

WHEREAS, the City Council of the City of Miles City desires to implement a fair and equitable procedure by which to collect said mitigation rates and shall establish a billing system in accordance with applicable laws, regulations and guidelines; Now, Therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY:

SECTION 1: The City of Miles City shall initiate mitigation rates for the delivery of emergency and non-emergency services by the fire department for personnel, supplies and equipment to the scene of emergency and non-emergency incidents as listed in "EXHIBIT A". The mitigation rates shall be based on actual costs of the services and that which is usual, customary and reasonable (UCR) as shown in "EXHIBIT A", which may

include any services, personnel, supplies, and equipment and with baselines established by addendum to this document.

SECTION 2: A claim shall be filed to the responsible party(s) through their insurance carrier. In some circumstances, the responsible party(s) will be billed directly.

SECTION 3: Neither City of Miles City residents, nor their insurance, shall be billed for services unless the individual has been cited for driving under the influence of alcohol or drugs; reckless driving; or a criminal violation which contributed to or resulted in the need for services.

SECTION 4: The fire department's City Council may make rules or regulations and from time to time may amend, revoke, or add rules and regulations, not consistent with this Section, as they may deem necessary or expedient in respect to billing for these mitigation rates or the collection thereof.

SECTION 5: It is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and upon consideration of comments offered during the public hearing on the adoption of this resolution, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in accordance with all legal requirements, and the Codified Ordinances of the City Council.

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed fees on the 28th day of February, 2017, 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 on its passage this 14th day of February, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this 28th day of February, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

EXHIBIT A

MITIGATION RATES BASED ON PER HOUR

The mitigation rates below are average "billing levels", and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.

MOTOR VEHICLE INCIDENTS

Level 1 - \$435.00

Provide hazardous materials assessment and scene stabilization. This will be the most common "billing level". This occurs almost every time the fire department responds to an accident/incident.

Level 2 - \$495.00

Includes Level 1 services as well as clean up and material used (sorbents) for hazardous fluid clean up and disposal. We will bill at this level if the fire department has to clean up any gasoline or other automotive fluids that are spilled as a result of the accident/incident.

Level 3 – CAR FIRE - \$605.00

Provide scene safety, fire suppression, breathing air, rescue tools, hand tools, hose, tip use, foam, structure protection, and clean up gasoline or other automotive fluids that are spilled as a result of the accident/incident.

ADD-ON SERVICES:

Extrication - \$1,305.00

Includes heavy rescue tools, ropes, airbags, cribbing etc. This charge will be added if the fire department has to free/remove anyone from the vehicle(s) using any equipment. We will not bill at this level if the patient is simply unconscious and fire department is able to open the door to access the patient. This level is to be billed only if equipment is deployed.

Creating a Landing Zone - \$400.00

Includes Air Care (multi-engine company response, mutual aid, helicopter). We will bill at this level any time a helicopter landing zone is created and/or is utilized to transport the patient(s).

Itemized Response: The fire department has the option to bill each incident as an independent event with custom mitigation rates, for each incident using, itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus, per personnel, plus products and equipment used.

ADDITIONAL TIME ON-SCENE

Engine billed at \$400 per hour.

Truck billed at \$500 per hour.

Miscellaneous equipment billed at \$300.

HAZMAT

Level 1 - \$700.00

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, set-up and command.

Level 2 - \$2,500.00

Intermediate Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, set-up and command, Level A or B suit donning, breathing air and detection equipment. Set-up and removal of decon center.

Level 3 – \$5,900.00

Advanced Response: Claim will include engine response, first responder assignment, hazmat certified team and appropriate equipment, perimeter establishment, evacuations, first responder set-up and command, Level A or B suit donning, breathing air and detection equipment and robot deployment. Set-up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene. Includes 3 hours of on scene time - **each additional hour @ \$300.00 per HAZMAT team.**

ADDITIONAL TIME ON-SCENE (for all levels of service)

Engine billed at \$400 per hour.

Truck billed at \$500 per hour.

Miscellaneous equipment billed at \$300

ILLEGAL FIRES

Assignment - \$400.00 per hour, per engine / \$500.00 per hour, per truck

When a fire is started by any person or persons that requires a fire department response during a time or season when fires are regulated or controlled by local or state rules, provisions or ordinances because of pollution or fire danger concerns, such person or persons will be liable for the fire department response at a cost not to exceed the actual expenses incurred by the fire department to respond and contain the fire. Similarly, if a fire is started where permits are required for such a fire and the permit was not obtained and the fire department is required to respond to contain the fire the responsible party will be liable for the response at a cost not to exceed the actual expenses incurred by the fire department. The actual expenses will include direct labor, equipment costs and any other costs that can be reasonably allocated to the cost of the response.

WATER INCIDENTS

Level 1

Basic Response: Claim will include engine response, first responder assignment, perimeter establishment, evacuations, first responder set-up and command, scene safety and investigation (including possible patient contact, hazard control). This will be the most common "billing level". This occurs almost every time the fire department responds to a water incident.

Billed at \$400 plus \$50 per hour, per rescue person.

Level 2

Intermediate Response: Includes Level 1 services as well as clean up and material used (sorbents), minor hazardous clean up and disposal. We will bill at this level if the fire department has to clean up small amounts of gasoline or other fluids that are spilled as a result of the incident.

Billed at \$800 plus \$50 per hour, per rescue person.

Level 3

Advanced Response: Includes Level 1 and Level 2 services as well as D.A.R.T. activation, donning breathing apparatus and detection equipment. Set up and removal of decon center, detection equipment, recovery and identification of material. Disposal and environment clean up. Includes above in addition to any disposal rates of material and contaminated equipment and material used at scene.

Billed at \$2,000 plus \$50 per hour per rescue person, plus \$100 per hour per HAZMAT team member.

Level 4

Itemized Response: The fire department has the option to bill each incident as an independent event with custom mitigation rates, for each incident using, itemized rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus, per personnel, plus products and equipment used.

BACK COUNTRY OR SPECIAL RESCUE

Itemized Response: Each incident will be billed with custom mitigation rates deemed usual, customary and reasonable (UCR). These incidents will be billed, itemized per apparatus per hour, per trained rescue person per hour, plus rescue products used.

Minimum billed \$400 for the first response vehicle plus \$50 per rescue person. Additional rates of \$400 per hour per response vehicle and \$50 per hour per rescue person.

CHIEF RESPONSE

This includes the set-up of Command, and providing direction of the incident. This could include operations, safety, and administration of the incident.

Billed at \$250 per hour.

MISCELLANEOUS / ADDITIONAL TIME ON-SCENE

Engine billed at \$400 per hour.

Truck billed at \$500 per hour.

Miscellaneous equipment billed at \$300.

MITIGATION RATE NOTES

The mitigation rates above are average "billing levels", and are typical for the incident responses listed, however, when a claim is submitted, it will be itemized and based on the actual services provided.

These average mitigation rates were determined by itemizing costs for a typical run (from the time a fire apparatus leaves the station until it returns to the station) and are based on the actual costs, using amortized schedules for apparatus (including useful life, equipment, repairs, and maintenance) and labor rates (an average department's "actual personnel expense" and not just a firefighter's basic wage). The actual personnel expense includes costs such as wages, retirement, benefits, workers comp, insurance, etc.

LATE FEES

If the invoice is not paid within 90 days, a Late Charge of 10% of the invoice, as well as 1.5% per month, as well as the actual cost of the collections, will be accessed to the responsible party.

RESOLUTION NO. 4033

A RESOLUTION APPROVING A MONTANA DEPARTMENT OF TRANSPORTATION UTILITY OCCUPANCY AND LOCATION AGREEMENT BETWEEN THE CITY OF MILES CITY AND THE MONTANA DEPARTMENT OF TRANSPORTATION.

WHEREAS, the City of Miles City (City) and the Montana Department of Transportation (MDT) wish to establish an agreement as to the location of certain City water and sewer lines which will run under state owned highway which is controlled by MDT;

AND WHEREAS, the terms of such agreement have been prepared by MDT and submitted to the City for its approval;

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

1. "Montana Department of Transportation Utility Occupancy and Location Agreement" between the City and MDT, attached hereto as Exhibit "A", and made a part hereof, is hereby approved and adopted by this Council.

2. The Public Utilities Director is hereby empowered and authorized to execute said amendment to that contract 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 14TH DAY OF FEBRUARY, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk



Montana Department of Transportation
UTILITY OCCUPANCY
AND LOCATION AGREEMENT

Completed By Utility

Date Submitted: January 13, 2017
Work Order Number: #16080801-04MC-02P2
Applicant/Utility: City of Miles City
Address: 17 South 8th St. P.O. Box 910
Telephone: (406) 234-3493
City: Miles City State MT ZIP: 59301
Email: _____

Completed By Montana Department of Transportation

Route: _____
Date Received: _____
Maintenance No.: _____
Agreement No.: _____
Project No.: _____
Designation: _____
UPN.: _____

Facility Description:

- 1) Overhead Facilities: Size: _____ Type: _____
- 2) Underground Facilities: Size: 6" Type: Watermain Extension
- 3) Other: _____

Location: Route: U.S. Highway 12

- 1) Longitudinal: _____ feet from N S E W R/W line
from milepost (station) MP 1.58, STA 58+11 to milepost (station) MP 1.58, STA 58+11
- 2) Centerline crossing at milepost (station): MP 1.58, STA 58+11
- 3) Downguys not in parallel with the roadway at milepost(s): _____
- 4) Section 5 Township 7 North Range 47 East County Custer

Submit this agreement in triplicate and attach:

- a. Construction Prints. (Highway prints preferred.) Distances from R/W line, centerline and existing utilities, to the proposed installation.
- b. Environmental Checklist (MDT-ENV-006) [Click Here for Environmental Checklist](#)

The utility will notify _____ in _____ phone _____ at least 48 hours in advance of any work detailed in this Agreement, except for emergency situations. After completing the work, the applicant must submit a Form UTL 968 (attached) for approval.

This installation is subject to compliance with the Administrative Rules of Montana 18.7.201 through 18.7.232, the Utility Occupancy Guidelines, the Manual on Uniform Traffic Control Devices and the following requirements:

Additional Requirements

This application will be considered complete when all impacts associated with the requested action have been reviewed and approved by all agencies affected by this action. The applicant is responsible for obtaining these necessary approvals.

This agreement is subject to the terms and conditions shown on Page 2.

Applicant/Utility City of Miles City By: _____
Print Name: Allen Kelm
Title: City of Miles City Public Utilities Director

Montana Department of Transportation By: _____ Date Approved: _____
Title: _____

**Montana Department of Transportation
UTILITY OCCUPANCY
AND LOCATION AGREEMENT**

Terms and Conditions:

The City of Miles City, hereinafter referred to as the "APPLICANT," and the Montana Department of Transportation, hereinafter referred to as the "STATE," hereby agree as follows:

1. **FEE.** The process fee for issuance of this agreement is _____.
2. **STATE SAVED HARMLESS FROM CLAIMS.** As a consideration of being issued this agreement, the APPLICANT, its successors or assigns, agrees to protect the STATE and save it harmless from all claims, actions or damage of every kind and description which may accrue to, or be suffered by, any person or persons, corporations or property by reason of the performance of any such work, character of materials used, or manner of installations, maintenance and operation, or by the improper occupancy of said highway right-of-way, and in case any suit or action is brought against the STATE and arising out of, or by reason of, any of the above causes, the APPLICANT, its successors or assigns, will, upon notice to them of the commencement of such action, defend the same at its sole cost and expense and satisfy any judgment which may be rendered against the STATE in any such suit or action.
3. **PROTECTION OF TRAFFIC.** The APPLICANT shall protect the work area with traffic control devices that comply with the Manual of Uniform Traffic Control Devices. The APPLICANT may be required to submit a traffic control plan to the District Utility Engineering Specialist for approval prior to starting work. During work, the District Utility Engineering Specialist or designee may require the APPLICANT to use additional traffic control devices to protect traffic or the work area. No road closure shall occur without prior approval from the District Administrator. All workers within the right-of-way of a Federal-aid highway who are exposed either to traffic (vehicles using the highway for purposes of travel) or to construction equipment shall wear high-visibility class 2 or 3 safety apparel. For nighttime activity, the flagger(s) shall wear class 3 safety apparel. APPLICANT shall provide flagger(s) who are currently certified by the Montana flagger training program; the ATSSA flagger program; or the Idaho, Oregon, or Washington state flagger training programs.
4. **HIGHWAY AND DRAINAGE.** If the work done under this agreement interferes in any way with the drainage of the STATE highway affected, APPLICANT shall, at the APPLICANT's expense, make such provisions as the STATE may direct to remedy the interference.
5. **RUBBISH AND DEBRIS.** Upon completion of work, all rubbish and debris shall be immediately removed and the roadway and roadside left in a neat and presentable condition satisfactory to the STATE.
6. **INSPECTION.** The installation shall be in compliance with the attached plan and the conditions of this agreement. The APPLICANT may be required to remove or revise the installation, at sole expense of APPLICANT, if the installation does not conform with the requirements of this agreement or the attached plan.
7. **REMOVAL OF INSTALLATIONS OR STRUCTURES.** Unless waived by the STATE, upon termination of this agreement, the APPLICANT shall remove the installations or structures installed under this agreement at no cost to the STATE and restore the premises to the prior existing condition, reasonable and ordinary wear and tear and damage by the elements, or by circumstances over which the APPLICANT has no control, excepted.
8. **MAINTENANCE AT EXPENSE OF APPLICANT.** APPLICANT shall maintain, at its sole expense, the installations and structures for which this agreement is granted, in a condition satisfactory to the STATE.
9. **STATE TO BE REIMBURSED FOR REPAIRING ROADWAY.** Upon being billed, APPLICANT agrees to promptly reimburse STATE for any expense incurred in repairing surface of roadway due to settlement at installation, or for any other damage to roadway as a result of the work performed under this agreement.
10. The APPLICANT shall not discharge or cause discharge of any hazardous or solid waste by the installation or operation of the facility of a STATE Right-of-Way.
11. The APPLICANT will control noxious weeds within the disturbed installation area for two (2) years.
12. In accordance with Mont. Code Ann. § 76-3-403(2), APPLICANT shall, at APPLICANT's expense, employ the services of a Montana Licensed Professional Land Surveyor to re-establish all existing survey monuments disturbed by work contemplated under this agreement.
13. The use of explosives is prohibited for the installation.
14. Any condition of this agreement shall not be waived without written approval of the appropriate District Administrator.

The average turnaround time for a completed application is 30 working days. If the proposed installation will result in significant, permanent, or long term impacts to the transportation network additional review time may be necessary.

RESOLUTION NO. 4034

A RESOLUTION APPROVING PURCHASE AGREEMENT RENEWAL WITH MID-RIVERS TELEPHONE COOPERATIVE, INC., FOR TELEPHONE SERVICES.

WHEREAS, the City of Miles City currently subscribes to and purchases telephone services and equipment from Mid-Rivers Telephone Cooperative, Inc.;

AND WHEREAS, the City desires to renew its current agreement with Mid-Rivers Telephone Cooperative, Inc., under the terms and conditions set forth in a certain Purchase Agreement Renewal dated October 6, 2016;

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

1. The Purchase Agreement Renewal dated October 6, 2016, between the City and Mid-Rivers Telephone Cooperative, 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 Agreement 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 14th DAY OF FEBRUARY, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

Mid-Rivers

TELEPHONE COOPERATIVE, INC.

904 C Avenue
P.O. Box 280
Circle, MT 59215

Purchase Agreement Renewal

October 6, 2016

City of Miles City, 17 S. 8th St., Miles City, MT 59301, hereinafter referred to as Customer, hereby agrees to purchase the following services from Mid-Rivers Telephone Cooperative, Inc. (Mid-Rivers).

	<i>Number Requested</i>	<i>Cost Each</i>	<i>5-Year Term 20% Discount</i>
PRI-T1	<u>3</u>	<u>\$120.00</u>	<u>\$288.00</u>
PRI Trunk Connection (Per Trunk)	<u>18</u>	<u>\$36.00</u>	<u>\$547.20</u>
Caller ID (Per Trunk)	<u>18</u>	<u>\$1.95</u>	<u>\$28.08</u>
Sequential 7-digit Numbers (Sets of 20)	<u>4</u>	<u>\$2.96</u>	<u>\$11.84</u>
Non-Sequential 7-digit Numbers <i>No charge for non-sequential DID numbers</i>			<u>\$0.00</u>
Total Recurring Charges			<u>\$875.12</u>
Non-Recurring Charges			<u>\$0.00</u>

Total does not include any applicable local, state, and/or federal taxes and fees.

- Customer hereby subscribes to Mid-Rivers local telephone service via the T1/PRI in Miles City, Montana, for a period of five (5) years from the date service is connected and agrees to pay for all services used when bills are rendered. Late payment and bank charges are also assessable. This agreement does not cover toll service.
- As stated above, the T1/PRI will be configured and installed on a date mutually agreed upon by Mid-Rivers and Customer. Initial traffic studies will be conducted by Mid-Rivers at no charge. If studies reflect a need to increase or decrease the number of trunks, Mid-Rivers will accommodate these changes, if requested by Customer. Monthly fees would be adjusted accordingly.
- At the end of the five (5) year period ("initial term"), this agreement will automatically renew for subsequent five (5) year terms, unless terminated in writing by either party at least sixty (60) days prior to the end of the initial term or each renewal term. This agreement will also terminate if Customer discontinues local telephone service via the T1/PRI for reasons other than provision of service by a competing telecommunications service provider. Customer understands that service may be disconnected for non-payment or violations of law or regulations. Customer understands that it has no property right in any telephone number assigned by Mid-Rivers. As consideration for the advance subscription, Mid-Rivers agrees not to increase the basic rates for the services listed above for the duration of this agreement, except to reflect any new or increase in local, state or federal regulatory assessment end-user charge or tax applicable to local telephone providers (including increases necessary to meet Federal Communications Commission minimum local service rate benchmarks) and any mandatory Extended Area Service (EAS) charges that may be implemented.
- Customer agrees that the following penalty for early termination would apply for local telephone service via the T1/PRI configuration: the monthly rate for the remaining term of the contract would be applied. An early termination penalty applies only if Customer discontinues local telephone service and is provisioned with service by a competing local telephone service provider, as noted in paragraph 3 above.

- 5. In the event that the monthly services are not paid by the customer in accordance with Mid-Rivers Telephone Cooperative, Inc.'s General Rules as defined in Section 1.110 Refusal and Discontinuance of Service, or upon violation of any of the conditions of the Purchase Agreement, the Company may by notice in writing to the customer, either terminate the Agreement or temporarily disconnect the service(s). The customer will be responsible for all expenses (including reasonable attorney fees) incurred in collecting any unpaid amounts due.

CUSTOMER UNDERSTANDS THAT IT MAY NOT ASSIGN THIS AGREEMENT, BUT THAT MID-RIVERS MAY ASSIGN ITS RIGHTS AND OBLIGATIONS HEREUNDER IF MID-RIVERS DETERMINES THIS ACTION NECESSARY FOR VALID BUSINESS PURPOSES. MID-RIVERS SHALL HAVE NO LIABILITY AND NO CREDIT SHALL BE GIVEN FOR INTERRUPTIONS, DELAYS OR FAILURES IN SERVICE DUE TO CUSTOMER'S NEGLIGENT OR WILLFUL ACT, ACTS OF GOD, OR OTHER CAUSES BEYOND THE CONTROL OF MID-RIVERS. THE SOLE LIABILITY OF MID-RIVERS, IF ANY, FOR ANY CLAIM, LOSS, EXPENSE OR DAMAGES OF ANY KIND, WHETHER DIRECT, INDIRECT, SPECIAL OR CONSEQUENTIAL, ARISING FROM, OR IN ANY WAY ATTRIBUTABLE TO, ACTS OR OMISSIONS OF MID-RIVERS' RELATING TO THE INSTALLATION, PROVISION, TERMINATION, MAINTENANCE, REPAIR, RESTORATION OR BILLING OF ANY SERVICE, FEATURE OR OPTION, WHETHER CAUSED BY THE NEGLIGENCE OF MID-RIVERS OR ANY OTHER MANNER EXCEPT FOR CUSTOMER'S NEGLIGENCE OR WILLFUL ACT, IS LIMITED TO THE ALLOWANCE OF A CREDIT IN THE FORM OF AN ADJUSTMENT FOR NO MORE THAN THE PRO-RATA CHARGES BILLED TO CUSTOMER FOR THE PERIOD DURING WHICH THE SERVICE PROBLEM OCCURRED. EXCEPT AS PROVIDED ABOVE, CUSTOMER HEREBY AGREES THAT MID-RIVERS SHALL NOT BE LIABLE FOR, AND SHALL BE HELD HARMLESS BY CUSTOMER FROM AND AGAINST ANY AND ALL CLAIMS, AND CUSTOMER AGREES TO INDEMNIFY MID-RIVERS FOR ANY AND ALL CLAIMS AND DAMAGES OF EVERY KIND, ARISING OUT OF THE USE OR MISUSE OF ANY SERVICE AND/OR EQUIPMENT PROVIDED UNDER THIS AGREEMENT AS WELL AS ANY DAMAGES ARISING OUT OF OR ATTRIBUTED, DIRECTLY OR INDIRECTLY, TO SERVICE PROBLEMS.

This agreement shall be binding upon the parties hereto.

Dated this _____ day of _____, 2016.

SELLER:

Mid-Rivers Telephone Cooperative, Inc.

By: _____

(Print Name)

Title: _____

BUYER:

City of Miles City

By: _____

(Print Name)

Title: _____

FOR MID-RIVERS USE ONLY

New Service: Yes ___ No ___

Upgrading an Existing Service: Yes ___ No ___

If Yes: Agreement Number that is to be upgraded _____

RESOLUTION NO. 4035

A RESOLUTION AUTHORIZING THE CITY OF MILES CITY TO ENTER INTO AN INTERLOCAL AGREEMENT WITH CUSTER COUNTY FOR FISCAL YEARS 2016-2017 AND 2017-2018.

WHEREAS, in the interest of economical provision of services to the citizens of Miles City and Custer County, Montana, the City of Miles City and the County of Custer desire to enter into an interlocal agreement for services for FY2016-2017 and FY2017-2018, a copy of which is attached hereto as Exhibit "A";

AND WHEREAS, the City Council of the City of Miles City finds that it is in the best interest of the City of Miles City to enter into such agreement with Custer County;

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

1. The Miles City / Custer County Interlocal Agreement for Services FY2016-2017 and FY 2017-2018, 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.
3. The Mayor of the City of Miles City is hereby empowered and authorized to execute such further documents as are necessary to carry out the terms of said Agreement and 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 14th DAY OF FEBRUARY, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

Exhibit "A"
**MILES CITY/CUSTER COUNTY INTERLOCAL AGREEMENT
FOR SERVICES FY 2016-2017 AND FY2017-2018**

This **AGREEMENT** entered into this ___ day of _____, 2017, effective the 1st day of July, 2016, by and between **CUSTER COUNTY, MONTANA**, a political subdivision of the State of Montana, hereinafter referred to as "*COUNTY*", and the **CITY OF MILES CITY, MONTANA**, a Montana municipal corporation, hereinafter referred to as "*CITY*".

WHEREAS, in the interests of economical provision of services to the citizens of the above political subdivisions, it is to the advantage of both parties to contract for one to provide services to other rather than duplicate services;

AND WHEREAS, the parties have conferred and determined which entity should supply which services and have negotiated reasonable compensation for those services;

AND WHEREAS, the provisions of Title 7, Chapter 11, Part 1, MCA, permit public agencies to contract with other public agencies for the provision of services,

NOW, THEREFORE, IT IS HEREBY AGREED AMONG THE PARTIES AS FOLLOWS:

1. TERM OF AGREEMENT AND RENEWAL:

This Agreement shall be in effect for a period of twelve months, with an effective date of July 1, 2016, and terminating at midnight on June 30, 2018.

2. SCOPE OF SERVICES:

The City, in consideration of the sums to be paid herein by the County and the services to be supplied to it by the County, shall provide to the County during the term of this Agreement those services listed in Exhibit "1" attached hereto and made a part hereof by reference. The County, in consideration of the services to be supplied to it by the City, shall provide to the City during the term of this Agreement those services listed in Exhibit "2" attached hereto and made a part hereof by reference.

3. METHOD OF PROVIDING SERVICES:

Services shall be provided by the City to the County in accordance with written Standard Operating Procedures and protocols then in effect at the commencement of the term of this Agreement. Upon request of County, City shall provide County a copy of such procedures and protocols. During the term of this Agreement, the City shall not alter, amend, supplement, or revoke such Standard Operating Procedures and protocols without the prior written consent of the County. Excepted are EMS medical protocols developed by the State of Montana in Title 10, Chapter 4 Montana Code Annotated "State Emergency Telephone System".

4. COMPENSATION FOR SERVICES:

In addition to providing to the City the services listed in Exhibit "2", the County shall pay to the City for the provision of the services listed in Exhibit "1" by the City the following sums:

A. Bullard Street Sanitary Lift Station Inspections

Such inspections shall be conducted daily in accordance with the same procedures utilized by City in inspection of sanitary lift stations owned by City. This contract is for inspection services only; however, the City will promptly perform any necessary repairs or maintenance observed during its inspections. City will promptly notify County of any need for repairs or maintenance observed from its inspections. County shall reimburse the City for any necessary repairs or maintenance. County shall pay for all electricity utilized by the Bullard Street Sanitary Lift Station and shall maintain such electrical account in County's name.

The sum of One Thousand Five Hundred Thirty and no/100 Dollars (\$1,530.00) payable in equal quarterly installment of Three Hundred Eighty Two and 50/100 Dollars (\$382.50) per quarter, the first installment due on September 25, 2016, and each quarterly installment on the 25th day of each quarter, (December, March, June) thereafter during the term of this Agreement.

B. Water at County Fairground

This is solely a service to provide water and the City shall have no obligation to load or otherwise provide labor in connection with this service. City shall provide potable water; however, the City may install such meters as it may desire to monitor the water utilization. Water is provided for use solely upon the County Fairgrounds. Water shall not be transported off the County Fairgrounds and County shall not sell any water provided under this Agreement nor permit anyone to transport City water off of the County Fairgrounds without the advance written permission of City. Fairground caretaker shall provide monthly bulk estimates to Public Utility Director.

C. Central Dispatch

Twenty-five percent (25%) of the City's Net Central Dispatch Budget for FY 2016-2017 and 2017-2018, payable in four equal quarterly payments, commencing on September 25, 2016 and on the 25th day of each quarter (December, March, June) thereafter. Net Central Dispatch Budget shall mean the gross Central Dispatch Budget less 911 Operating funds received from the State of Montana pursuant to Title 10, Chapter 4, MCA (State Emergency Telephone System). The calculated result of this formula is the sum of Ninety Thousand two hundred and ninety four and no/100 Dollars (90,294.00) for FY2016-2017.

D. Animal Control Services

The City shall bill the County quarterly for Animal Control Services, provided by the City, including the actual costs of impounding, boarding, quarantine, euthanasia, and capture of potentially dangerous animals (vicious dogs, rabid mammals). The first billing shall be due on the 25th day of September, 2016, and each successive billing on the 25th day of each quarter, (December, March, June), thereafter during the term of this Agreement. The following costs will serve as the basis for bills submitted to the county:

Impound Fee: \$5.00

Daily Boarding Fee: \$10.00

Euthanasia fee: \$12.00 to \$30.00 (Dependent on size).

Quarantine: \$5.00 impound fee plus \$10.00 daily. Boarding fee for 10 days.

Capture of Potentially Dangerous Animal: Actual costs of animal control Officer: (\$29.12 per hour, plus vehicle expense/ mileage of \$.55 a mile).

E. Ambulance Services

Ambulance services provided by the City, the actual costs of 911 dispatch calls outside the City limits but within the boundaries of Custer County, will be billed to the County on a quarterly schedule. The first billing due on the 25th day of September 2016, and each successive billing on the 25th day of each quarter (December, March, June) thereafter during the term of this Agreement. Fire Chief will provide quarterly reports to the Commissioners.

Actual costs are compiled based on \$130.00 hour, per unit dispatched, (ambulance, rescue vehicle, etc.); a summary of all county ambulance/rescue runs will be submitted with the billing.

F. Booking Services

Booking services for persons charged under state statute shall be provided by the County at no cost to the City. Booking services, for persons who are charged solely under City Ordinance, which are provided by the County to the City for Fiscal Years 2016-2018 will be billed and payable in four quarterly payments, commencing on September 25, 2016, and on the 25th day of each quarter, (December, March, June) thereafter during the term of this Agreement. The City Agrees to compensate the County \$30.00 for each person booked (finger printed, photographed, etc.), when charged solely under City Ordinance, as the Miles City Police Department or City Judge determines necessary.

5. **CONTINGENCY OF CONTRACTING WITH LIBRARY BOARD OF TRUSTEES**

The City's obligation to provide services hereunder is contingent upon the county having

entered into a written contractual agreement with the Board of Trustees of the Miles City Library for the Library to provide library services for FY 2016-2017, and any renewal term, to County residents who do not live within the City limits, in return for a payment from the County to the Library, of a sum satisfactory to the Board of Trustees of the Miles City Library.

6. APPROPRIATIONS:

Each party agrees to appropriate sufficient funds within its budgets to provide the services and to pay the compensation provided for herein during the term of this Agreement.

7. AUTHORIZATION:

Each party, by execution of this Agreement, covenants that it is authorized to enter into this Agreement and that its governing body has given all notices and taken all actions necessary to approve such Agreement and to bind the party to the terms of this Agreement.

8. TERMINATION:

This Agreement may be terminated after FY 2017-2018 by either party upon ninety (90) days written notice. As used in this agreement, "fiscal year" shall refer to a period between July 1 and June 30.

9. DEFAULT

If either party shall fail to promptly keep and perform any affirmative obligation of this Agreement or shall perform some act prohibited under this Agreement, and if such party shall continue in such default for a period of thirty (30) days after written notice of such default by the non-defaulting party to the defaulting party, in the manner provided in Section 10, below, then the non-defaulting party may pursue any remedy provided by the laws of the State of Montana, or may declare this Agreement terminated.

10. NON-WAIVER.

The failure of a party to claim a default or breach under this Agreement shall not be deemed a continuing waiver of such default or breach, nor shall any waiver of default or breach by any party be construed as a waiver of other or any subsequent default or breach.

11. NOTICE.

If at any time after the execution of this Agreement, it shall become necessary or convenient for one of the parties to serve any notice upon the other party, such notice shall always be in writing, signed by the party serving the same, or their counsel, and deposited in registered or

certified United States mail, return receipt requested, postage prepaid, and addressed as follows:

CITY: John Hollowell, Mayor
P.O. Box 910
Miles City, Montana 59301

COUNTY: Kevin Krausz, Chairperson
Board of County Commissioners
Custer County Courthouse
1010 Main Street
Miles City, Montana 59301

Or to such address as either party may furnish to the other in writing as the place for the service of notice. Any notice so mailed shall be deemed to have been given as of the time the same is deposited in the United States mail with proper prepaid postage affixed. In addition to service by the President of its City Council, or the County, by service upon any of its County Commissioners. The date of personal service shall be the date the notice is personally served upon City or County.

12. TIME OF THE ESSENCE.

Time is of the essence of this Agreement and all acts required to be performed hereunder shall be performed on or before the date specified.

13. PARAGRAPH HEADINGS.

The paragraph headings herein contained are for convenience of the parties only and do not define, limit or construe the contents of such paragraphs.

14. NON-DISCRIMINATION

In compliance with §49-3-207 MCA, all hiring must be on the basis of merit and qualifications and there may not be discrimination on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability, or national origin by either party performing this Agreement.

15. APPROVAL OF GOVERNING BODIES REQUIRED

This Agreement shall not become effective until approved by appropriate resolution by the City Council of the City of Miles City and by appropriate resolution of the Board of Commissioners of Custer County.

16. RESPONSIBILITY FOR REPORTS AND PAYMENT OF RETIREMENT SYSTEM CONTRIBUTIONS.

The City shall be responsible for reports and payment of retirement system contributions pursuant to §19-2-506 for City employees utilized in performing services under this Agreement. The County shall be responsible for reports and payment of retirement system contributions pursuant to §19-2-506 for County employees utilized in performing services under this Agreement.

17. NON-APPLICABILITY OF PORTIONS OF §7-11-105 MCA

The following subsections of §7-11-105 MCA are not applicable to this Interlocal Agreement for the following reasons:

Subsection (5) in that no property will be jointly acquired under this Agreement;

Subsection (6) in that the agreement will be administered by the Mayor for the City and the Board of Commissioners for the County and a separate administrator or board is not necessary;

Subsection (7) in that no real or personal property will be jointly acquired under this Agreement;

Subsection (8) in that there will be no shared employment under this Agreement.

18. EXECUTION AND FILING.

This Agreement shall be executed in triplicate originals, with one fully executed original being filed with the Custer County Clerk and Recorder, one fully executed original being filed with the Miles City Clerk, and one fully executed original being filed with the Montana Secretary of State.

19. INDEMNITY.

City agrees to indemnify, defend and hold County harmless from any liability, damages or claims arising out of City's intentional or negligent acts or omissions in City's performance of the services it is providing to County under this Contract except as to any liability, damages or claims arising solely out of the intentional or negligent acts or omissions of County, its officers, employees, or agents. County shall indemnify, defend and hold City harmless from any liability, damages or claims arising out of the intentional or negligent acts or omissions of County in County's performance of the services it is providing to City

under this Contract except as to any liability, damages or claims arising solely out of the intentional or negligent acts or omissions of City, its officers, employees or agents.

CITY OF MILES CITY

By: _____
John Hollowell, Mayor

Dated: _____

Custer County, Montana

BY: _____
Kevin Krausz, Commissioner

BY: _____
Jason Strouf, Commissioner

BY: _____
Keith Holmlund, Commissioner

Dated _____

EXHIBIT "1"

SERVICES

- a. Bullard Street Lift Station
- b. Fairgrounds Water
- c. Central Dispatch Services
- d. Animal Control Services within the exterior boundaries of Custer County.
- e. Ambulance Service within the exterior boundaries of Custer County

Initialed by parties to indicate review and agreement with this Exhibit:

CUSTER COUNTY:

Kevin Krausz, Chairperson

DATE:

CITY OF MILES CITY:

John Hollowell, Mayor

DATE

EXHIBIT "2"

SERVICES TO BE PROVIDED TO THE CITY BY THE COUNTY

1. SERVICES

- a. Provision of space, free of rent, to the CITY for operation of Central Dispatch at the Emergency Operating Center.
- b. The COUNTY will provide booking services for individuals referred by the Miles City Police Department or the City Judge.

Initialed by parties to indicate review & agreement with this Exhibit:

CUSTER COUNTY: _____ DATE _____
Kevin Krausz, Chairperson

CITY OF MILES CITY: _____ DATE _____
John Hollowell, Mayor

ORDINANCE NO. 1309

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA
ENACTING SECTION 23-1 OF THE CODE OF ORDINANCES OF THE CITY OF MILES
CITY, MONTANA, AND ADOPTING A UTILITY RULE REQUIRING A PROPERTY
OWNER'S CONSENT TO ANNEXATION AS A CONDITION OF RECEIVING WATER
AND/OR SEWER SERVICE**

WHEREAS, the City operates a municipal water and sewer utility, providing water from its municipal water supply system to various properties and receiving wastewater to its municipal treatment system from various properties located outside of the City limits; and

WHEREAS, Montana Code Annotated Section 69-7-201 requires each municipal utility to adopt, with concurrence of the municipal governing body, rules for the operation of its utility which outline the procedure for discontinuance of service and the reestablishment of service as well as the extension of service to users within the municipal boundaries and outside the municipal boundaries; and

WHEREAS, in 46 Op. Atty. Gen. No. 12 (1995), the Montana Attorney General ruled that a city or town may adopt a rule for the operation of its municipal sewer and/or water utility requiring a property owner's consent to annexation as a condition of continued sewer and/or water service; and

WHEREAS, Montana Code Annotated Section 7-13-4314 states that any person, firm, or corporation receiving water or sewer service outside of incorporated city limits may be required by the city or town, as a condition to initiate such service, to consent to annexation of the tract of property served by the city or town. The Montana Supreme Court in *Gregg v. Whitefish City Council* and the AG Opinion cited above state that consent to annexation may be required for receipt of continued utility service, in addition to initiation of service, and

WHEREAS, the City adopted RESOLUTION NO. 3872, *An Annexation and Extension of Services Plan*, which states: Properties outside of the City municipal boundary will not be connected to or receive service from the City's water and/or sewer systems without either annexation nor the property owner submitting a waiver of the right to protest annexation as a requirement for receiving service; and, for those properties currently receiving water and/or sewer service that are not within the City limits, the City may require the property owner(s) to consent to annexation or waive the right to protest annexation as a condition of continued water and/or sewer service; and

WHEREAS, from time to time the City Council determines that it is in the best interests of the City to annex property owned by those persons, firms or corporations receiving water and/or sewer service, and to bring the properties within the corporate limits of the City; and

WHEREAS, the City desires to adopt a rule requiring a property owner's consent to annexation as a condition of initiating or receiving continued water and/or sewer service;

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

Section 1: That there is hereby enacted a Section 23-1, entitled Annexation Required, as follows:

Sec. 23-1. – Annexation Required.

The City may, at any time, require a property owner's consent to annexation as a condition of new or continued sewer and/or water service. Sewer and/or water service is defined as the receipt of water or transmission of wastewater from or to the City, regardless of the ownership of the delivery infrastructure which services the property. When the City determines to require such consent from a particular property owner, the City may notify the property owner, in writing, that the City seeks such consent, and that if such consent is not given, the City will require that the property owner discontinue receiving sewer and/or water service. The property owner may notify the City in writing of his or her consent to annexation. If within 10 days of the property owner's receipt of such notice, the property owner contacts the City and makes firm arrangements, in writing, to discontinue sewer and/or water service, then the City shall not further pursue obtaining the property owner's consent. If, however, the property owner has not, within 10 days, made firm written arrangements to discontinue sewer and/or water service, then the City shall be entitled to treat the property owner as having consented to annexation of his or her property upon the expiration of such 10-day period. The failure by the property owner to respond in writing within 10 days shall entitle the City to treat the property owner as having consented upon the expiration of such 10-day period.

If the property owner consents to annexation under any of the methods described above, the property owner may not thereafter withdraw his or her consent to any proposed annexation of his or her property. If the property owner consents to annexation under any of the methods described above, then the City shall be entitled to disregard any protest that such property owner makes to a proposed annexation of his or her property. Nothing herein shall prevent the City from seeking consent even if the City has previously obtained a waiver of protest from such property owner or from his or her predecessor in interest.

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

Said Ordinance read and put on its passage this 14th day of February, 2017.

John Hollowell, Mayor

ATTEST: _____
Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this 28th day of February, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

ORDINANCE NO. 1310

AN ORDINANCE CHANGING THE ZONING OF TRACT No. 4 OF THE DYBA ADDITION TO THE CITY OF MILES CITY FROM GENERAL COMMERCIAL ZONE TO HIGHWAY COMMERCIAL ZONE, AND PROVIDING FOR A HEARING THEREON.

WHEREAS, John Hoofman, on behalf of JNJ Management LLC, and on behalf of property owners Joseph and Janine Yates, has made application for the property described as Tract No. 4 of the Dyba Addition to the City of Miles City, Montana, to be rezoned from mixed zones of General Commercial District (GC), to Highway Commercial District (HWC) zone;

AND WHEREAS, such property is situated within the city limits of the City of Miles City, Montana, and subject to the zoning jurisdiction of the City of Miles City;

AND WHEREAS, Section 24-96 of the Code of Ordinances of Miles City, Montana requires that such application be referred to the City Zoning Commission for public hearing and recommendation to the City Council prior to any action by the City Council upon such application;

AND WHEREAS, the Miles City Zoning Commission, on February 6, 2017, upon public hearing and deliberation, recommended to the City Council that such zoning change be approved.

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

Section 1. Zoning for the following described real property located within the City of Miles City, Custer County, Montana, is hereby rezoned from General Commercial District (GC), to Highway Commercial District (HWC) zone, to wit:

Tract No. 4 of the Dyba Addition to the City of Miles City, according to the official plat and survey thereof on file with the Clerk and Recorder in and for Custer County, Montana.

Section 2. The City of Miles City Staff Report prepared as part of the review of this application, and attached hereto as Exhibit "A," is hereby adopted as Findings of Fact to support the Council's decision.

Section 3. Prior to final passage, a public hearing shall be held upon this proposed zoning change before the City Council at 7:00 P.M. on the 14th day of March, 2017, in the Council Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana.

Section 4. The City Clerk shall give notice of the date, time and place of such hearing by publication in the Miles City Star at least 15 days prior to the date of such hearing, as well as notice by certified mail at least 15 calendar days prior to such hearing to the applicant, landowner, and all adjoining property owners and owners of land within 150 feet of the subject property, containing all information required by, and in accordance with, MCA Sections 76-2-303 and 305, as well as Section 24-97 of the Code of Ordinances of Miles City, Montana.

Section 5. This ordinance shall be in full force and effect thirty (30) days after its final passage and approval.

Said Ordinance read and put on its passage this 14th day of February, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this 14th day of March, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

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

February 7, 2017

Mayor Hollowell and City Council Members,

RE: Administrative changes to the adopted zoning map and text.

RE: Proposed re-zone for the property located at 2210 Valley Drive E Miles City, MT 59301 – at the intersection of Valley Drive E and N Strevell Avenue in the northeast portion of Miles City. The legal description of the property is, Lot 4 of the Dyba Addition, better known as the old Dairy Queen.

The Miles City Zoning Commission conducted two public hearings on February 6, 2017 to consider the requests listed above. After reviewing comments from the public hearings, the Zoning Commission recommends approval for the administrative changes to the adopted zoning map and text. Also, recommends approval for the zone change for the property described above, from general commercial to highway commercial.

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

Respectfully,

LeRoy Meidinger, Chair
Zoning Commission





PETITION FOR ZONE CHANGE

Community Services & Planning

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

Date Received: _____
(If business is filed)

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

I, JNJ Management LLC is/are petitioning the City of Miles City to rezone
(Signature)
 the following property:

LEGAL DESCRIPTION OF PROPERTY:

Street Address or General Location 2210 VALLEY DRIVE EAST
 Tract/s _____ in Section _____ Township _____ Range _____

OR

Lot/Tract/s 4 of Dyba Addition in Section 27 Township 08N Range 47E
(Subdivision Name)
 Assessor Number/s or Geocode 14-1740-27-4-23-20-0000

PRIMARY CONTACT:

Applicant Name: John Hoofman If a business: Contact Name John Hoofman
(Please print) (If business)

Address: P.O. box 1231
Helena MT 59624

Phone: 406-459-2618 Cell Phone: same Email: jhoofman@gmail.com

DESCRIPTIVE DATA:

Total area in acres: 2.4 acres

Existing Zoning: General Commercial Proposed Zoning: Highway commercial district

Existing Use: vacant Army Queen

Yes No Purpose of the zone change is for pending development/sale. If so please explain the nature of the proposal or state any other reason for requested change:

The zoning was changed while I was in the middle of the purchase and I would not get any clear answers about the zoning prior to the adoption of the new zoning.

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

DYBA ADDITION AND ACERAGE TRACTS MILES CITY, MONTANA.

STATE OF MONTANA
COUNTY OF DISTRICT

I, KURT SEWELL, as official engineer and land surveyor and that I am duly sworn in and qualified as such under the laws of the State of Montana, do hereby certify that the above described land is the same as shown on the plat of the Dyba Addition and Acera-ge Tracts, Miles City, Montana, in the Northern Section and Eastern Part of Township 20 N., Range 47 E., Meridian 10 N., and that said plat is a true and correct copy of the original plat as recorded in the public records of the County of District, Montana, and that said land is the same as shown on the plat of the Dyba Addition and Acera-ge Tracts, Miles City, Montana, in the Northern Section and Eastern Part of Township 20 N., Range 47 E., Meridian 10 N., and that said plat is a true and correct copy of the original plat as recorded in the public records of the County of District, Montana.

GIVEN UNDER MY HAND AND SEAL OF OFFICE
THIS 12th DAY OF JANUARY 1961.

Kurt Sewell

STATE OF MONTANA
COUNTY OF DISTRICT

I, KURT SEWELL, being duly sworn, depose and say that I am the engineer and surveyor who prepared and read the foregoing plat and that the same is a true and correct copy of the original plat as recorded in the public records of the County of District, Montana.

Kurt Sewell

WITNESSED AND SIGNED IN MY HAND AND SEAL OF OFFICE

Opal M. Peterson

NOTARY PUBLIC
Notary in and for the County of District, Montana.
Opal M. Peterson

KNOW ALL MEN BY THESE PRESENTS,

That I, William Sewell, of the County of District, State of Montana, do hereby certify that the above described land is the same as shown on the plat of the Dyba Addition and Acera-ge Tracts, Miles City, Montana, in the Northern Section and Eastern Part of Township 20 N., Range 47 E., Meridian 10 N., and that said plat is a true and correct copy of the original plat as recorded in the public records of the County of District, Montana, and that said land is the same as shown on the plat of the Dyba Addition and Acera-ge Tracts, Miles City, Montana, in the Northern Section and Eastern Part of Township 20 N., Range 47 E., Meridian 10 N., and that said plat is a true and correct copy of the original plat as recorded in the public records of the County of District, Montana.

DATED THIS 12th DAY OF JANUARY 1961.

STATE OF MONTANA
COUNTY OF DISTRICT

I, KURT SEWELL, being duly sworn, depose and say that I am the engineer and surveyor who prepared and read the foregoing plat and that the same is a true and correct copy of the original plat as recorded in the public records of the County of District, Montana.

APPROVED
FEB 9 1961

Wm. Sewell

FILED
1961 FEB 9
KURT SEWELL
REGISTERED PROFESSIONAL ENGINEER
No. 12345
MILES CITY, MONTANA

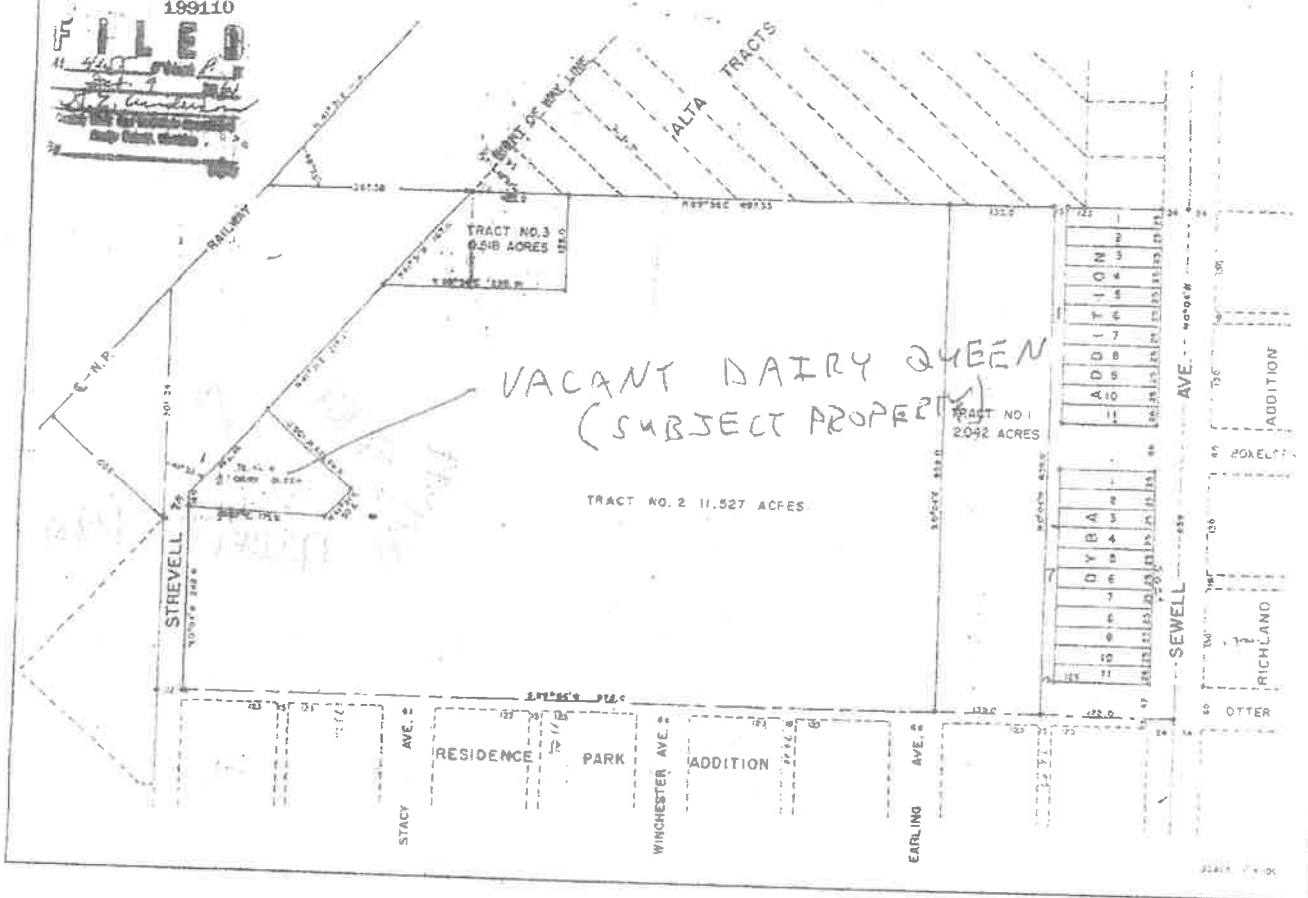


EXHIBIT A

Miles City City Council

Zone Change Request From General Commercial to Highway Commercial

Staff Report

John Hoofman, JNJ Management, LLC

The Miles City Zoning Commission met on February 6, 2017 and held a public hearing to consider a request from JNJ Management LLC for a zone change from General Commercial to Highway Commercial on property located at the intersection of Valley Drive East and North Strevell Avenue. Matthew Rohrbach, contract planner with Land Solutions, presented the staff report below (MCZC-2017-01), recommending that the Zoning Commission adopt the staff report as findings of fact and make a recommendation to the Miles City City Council to approve the zone change from General Commercial to Highway Commercial.

At the public hearing a neighboring property owner asked for clarification as to what the zone change would mean in terms of what would be allowed on the property and he was provided a handout outlining regulations in the General Commercial and Highway Commercial districts. Otherwise, no one spoke in support of or opposition to the requested zone change. After the close of the public hearing, the Zoning Commission discussed the requested zone change and unanimously adopted the findings of fact presented and recommended that the Miles City City Council approve the zone change from General Commercial to Highway Commercial.

Background Information

John Hoofman, on behalf of JNJ Management LLC, has requested a zoning designation change from General Commercial to Highway Commercial on property located at the intersection of Valley Drive East and North Strevell Avenue (the old Dairy Queen). The applicant is in the process of purchasing the property, with said purchase contingent upon the zoning designation being changed to Highway Commercial. The proposed zone change would make it possible for the applicant to apply for a conditional use permit to operate a medical marijuana dispensary.

A. Applicant

John Hoofman, JNJ Management, LLC
P.O. Box 1231
Helena, MT 59624

B. Owner

Joseph and Janine Yates
766 W 1550 S
Payson, UT 84651

C. Location and Legal Description of Property

The property is located on Valley Drive East at the intersection with North Strevell Avenue – see vicinity map below. The legal description of the property is Tract No. 4 of the Dyba Addition located in Section 27, Township 8 North, Range 47 East, P.M.M., Custer County, Montana.



D. Existing Land Use(s) and Zoning

The property is currently occupied by a vacant building which used to house a Dairy Queen. The existing zoning is General Commercial. The General Commercial zone is intended to provide for commercial districts in close proximity to and serving the ordinary shopping needs of residents and visitors, and which do not attract large volumes of traffic.

E. Proposed Land Use(s) and Zoning

The proposed land use is a medical marijuana dispensary and the proposed zoning is Highway Commercial. The Highway Commercial zone is intended to provide for commercial oriented uses around highways and arterials that rely on convenient automobile access. In the Highway Commercial district, medical marijuana dispensaries are a conditional use and thus the applicant will need to obtain a conditional use permit in the event the proposed zone change is approved.

F. Adjacent Zoning and Land Uses

North/Northwest: Heavy Commercial/Light Industrial, Railroad

East/Southeast: General Commercial, The Plaza Shopping Center and Parking Lot

South: General Commercial, Developmental Educational Assistance Program

West/Southwest: Highway Commercial, Sandhills Sewing and Vacuum Center



G. Size

The property is approximately 16,780 square feet

H. General Land Use Characteristics

The general land use characteristics of the area can be described as auto-oriented commercial and industrial.

Evaluation of Zone Change Criteria

The following is an evaluation of the zone change request under the criteria outlined in 76-2-304, M.C.A. and in section 24-96(c) of Miles City's Zoning Regulations.

1. Is the proposed zone change in accordance with the Miles City Growth Policy?

The future land use map in Miles City's Growth Policy identifies future land uses for properties outside of Miles City limits only. As the property in question is within Miles City limits it does not have a designation on the future land use map. The closest designation on the future land use map is 0.1 miles northeast of the subject property, which is designated commercial. The commercial designation is a composite or general term that does not differentiate between General Commercial zoning and Highway Commercial zoning.

Miles City's Growth Policy states, "Miles City also intends to ensure that new development is compatible with existing development by adopting zoning that generally extends the existing pattern of development (i.e., more residential near existing residential areas and more commercial near existing commercial areas)." The property is surrounded by Highway Commercial to the southwest and general commercial to south and east. The pattern of development along Valley Drive East between Leighton Blvd. and the Baker Highway (US 12) is primarily auto-oriented commercial and industrial and is compatible with the Highway Commercial district regulations. A change from General Commercial to Highway Commercial will not result in incompatible development patterns because the zone change would result in a logical extension of Highway Commercial to the northeast.

The Growth Policy contains several goals and objectives. Two appear to apply to the proposal.

Economy objective 2.1: *Encourage infill development on vacant lots and in vacant buildings.* Changing the zoning would facilitate the use of an existing building within the city limits.

Land use objective 3.1: *Protect private property rights and respect property owners' wishes to enjoy and gain economic return from their properties and investments while ensuring that other public and private interests are not unreasonably compromised or impacted by land uses and development projects.* The zoning amendment would allow the property owners to gain economic return from their investments. If the amendment is approved, subsequent zoning permit processes (potentially including a conditional use permit public review and development requirements for landscaping, lighting, etc.) would help to ensure that other public and private interests are not unreasonably compromised or impacted by future land uses.

Based on this information, the proposed zone change generally complies with Miles City's Growth Policy.

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

The property is served by Miles City Fire and Rescue and Miles City Police Department. The property is accessible by Valley Drive East to the northwest and Plaza Blvd to the south, both of which could provide emergency vehicle access. Furthermore, a fire hydrant is located approximately 120 feet to the northeast along Valley Drive East. Based on this information the proposed zone change is generally designed to secure safety from fire and other dangers.

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

The health, safety, and general welfare of the public will be upheld through general Miles City regulations and specifically through the Highway Commercial zoning district regulations, which specify permitted and conditional uses as well as regulations for setbacks, building height, and lot coverage. Based on this information public health, safety, and general welfare will be promoted in the event of the proposed zone change is approved.

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

Transportation – Adequate access to the property is provided from Valley Drive East to the northwest and Plaza Blvd to the south.

Water and Sewer – The property is served by Miles City water and sewer.

Schools – School facilities and bus services are available to the property if necessary. However, it is unlikely that the zone change would impact Miles City schools as residential uses are not permitted in the Highway Commercial district.

Parks – No parks are immediately adjacent to the property. Assuming a medical marijuana dispensary or other highway commercial business is developed on the property, the proposed zone change is not likely to place additional demand on Miles City's parks.

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

Based on the above information, the proposed zone change will facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other facilities.

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

The property is bordered by a large parking lot to the east/northeast, railroad tracks and right of way to west/northwest, and one-story buildings to the south. Given this information there is currently adequate light and air on the property. Furthermore, Miles City's zoning regulations and building codes are intended to provide for adequate light and air, which will apply to any future development on the property. Based on this information the proposed zone change provides reasonable provision of adequate light and air.

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

The proposed zone change is not likely to have a significant impact on motorized or non-motorized transportation. As the current building on the property is vacant, there will likely be an increased number of vehicles going to and from the site, though it is unlikely that the level of increased traffic will have a detrimental impact on traffic flows on Valley Drive East. Additionally, as there are multiple access points to the property off Valley Drive East, and ample sight distances of over 300 feet in both directions, the increased traffic is not likely to have a significant impact on traffic safety. In terms of non-motorized transportation, Valley Drive East is not heavily traveled by pedestrians or bicycles as there are currently no sidewalks or bike lanes and adjacent land uses are auto-oriented. The proposed zone change will have little, if any, impact on non-motorized transportation.

7. Does the proposed zone change promote compatible urban growth?

The proposed zone change would result in an extension of Highway Commercial to the northeast. Development patterns along Valley Drive East between Leighton Blvd and the Baker Highway (US 12) are predominantly auto-oriented commercial and industrial uses, which are in-line with the

Highway Commercial district. The proposed zone change will promote compatible urban growth by further encouraging development patterns which currently exist along Valley Drive East.

8. Does the proposed zone change consider the character of the district, and its peculiar suitability for particular uses?

The Highway Commercial zoning designation is intended to provide for commercial oriented uses around highways and arterials that rely on convenient automobile access. Valley Drive East between Leighton Blvd and the Baker Highway (US 12) is classified as a principal arterial and primarily serves auto-oriented commercial and industrial uses. While this portion of Valley Drive East contains both Highway Commercial and General Commercial zoning designations, overall the development pattern along Valley Drive East between Leighton Blvd and the Baker Highway is compatible with the character of the Highway Commercial district and is generally suitable for allowed uses in the district.

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

The proposed zone change would modify what land uses are considered permitted and conditional on the property. Residential uses would no longer be allowed, although a wider array of commercial uses would be permitted. As the property fronts a principal arterial and is surrounded by auto-oriented commercial and industrial, it is better suited for commercial uses than residential ones. Additionally, the proposed zone change would allow the applicant to apply for a conditional use permit for a medical marijuana dispensary. If the conditional use permit is approved by the Miles City Board of Adjustment, the applicant would refurbish and occupy (conserve) a currently vacant building. Based on this information the proposed zone change would potentially conserve the value of the building and encourage the most appropriate use of the land.

10. Would the proposed zone change be considered illegal spot zoning?

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

1. Is the proposed land use significantly different from the prevailing use in the area?

The property is surround by auto-oriented commercial and industrial uses. Furthermore, the property borders an existing Highway Commercial designation to the southwest. Because the area is predominately highway oriented commercial, the proposed land use would not be significantly different from the prevailing uses in the area.

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

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

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

The proposed zone change could be viewed as special legislation designed to benefit one landowner. However, as the property borders an existing Highway Commercial district and is in-line with the intent of the Highway Commercial District, the proposed zone change can also be viewed as making the property's zoning designation compatible with prevailing land uses. Also, while certain members of the public might see harm from a medical marijuana dispensary on this property, other segments of the public will likely benefit from being able to obtain medical marijuana where few other options (if any) exist within Miles City. In the end, the benefits of the proposed zone change to the landowner and patients seeking medical marijuana are not at the overall expense of the general public.

11. Does the proposed zone change correct an inconsistency in the zoning?

The zone change does not necessarily correct an inconsistency in the zoning, but rather changes the zoning to better reflect prevailing land uses in the area.

12. Does the proposed zone change address changing conditions or further a specific public challenge?

The proposed zone change does address a changing condition prevalent throughout Montana. In November, Montana voters pass Initiative 182, which explicitly allow licensed providers of medical marijuana to operate dispensaries. As a result, medical marijuana providers in Montana are seeking to open dispensaries to provide medication to patients seeking relief from a variety of ailments.

Recommendation

Adopt this staff report as findings of fact and approve the proposed zone change from General Commercial to Highway Commercial for the property in question.

PROPERTY OWNERS
Re-zone
for
JNJ Management, LLC

OMNI Corporation
PO Box 879
Miles City, MT 59301

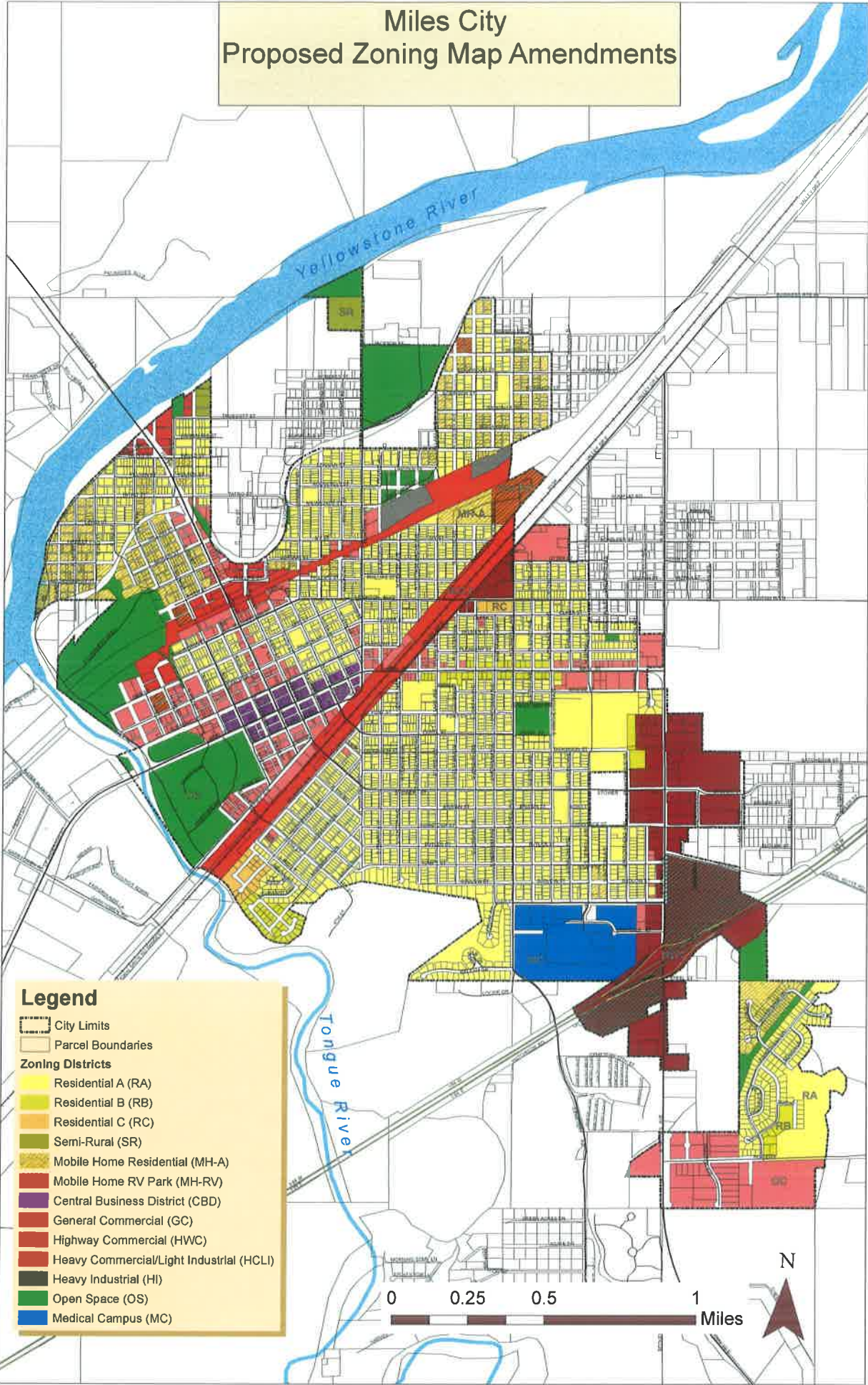
Joseph & Janine Yates
766 W 1550
Payson, UT 84651

Fossil Development Co, LLC
2200 Box Elder Street
Miles City, MT 59301

Jerrold Dusatko
56 Cornhusker Rd
Miles City, MT 59301

JNJ Management, LLC
John Hoofman
PO Box 1231
Helena, MT 59624

Miles City Proposed Zoning Map Amendments



Legend

- City Limits
- Parcel Boundaries
- Zoning Districts**
- Residential A (RA)
- Residential B (RB)
- Residential C (RC)
- Semi-Rural (SR)
- Mobile Home Residential (MH-A)
- Mobile Home RV Park (MH-RV)
- Central Business District (CBD)
- General Commercial (GC)
- Highway Commercial (HWC)
- Heavy Commercial/Light Industrial (HCLI)
- Heavy Industrial (HI)
- Open Space (OS)
- Medical Campus (MC)

ORDINANCE NO. 1311

AN ORDINANCE AMENDING SECTIONS 24-66(e) AND 24-80, AND CORRECTING THE CITY OF MILES CITY ZONING MAP TO INCLUDE CITY PROPERTY NOT REFLECTED AND REMOVING PROPERTIES LYING OUTSIDE OF THE CITY LIMITS, AND PROVIDING FOR A HEARING THEREON.

WHEREAS, City of Miles City staff have noted minor inconsistencies between the City of Miles City zoning code and the International Building Code, as well as errors in the City of Miles City zoning map where properties lying within the city limits have not been included, and where properties lying outside of the city limits have been included;

AND WHEREAS, Section 24-96 of the Code of Ordinances of Miles City, Montana requires that proposed revisions to the zoning code or zoning map be referred to the City Zoning Commission for public hearing and recommendation to the City Council prior to any action by the City Council upon such application;

AND WHEREAS, the Miles City Zoning Commission, on February 6, 2017, upon public hearing and deliberation, recommended to the City Council that such changes be approved.

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

Section 1. Section 24-66 (e) shall be amended to read as follows:

“Bed and breakfasts may display signs as permitted by the International Building Code’s sign regulations (Appendix H).”

Section 2. Section 24-80 shall be amended to read as follows:

“A permit shall be required for any clearing, grading, excavation, construction, reconstruction, non-minor change of occupancy or use, land development, re-development or building activity, except as specifically exempted by these regulations or per Section 24-81 below. These regulations include the following four kinds of permits, the procedures for administration of which are found in Section 24-85 below:

- a) A Building Permit, where compliance with zoning is assessed, shall be required for any new building activity listed as “permitted” in the various districts adopted by these regulations (see Sections 24-15 through 24-39).
- b) A Conditional Use Permit shall be required for any land use or building activity listed as a “conditional use” in the various zoning districts (see Sections 24-15 through 24-39).
- c) A Change of Occupancy Permit is required when a non-minor change in use or occupancy occurs in a building or on a premises.
- d) A Certificate of Occupancy is required when a new building is completed.

Building permit applications are submitted with applications for the above permits when building codes apply to the development. Building permits are then processed by the Miles City Building Inspector in conjunction with zoning review by the Administrator and, when applicable, the Board of Adjustment. Sign permits are authorized under separate ordinance – see Appendix H of the International Building Code for sign regulations in Miles City.”

Section 3. Zoning for the following described real property located within the City of Miles City, Custer County, Montana, and owned by the City of Miles City, is hereby rezoned from having no zoning designation to Open Space (OS) zone, to wit:

Tract B Less Highway located in Section 33, Township 8 North, Range 47 East, P.M.M., Custer County, Montana, according to the official plat and survey thereof on file with the Clerk and Recorder in and for Custer County, Montana.

Section 4. The following described real properties located outside the City of Miles City, Custer County, Montana, are hereby removed from the zoning jurisdiction of the City of Miles City and thereby will no longer having a zoning designation of General Commercial (GC) under the City of Miles City’s zoning regulations, to wit:

Tract 1-A of the Dyba Addition located in Section 27, Township 8 North, Range 47 East, P.M.M., Custer County, Montana., according to the official plat and survey thereof on file with the Clerk and Recorder in and for Custer County, Montana.

Tract 1B-A of the Dyba Addition located in Section 27, Township 8 North, Range 47 East, P.M.M., Custer County, Montana., according to

the official plat and survey thereof on file with the Clerk and Recorder in and for Custer County, Montana.

Tract 1C-A of the Dyba Addition located in Section 27, Township 8 North, Range 47 East, P.M.M., Custer County, Montana., according to the official plat and survey thereof on file with the Clerk and Recorder in and for Custer County, Montana.

Section 5. The property, in the absence of a legal description, shown in Diagram 1, below, located in the Tongue River Slough, located outside the City of Miles City, Custer County, Montana, is hereby removed from the zoning jurisdiction of the City of Miles City and thereby will no longer having a zoning designation of Open Space (OS) under the City of Miles City's zoning regulations, to wit:

DIAGRAM 1



Section 6. The City of Miles City Staff Report prepared as part of the review of this application, and attached hereto as Exhibit "A," is hereby adopted as Findings of Fact to support the Council's decision.

Section 7. Prior to final passage, a public hearing shall be held upon this proposed zoning change before the City Council at 7:00 P.M. on the 14th day of March, 2017, in the Council Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana.

Section 8. The City Clerk shall give notice of the date, time and place of such hearing by publication in the Miles City Star at least 15 days prior to the date of such hearing, containing all information required by, and in accordance with, MCA Sections 76-2-303 and 305, as well

as Section 24-97 of the Code of Ordinances of Miles City, Montana. Certified mailing of notice is not required for this Ordinance pursuant to the exception set forth in Section 24-97(b)(3) of the Code of Ordinances of Miles City, Montana.

Section 9. This ordinance shall be in full force and effect thirty (30) days after its final passage and approval.

Said Ordinance read and put on its passage this 14th day of February, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this 14th day of March, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

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

February 7, 2017

Mayor Hollowell and City Council Members,

RE: Administrative changes to the adopted zoning map and text.

RE: Proposed re-zone for the property located at 2210 Valley Drive E Miles City, MT 59301 – at the intersection of Valley Drive E and N Strevell Avenue in the northeast portion of Miles City. The legal description of the property is, Lot 4 of the Dyba Addition, better known as the old Dairy Queen.

The Miles City Zoning Commission conducted two public hearings on February 6, 2017 to consider the requests listed above. After reviewing comments from the public hearings, the Zoning Commission recommends approval for the administrative changes to the adopted zoning map and text. Also, recommends approval for the zone change for the property described above, from general commercial to highway commercial.

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

Respectfully,

LeRoy Meidinger, Chair
Zoning Commission

A handwritten signature in blue ink that reads "LeRoy Meidinger". The signature is written in a cursive style with a large initial "L" and a long, sweeping underline.

EXHIBIT A

Miles City City Council
Zone Map Change and Text Amendment Request
Staff Report
City of Miles City

The Miles City Zoning Commission met on February 6, 2017 and held a public hearing to consider a request from the Miles City Planning Department for zone map changes and text amendments to Miles City's zoning regulations. Miles City Planner Dawn Colton and Matthew Rohrbach, contract planner with Land Solutions, presented the staff report below (MCZC-2017-02), recommending that the Zoning Commission adopt the staff report as findings of fact and make a recommendation to the Miles City City Council to approve the zone map changes and zoning text amendments.

At the public hearing no one spoke in support of or opposition to the proposed map changes and text amendments. After the close of the public hearing, the Zoning Commission unanimously adopted the findings of fact presented and recommended that the Miles City City Council approve the zone map changes and zoning text amendments.

Background Information

Below is a brief description of the proposed amendments and changes to the Miles City zoning text and map.

Zoning Text Amendment #1 – Article III. Sec 24-66 e) *“Bed and breakfasts may display signs as permitted by Section 24-51.”* This sentence references a section in the regulations which was removed during the zoning update process.

- **Proposed Amendment** – Update to read *“Bed and breakfasts may display signs as permitted by ~~Section 24-51~~ the International Building Code’s sign regulations (Appendix H).”*

Zoning Text Amendment #2 – The Miles City Zoning Regulations do not reference the sign code in the International Building Code.

- **Proposed Amendment** – Article IV. Sec. 24-80 last paragraph, change last sentence to read: *“Sign permits are authorized under separate ordinance – see Appendix H of the International Building Code for sign regulations in Miles City.”*

Zoning Map Change #1 – The zoning map adopted by the Miles City, City Council on November 9th displayed an outdated city boundary and there are four parcels shown as being in Miles City, which are actually outside city limits and thus are not subject to Miles City's zoning regulations. One parcel is currently zoned open space and is occupied by the slough at the northern end of Miles City. The other three parcels are located north of the intersection of Otter Street and North Earling Avenue and are currently zoned general commercial. See adopted and proposed zoning maps at the end of this report.

- **Proposed Change** – In light of an updated city boundary, the four properties should no longer be shown as having a zoning designation on Miles City's zoning map.

Zoning Map Change #2 – One parcel of city owned land did not receive a zoning designation during the zoning update process. See adopted and proposed zoning maps at the end of this report.

- **Proposed Change**– Designate the property in question as Open Space – see review in light of criteria below.

Zone Change

A. Applicant

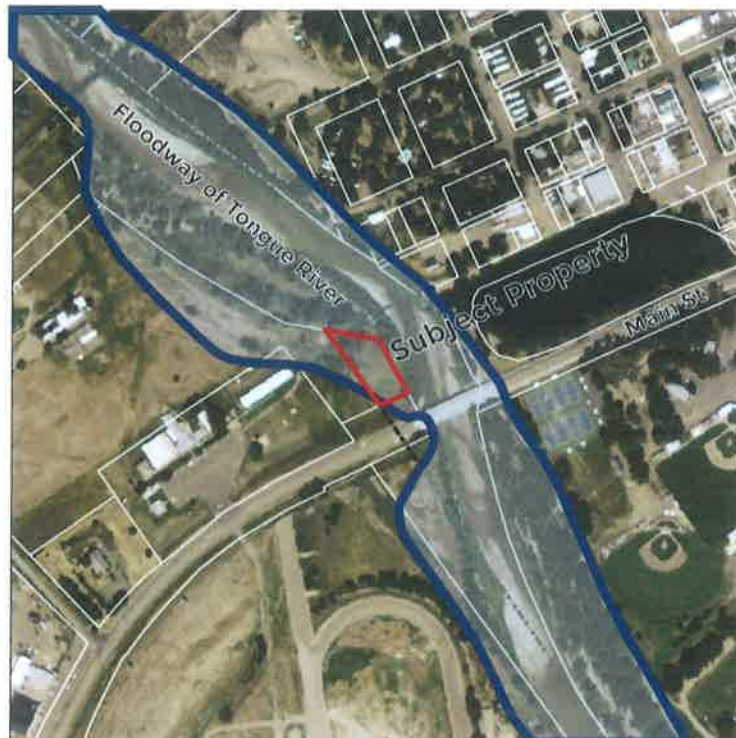
City of Miles City, Planning Department
17 South 8th Street
Miles City, MT 59301

B. Owner

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

C. Location and Legal Description of Property

The property is located on Main Street/I-94 Business Route west of the Tongue River – see vicinity map below. The legal description of the property is Tract B Less Highway located in Section 33, Township 8 North, Range 47 East, P.M.M., Custer County, Montana.



D. Existing Land Use(s) and Zoning

The property is currently vacant and is not zoned.

E. Proposed Land Use(s) and Zoning

There is not currently a proposed land use for this property and the proposed zoning is Open Space. The Open Space zone is intended to provide land without physical structures and buildings except where accessory to the provision of open space and recreational opportunities.

F. Adjacent Zoning and Land Uses

North: Unzoned, Vacant

East: Unzoned, Tongue River

South: Custer County Zoning Public Land, Main Street/I-94 Business Route

West: Custer County Zoning Public Land, Range Rider’s Museum



G. Size

The property is approximately 35,500 square feet

H. General Land Use Characteristics

The general land use characteristics of the area can be described as largely vacant/open space, with museums and government administrative uses to the south and west.

Evaluation of Zone Change Criteria

The following is an evaluation of the zone change request under the criteria outlined in 76-2-304, M.C.A. and in section 24-96(c) of Miles City's Zoning Regulations.

1. Is the proposed zone change in accordance with the Miles City Growth Policy?

The future land use map in Miles City's Growth Policy identifies this parcel as commercial. The commercial designation is a composite or general term that does not differentiate between the various commercial zoning designations. However, the future land use map also shows this parcel as being in the floodway of the Tongue River, making the possibility of commercial development very unlikely.

The Growth Policy contains several goals and objectives, one of which appears to apply to the proposal.

Economy objective 4.1: *Develop a Miles City gateway along the portion of the I-94 business loop which acts as the west entrance into the City.* An Open Space zoning designation would enable this property to remain in a natural state and provide for a scenic gateway along the Tongue River as kind visitors and residents enter the City.

Based on this information, the proposed zoning generally complies with Miles City's Growth Policy.

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

The property is in the service area of Miles City Fire and Rescue and Miles City Police Department. The property could be accessed from Main Street/I-94 Business Route if there were an approach and driveway in place. As Open Space, the property is not likely to generate concerns over fire, public safety, or other dangers. Based on this information the proposed zoning change is generally designed to secure safety from fire and other dangers.

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

As the property is in the floodway of the Tongue River, it is unlikely to be developed. An Open Space designation will further help keep this property free from development thus not subjecting buildings to flooding on the Tongue River. Additionally, as Open Space, the property will provide a natural area for residents to enjoy. Based on this information public health, safety, and general welfare will be promoted through the proposed zoning.

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

The proposed zoning will not adversely impact the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements, as it is Open Space and not likely to be developed. Based on the above information, the proposed zone change will facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other facilities.

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

The property is bordered by vacant land and the Tongue River. Given this information there is currently adequate light and air on the property. The proposed zoning will keep this property in its natural state as Open Space and thus will continue to provide reasonable provision of adequate light and air.

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

As Open Space the proposed zoning will not have an impact on motorized or non-motorized transportation.

7. Does the proposed zone change promote compatible urban growth?

The proposed zoning would not impact growth but would help preserve a natural corridor in the floodway and along the Tongue River. As such, the proposed zoning would promote compatible urban growth by preserving the area of open space on the banks of the Tongue River.

8. Does the proposed zone change consider the character of the district, and its peculiar suitability for particular uses?

The property is compatible with the character of the Open Space district as it is currently in a natural state with trees, grasses and shrubs. As such it is suitable for allowed uses in the district.

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

The property is in a natural state and an Open Space designation would be the most appropriate use of the land as the property is in the floodway of the Tongue River.

10. Would the proposed zone change be considered illegal spot zoning?

The property is surround by open space and vacant land as well as the Tongue River. As a result the proposed zoning of Open Space would not be considered spot zoning.

11. Does the proposed zone change correct an inconsistency in the zoning?

Yes, the proposed zoning corrects and oversight during the zoning update process, in which the property in questions was not given a zoning designation.

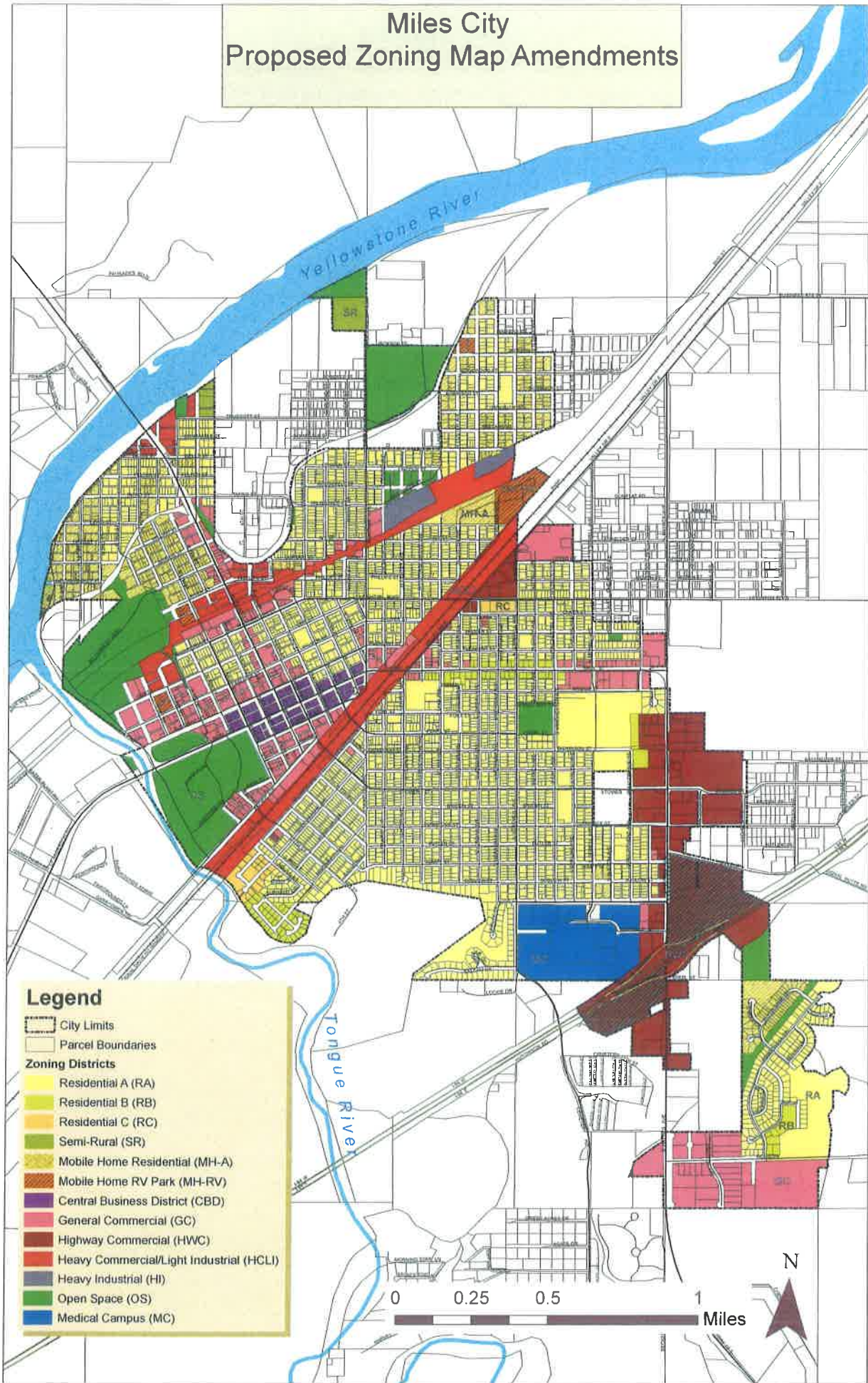
12. Does the proposed zone change address changing conditions or further a specific public challenge?

No the proposed zoning does not address a changing condition or further a specific public challenge

Recommendation

Adopt this staff report as findings of fact and approve the proposed zone map changes and zoning text amendments.

Miles City Proposed Zoning Map Amendments



Claims

02/02/17
15:55:33

CITY OF MILES CITY
Claim Details
For the Accounting Period: 1/17

Page: 1 of 16
Report ID: AP100

* ... Over spent expenditure

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7	01/30/17	FUEL		44.81		22424	5210 80 430540	231	101000
8	01/30/17	FUEL		89.63		22424	5310 33 430640	231	101000
9	01/30/17	FUEL		112.03		22424	5310 32 430690	231	101000
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02/02/17
15:55:33

CITY OF MILES CITY
Claim Details
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* ... Over spent expenditure

Claim Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
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02/02/17
15:55:33

CITY OF MILES CITY
Claim Details
For the Accounting Period: 1/17

Page: 3 of 16
Report ID: AP100

Over spent expenditure

Claim Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object Proj	Cash Account
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30	01/20/17		43.12			1000 21 440600	220	101000
31	01/20/17		5.52			1000 36 411020	220	101000
32	01/20/17		144.00			1000 36 411020	380	101000
33	01/20/17		33.41			1000 201 431200	210	101000
34	01/20/17		150.00			1000 201 431200	334	101000
35	01/20/17		46.78			2220 16 460100	210	101000
36	01/20/17		55.79			2220 16 460100	224	101000
37	01/20/17		105.73			2220 16 460100	311	101000
38	01/20/17		244.67			2220 16 460100	360	101000
39	01/20/17		380.03			2220 16 460100	382	101000
40	01/20/17		83.99			2220 16 460100	320	101000
41	01/20/17		0.00			2394 18 420531	210	101000
42	01/20/17		71.29			2394 18 420531	220	101000
43	01/20/17		267.95			2394 18 420531	320	101000
44	01/20/17		0.00			2510 107 430220	210	101000
45	01/20/17		525.55			2510 107 430220	214	101000
46	01/20/17		0.00			2510 107 430220	220	101000
47	01/20/17		613.66			2510 107 430220	230	101000
48	01/20/17		154.29			2510 107 430220	242	101000
49	01/20/17		1,159.97			2510 107 430220	363	101000
50	01/20/17		0.00			2520 108 430220	210	101000
51	01/20/17		131.39			2520 108 430220	214	101000
52	01/20/17		6.69			2520 108 430220	220	101000
53	01/20/17		153.41			2520 108 430220	230	101000
54	01/20/17		38.57			2520 108 430220	242	101000
55	01/20/17		289.99			2520 108 430220	363	101000
56	01/20/17		0.00			2850 105 420140	210	101000
57	01/20/17		0.00			2850 105 420140	220	101000
58	01/20/17		210.94			2985 15 450340	220	101000
59	01/20/17		153.18			2985 15 450330	220	101004
60	01/20/17		290.05			5210 22 430530	220	101000
61	01/20/17		31.68			5210 22 430530	226	101000
62	01/20/17		117.07			5210 22 430530	230	101000

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63	01/20/17		72.76			5210 23 430550	210	101000
64	01/20/17		0.00			5210 23 430550	214	101000
65	01/20/17		121.33			5210 23 430550	220	101000
66	01/20/17		22.50			5210 23 430550	226	101000
67	01/20/17		3,240.01			5210 23 430550	230	101000
68	01/20/17		13.70			5210 23 430550	231	101000
69	01/20/17		601.32			5210 23 430550	234	101000
70	01/20/17		1,534.56			5210 23 430550	235	102270
71	01/20/17		1,272.98			5210 23 430550	363	101000
72	01/20/17		29.56			5210 25 430510	220	101000
73	01/20/17		0.00			5210 25 430510	370	101000
74	01/20/17		0.00			5210 80 430540	210	101000
75	01/20/17		95.74			5210 80 430540	220	101000
76	01/20/17		458.17			5210 80 430540	222	101000
77	01/20/17		31.68			5210 80 430540	226	101000
78	01/20/17		181.70			5210 80 430540	230	101000
80	01/20/17		1.98			5210 80 430540	311	101000
81	01/20/17		933.00			5210 80 430540	352	101000
82	01/20/17		29.56			5310 29 430610	220	101000
83	01/20/17		0.00			5310 29 430610	370	101000
84	01/20/17		72.76			5310 31 430630	210	101000
85	01/20/17		0.00			5310 31 430630	214	101000
86	01/20/17		0.00			5310 31 430630	220	101000
87	01/20/17		22.48			5310 31 430630	226	101000
88	01/20/17		0.00			5310 31 430630	230	101000
89	01/20/17		0.00			5310 31 430630	233	101000
90	01/20/17		0.00			5310 31 430630	241	101000
91	01/20/17		1,272.98			5310 31 430630	363	101000
92	01/20/17		0.00			5310 31 430630	370	101000
93	01/20/17		0.00			5310 32 430690	220	101000
94	01/20/17		12.65			5310 32 430690	226	101000
95	01/20/17		84.41			5310 32 430690	230	101000
96	01/20/17		10.17			5310 33 430640	220	101000
97	01/20/17		232.71			5310 33 430640	222	101000
98	01/20/17		37.95			5310 33 430640	226	101000
99	01/20/17		57.80			5310 33 430640	230	101000
100	01/20/17		63.00			5310 33 430640	346	101000
101	01/20/17		177.00			5310 33 430640	352	101000
102	01/20/17		124.82			5310 33 430640	363	101000
103	01/20/17		1,705.75			5510 10 420730	220	101000
104	01/20/17		1,075.00			5510 10 420730	214	101000
105	01/20/17		-133.00			5510 10 420730	217	101000
106	01/20/17		12.74			5510 10 420730	220	101000
107	01/20/17		4,673.73			5510 10 420730	222	101000
108	01/20/17		2,051.00*			5510 10 420730	223	101000
109	01/20/17		56.54			5510 10 420730	230	101000
110	01/20/17	SUPPLIES	1,307.98			5510 10 420730	350	101000

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112	01/20/17	SUPPLIES	16.52			5510 10 420730	347	101000
113	01/20/17		5.00*			5610 10 420730	231	101000
115	01/20/17		39.74*			5610 10 420730	400	101000
116	01/20/17		260.00			5510 10 420730	380	101000
117	01/20/17	SUPPLIES	120.00*			5610 10 420730	364	101000
118	01/20/17		286.17			5610 87 430300	210	101000
119	01/20/17		24.44			5610 87 430300	220	101000
120	01/20/17		109.28			5610 87 430300	345	101000
121	01/20/17		6.70			5610 87 430300	311	101000
122	01/20/17		133.22			5610 87 430300	230	101000
123	01/20/17		0.00			6040 910 430220	220	101000
124	01/20/17		0.00			6040 910 430220	226	101000
125	01/20/17		0.00			6040 910 430220	230	101000
128266	78407S	4046 BILL RONNING	60.50					
1	1556416208	01/16/17 December Cell Phone	48.40		22733	2510 107 430220	345	101000
2	1556416208	01/16/17	12.10		22733	2520 108 430220	345	101000
128267	78408S	1721 MID RIVERS TELEPHONE CORP	3,321.65					
1	01/30/17	TELEPHONE/INTERNET/CABLE/Judge	116.66		20097	1000 6 410300	345	101000
2	01/30/17	TELEPHONE/INTERNET/CABLE/Judge	118.10		20097	1000 6 410300	347	101000
3	01/30/17	TELEPHONE/INTERNET/CABLE/Libry	105.56			2220 16 460100	345	101000
4	01/30/17	TELEPHONE/INTERNET/CABLE/Libry	108.84			2220 16 460100	347	101000
5	01/30/17	TELEPHONE/INTERNET/CABLE/SmPol	0.00			1000 14 460445	345	101000
6	01/30/17	TELEPHONE/INTERNET/CABLE/ 911	338.44		21372	2850 105 420140	345	101000
8	01/30/17	TELEPHONE/INTERNET/CABLE/child	80.51		22777	1000 5 420140	220	101000
9	01/30/17	TELEPHONE/INTERNET/CABLE/rsvp	109.68		21254	2985 15 450340	345	101000
10	01/30/17	TELEPHONE/INTERNET/CABLE/Airpt	110.79		602	5610 87 430300	345	101000
11	01/30/17	TELEPHONE/INTERNET/CABLE/Airpt	61.60		602	5610 87 430300	319	101000
12	01/30/17	TELEPHONE/INTERNET/CABLE/Airpt	25.40		602	5610 87 430300	347	101000
14	01/30/17	TELEPHONE/INTERNET/CABLE/mayor	32.39			1000 1 410200	345	101000
15	01/30/17	TELEPHONE/INTERNET/CABLE/fin	54.01			1000 3 410500	345	101000
16	01/30/17	TELEPHONE/INTERNET/CABLE/fin	19.54			1000 3 410500	347	101000
17	01/30/17	TELEPHONE/INTERNET/CABLE/atny	6.19			1000 4 411100	345	101000
18	01/30/17	TELEPHONE/INTERNET/CABLE/pd	314.59			1000 5 420140	345	101000
19	01/30/17	TELEPHONE/INTERNET/CABLE/pd	65.66			1000 5 420140	347	101000
20	01/30/17	TELEPHONE/INTERNET/CABLE/disp	312.72			1000 5 420160	345	101000
21	01/30/17	TELEPHONE/INTERNET/CABLE/fire	163.50			1000 7 420460	345	101000
22	01/30/17	TELEPHONE/INTERNET/CABLE/fire	135.60			1000 7 420460	347	101000
23	01/30/17	TELEPHONE/INTERNET/CABLE/tres	6.20*			1000 9 410540	345	101000
24	01/30/17	TELEPHONE/INTERNET/CABLE/park	42.28			1000 13 460433	345	101000
25	01/30/17	TELEPHONE/INTERNET/CABLE/park	37.60			1000 13 460433	347	101000
26	01/30/17	TELEPHONE/INTERNET/CABLE/ACtr	40.03			1000 21 440600	345	101000
27	01/30/17	TELEPHONE/INTERNET/CABLE/plng	79.05			1000 36 411020	345	101000
28	01/30/17	TELEPHONE/INTERNET/CABLE/bldg	26.36			2394 18 420531	345	101000
29	01/30/17	TELEPHONE/INTERNET/CABLE/md204	68.96			2510 107 430220	345	101000
30	01/30/17	TELEPHONE/INTERNET/CABLE/md205	34.28			2520 108 430220	345	101000

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31	01/30/17	TELEPHONE/INTERNET/CABLE/wplnt	77.73			5210 22 430530	345	101000
32	01/30/17	TELEPHONE/INTERNET/CABLE/wplnt	80.25			5210 22 430530	347	101000
33	01/30/17	TELEPHONE/INTERNET/CABLE/wtlns	38.44			5210 23 430550	345	101000
34	01/30/17	TELEPHONE/INTERNET/CABLE/wtlns	11.40			5210 23 430550	347	101000
35	01/30/17	TELEPHONE/INTERNET/CABLE/wtadm	48.62			5210 25 430510	345	101000
36	01/30/17	TELEPHONE/INTERNET/CABLE/wtadm	14.54			5210 25 430510	347	101000
37	01/30/17	TELEPHONE/INTERNET/CABLE/wwadm	48.60			5310 29 430610	345	101000
38	01/30/17	TELEPHONE/INTERNET/CABLE/wwadm	19.51			5310 29 430610	347	101000
39	01/30/17	TELEPHONE/INTERNET/CABLE/swlns	38.43			5310 31 430630	345	101000
40	01/30/17	TELEPHONE/INTERNET/CABLE/swlns	11.40			5310 31 430630	347	101000
41	01/30/17	TELEPHONE/INTERNET/CABLE/wwpln	36.47			5310 33 430640	345	101000
42	01/30/17	TELEPHONE/INTERNET/CABLE/wwpln	45.60			5310 33 430640	347	101000
43	01/30/17	TELEPHONE/INTERNET/CABLE/amb	110.91			5510 10 420730	345	101000
44	01/30/17	TELEPHONE/INTERNET/CABLE/amb	28.24			5510 10 420730	347	101000
45	01/30/17	TELEPHONE/INTERNET/CABLE/shop	39.54			6040 910 430220	345	101000
46	01/30/17	TELEPHONE/INTERNET/CABLE/shop	57.43			6040 910 430220	347	101000
128268	78387S	1970 MONTANA DAKOTA UTILITIES	37,509.10					
1	01/26/17	GAS/ELECTRIC	325.99			1000 7 420460	341	101000
2	01/26/17	GAS/ELECTRIC	529.26			1000 7 420460	344	101000
3	01/26/17	GAS/ELECTRIC	428.02			1000 8 411230	341	101000
4	01/26/17	GAS/ELECTRIC	599.65			1000 8 411230	344	101000
5	01/26/17	GAS/ELECTRIC	1,265.15			1000 13 460433	341	101000
6	01/26/17	GAS/ELECTRIC	602.47			1000 13 460433	344	101000
7	01/26/17	GAS/ELECTRIC	73.82			1000 14 460445	341	101000
8	01/26/17	GAS/ELECTRIC	27.95			1000 21 440600	341	101000
9	01/26/17	GAS/ELECTRIC	76.69			1000 21 440600	344	101000
10	01/26/17	GAS/ELECTRIC	0.00			2220 16 460100	341	101000
11	01/26/17	GAS/ELECTRIC	0.00			2220 16 460100	344	101000
12	01/26/17	GAS/ELECTRIC	14,053.55			2400 46 430263	341	101000
13	01/26/17	GAS/ELECTRIC	1,913.80			2400 46 430263	533	101000
14	01/26/17	GAS/ELECTRIC	1,981.59			2420 48 430263	341	101000
15	01/26/17	GAS/ELECTRIC	728.60*			2420 48 430263	533	101000
16	01/26/17	GAS/ELECTRIC	141.57			2430 49 430263	341	101000
17	01/26/17	GAS/ELECTRIC	1,339.01			2440 50 430263	341	101000
18	01/26/17	GAS/ELECTRIC	608.19			2470 72 430263	341	101000
19	01/26/17	GAS/ELECTRIC	0.00			2470 72 430263	533	101000
20	01/26/17	GAS/ELECTRIC	110.08			2480 47 430263	341	101000
21	01/26/17	GAS/ELECTRIC	244.04			2510 107 430220	341	101000
22	01/26/17	GAS/ELECTRIC	271.03			2510 107 430220	344	101000
23	01/26/17	GAS/ELECTRIC	0.00			2520 108 430220	341	101000
24	01/26/17	GAS/ELECTRIC	0.00			2520 108 430220	344	101000
25	01/26/17	GAS/ELECTRIC	692.89			5210 22 430530	341	101000
26	01/26/17	GAS/ELECTRIC	0.00			5210 22 430530	344	101000
27	01/26/17	GAS/ELECTRIC	0.00			5210 23 430550	341	101000
28	01/26/17	GAS/ELECTRIC	0.00			5210 23 430550	344	101000
29	01/26/17	GAS/ELECTRIC	0.00*			5310 31 430630	341	101000

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30	01/26/17	GAS/ELECTRIC	0.00			5310 31 430630	344	101000
31	01/26/17	GAS/ELECTRIC	1,339.92			5310 32 430690	341	101000
32	01/26/17	GAS/ELECTRIC	118.39			5310 32 430690	344	101000
33	01/26/17	GAS/ELECTRIC	5,958.27			5310 33 430640	341	101000
34	01/26/17	GAS/ELECTRIC	126.78			5510 10 420730	341	101000
35	01/26/17	GAS/ELECTRIC	205.82			5510 10 420730	344	101000
36	01/26/17	GAS/ELECTRIC	1,232.01			5610 87 430300	341	101000
37	01/26/17	GAS/ELECTRIC	1,371.26			5610 87 430300	344	101000
38	01/26/17	GAS/ELECTRIC	540.01			6040 910 430220	341	101000
39	01/26/17	GAS/ELECTRIC	603.29			6040 910 430220	344	101000
128269	78380S	2831 MILES CITY STAR ADVERTISING	719.40					
1	178992	12/09/16 Finance ~ Water Increase	101.00		22519	1000 3 410500	220	101000
2	179688	12/16/16 Resolution 4012	237.00		22519	5210 25 430510	220	101000
3	178778	12/30/16 Resolution 4021	237.00		22519	5310 29 430610	220	101000
4	179679	12/30/16 Zoning Vacancy	71.52*		22734	2510 107 430220	331	101000
5	179335	12/23/16 Zoning	17.88		22734	2520 108 430220	220	101000
6	178588	12/06/16 Transportation Plan	55.00		22264	1000 36 411020	331	101000
128270	78378S	394 BOSS INC	890.72					
1	126419-0	11/28/16 Finance ~	87.15		22520	1000 3 410500	220	101000
2	128656-0	12/16/16	87.15		22520	5210 25 430510	220	101000
3	130626-0	12/22/16	87.15		22520	5310 29 430610	220	101000
4	131076-0	12/27/16 RSVP ~	50.00		21244	2985 15 450340	220	101000
5	130709-0	12/16/16 City Court ~	49.99		20095	1000 6 410300	210	101000
6	125070-0	11/14/16 Jeff Noble ~	59.95*		18176	1000 4 411100	214	101000
7	128859-0	12/12/16	114.48*		18176	1000 4 411100	210	101000
8	128861-0	12/12/16	37.99*		18176	1000 4 411100	210	101000
9	127903-0	12/05/16 PD ~	92.98		22229	1000 5 420140	210	101000
10	130172-0	12/20/16	24.88		21368	1000 5 420160	210	101000
11	125596-0	12/16/16 City Court ~	199.00		20095	1000 6 410300	220	101000
128271	78374S	999999 PATRICIA BROOKMAN	689.70					
1	PB128271	01/09/17 Reimburse Insurance Payment	689.70			1000 362022		101000
128272	78375S	1921 Montana Municipal Interlocal	4,097.90					
1	04221340	01/09/19 Retiree Insurance	4,097.90		128272	1000 362022		101000
128273	78379S	4015 WILLIAMS BROTHERS CONSTRUCTION	182,127.82					
1	APP#3	01/05/16 Phase II #3 WW Upgrade	182,127.82		22622	5310 33 430640	940	102279
128274	78388S	523 CITY SERVICE, INC.	1,866.00					
1	W0051792	01/05/17 Truck Purchase (Principle)	1,744.44		592	5610 87 490500	650	101000
2	W0051792	01/05/17 Truck Purchase (Interest)	105.56		592	5610 87 490500	651	101000
3	W050521-IN	12/31/16 Terminal Maint Fee	16.00		592	5610 87 430300	220	101000

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128275	78389S	498 CENTURY LINK	1,387.49					
1	Q122700080	12/26/16 911 Maint	350.00		21369	2850 105 420140	345	101000
2	Q122700027	12/26/16 Delivery of Network	1,037.49		21369	2850 105 420140	345	101000
128276	78397S	4073 JOHN DEERE FINANCIAL	476.23					
1	1794203	01/20/17 Sweeper Lease (Principle)	422.14		601	5610 87 490500	645	101000
2	1794203	01/20/17 Sweeper Lease (Interest)	54.09*		601	5610 87 490500	646	101000
128277	78409S	291 ECOLAB PEST ELIMINATION DIVISION	103.50					
1	9032925	01/11/17 Pest Control	74.52		22698	1000 7 420460	220	101000
2	903295	01/11/17	28.98		22698	5510 10 420730	220	101000
128278	78410S	3229 ROLLING RUBBER	1,423.24					
1	3004567	01/11/17 E-8 Tires, Alignment	1,423.24		22697	1000 7 420460	364	101000
128279	78411S	999999 RAYMOND EMELINE	150.00					
1	888679	01/07/16 Work Boots	75.00		22623	5210 23 430550	226	101000
2	888679	01/07/16	75.00		22623	5310 31 430630	226	101000
128280	78390S	999999 PHIPPS CONSTRUCTION & REMODELING	18,000.00					
1	Hanger 7	08/17/16 Down Payment for Hanger #7	18,000.00		596	4056 87 430300	360	101000
128281	78412S	4147 Bestway Taxi, LLC	37.50					
1	BC21249	12/31/16 Cab Fare	37.50		21249	2985 15 450330	379	101004
128282	78413S	999999 ARROWHEAD SCIENTIFIC, INC	153.75					
1	92751	01/10/17 Evidence Supplies	153.75		22759	1000 5 420140	220	101000
128283	78414S	397 AUTOBODY SOLUTIONS	300.00					
1	3631	01/05/17 PD ~ TOW 4-Wheeler	150.00		22757	1000 5 420140	220	101000
2	3631	01/05/17 Storage on 4-Wheeler	150.00		22757	1000 5 420140	220	101000
128284	78415S	1896 HAWKINS, INC	66.80					
1	3965137	11/10/16 Tubing	66.80		22429	5210 80 430540	230	101000
128285	78416S	2856 DXP ENTERPRISES INC.	223.38					
1	48462733	12/27/16 Chlorine 10ppm Nitrogen	223.38		22430	5210 80 430540	230	101000
128286	78391S	2847 STEADMANS ACE HARDWARE	471.48					
1	246327	12/19/16 PD ~5 Piece Shelf Evidence Roo	329.97		22755	1000 5 420140	214	101000
2	245469	12/13/16 AIRPORT ~ Electrical Parts	141.51		594	5610 87 430300	230	101000

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128287	78417S	999999	JOHNSTONE SUPPLY	219.37					
2	1200426	10/20/16	Motor, Fan, Hub & other Parts	109.68		22425	5210 22 430530	230	101000
3	1200426	10/20/16		109.69		22425	5210 80 430540	230	101000
128288	78418S	999999	MARK REDDICK	500.00					
1	01/17/19		Council Chamber Conversion	500.00		20096	1000 6 410300	350	101000
128289	78419S	4050	US BANK - SPA LOCKBOX CM9695	2,273.14					
1	109133000	01/17/17	SID 211 Loan Payment	1,836.83		21484	3670 110 490500	643	101000
2	109133000	01/17/17		436.31		21484	3670 110 490500	644	101000
128290	78420S	4168	RED VALVE COMPANY, INC.	3,451.95					
1	647436	01/10/17	Check Valve	3,283.90		22708	2510 107 430235	230	101000
2	647802	01/26/17	Adhesive Strip	134.44		22746	2510 107 430220	230	101000
3	647802	01/26/17		33.61		22746	2520 108 430220	230	101000
128291	78421S	999999	BUCKY JOHNSON	82.11					
1	1559818030	01/04/17	Cell Reimb.	9.56		22625	5210 23 430550	345	101000
2	1559818030	01/04/17		9.55		22625	5310 31 430630	345	101000
3	ATRF013117	01/31/17	Advance Travel - Great Fal	31.50		22635	5210 23 430550	370	101000
4	ATRF013117	01/31/17		31.50		22634	5310 31 430630	370	101000
128292	78422S	317	BILLINGS CLINIC	600.00					
1	513700900-	01/03/17	Exam for assault	600.00		22760	1000 5 420140	350	101000
128294	78423S	2170	NALCO CHEMICAL CO	257.15					
1	65099118	12/28/16	Chemicals and Shipping	257.15		22426	5210 80 430540	222	101000
128295	78424S	4013	SOLESTONE REIMB SERVICES	2,628.06					
1	8400	01/05/17	Ambulance Billing	2,628.06		22965	5510 10 420730	350	101000
128296	78425S	2240	NOLLEYS WELDING & MACHINE INC	35.00					
1	29835	01/05/17	Drug Safe Mounting Plate	35.00		22694	5510 10 420730	300	101000
128297	78384S	1780	MILES CITY MOTOR SUPPLY	181.72					
1	602357	12/13/16	Wiper Blades / Fuel Truck	17.38*		595	5610 87 430300	363	101000
2	602888	12/15/16	Ball Hitch for Trucks	40.87*		595	5610 87 430300	363	101000
3	604168	12/22/16	Blue DEF / Plow Truck	40.00*		595	5610 87 430300	363	101000
4	604876	12/28/16	Couplers / Loader	83.47*		595	5610 87 430300	363	101000
128298	78426S	636	CRIDCO, LLC	78.00					
1	058488	11/01/16	3 Months Water for Airport	78.00		593	5610 87 430300	220	101000

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128299	78385S	2125 MONTANA RURAL WATERS	525.00					
1	DHARRIS	01/05/16 Conference Registration	61.41		22620	5210 22 430530	380	101000
2		01/05/16	51.17		22620	5210 80 430540	380	101000
3		01/05/16	25.58		22620	5310 32 430690	380	101000
4		01/05/16	36.84		22620	5310 33 430640	380	101000
5	SGRAY	01/05/16	140.00		22620	2510 107 430220	380	101000
6		01/05/16	35.00*		22620	2520 108 430220	380	101000
7	AKELM	01/05/16	87.50		22620	5210 23 430550	380	101000
8		01/05/16	87.50		22620	5310 31 430630	380	101000
128300	78427S	979 FIREMANS COMPANY	318.50					
1	7307	01/04/17 Service Fire	229.32		22689	1000 7 420460	214	101000
2	7307	01/04/17	89.18		22689	5510 10 420730	214	101000
128301	78386S	4145 Eastern Montana Radiology	38.00					
1	ERBM22690	01/06/17 Annual Physicals	38.00*		22690	1000 7 420460	350	101000
128302	78428S	872 EASTERN MONTANA IND	325.00					
1	6532	12/30/16 Cleaning Contract	325.00		22128	2220 16 460100	360	101000
128303	78429S	870 EAST MAIN ANIMAL CLINIC	338.50					
1	EMAC12017	12/30/16 Vet Fees for Dogs & Cats	338.50		22756	1000 21 440600	350	101000
128304	78430S	4010 FELT, MARTIN, FRAZIER & WELDON,	2,493.75					
1	FMFW122016	12/31/16 Labor and Policy Reviews	2,493.75		21485	1000 3 411101	350	101000
128305	78431S	2322 OLNESS & ASSOCIATES PC CPA'S	21,905.00					
1	100223	01/06/17 AIP Grant Audit 2016	2,750.00*		597	5610 87 430300	939	101000
2	100223	01/06/17 2016 Audit	18,025.00		21483	1000 3 410500	350	101000
3	100229	01/20/17 Final Invoice	500.00		21486	1000 3 410500	350	101000
4	100232	01/20/17 2016 Annual Fiscal Report	630.00		21483	1000 3 410500	350	101000
128306	78394S	572 VERIZON WIRELESS	263.52					
1	9778242067	01/07/17 MTD ICAC Cell Phones Fees	263.52		22766	1000 5 420140	220	101000
128307	78432S	1330 SCL Health - Sisters of Charity	230.18					
1	500180939	12/06/16 DUI ~ K.H. Blood Draw	230.18		22762	1000 5 420140	350	101000
128308	78433S	1407 KADRMAS LEE & JACKSON INC	3,007.50					
1	10079633	01/11/17 Southgate Storm Water Pond	255.72		22740	2510 107 430220	350	101000
2	10080165	01/20/17 GIS Data Maint.	47.97		21371	2850 105 420140	350	101000
3	10079909	01/16/17 Flood Control Project	2,703.81		22749	1000 201 431200	350	101000

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128309	78434S	999999	SCOTT GRAY	63.00					
1	ATR22739	01/03/17	Rural Water Conference	50.40		22739	2510 107 430220	370	101000
2	ATR22739	01/03/17		12.60		22739	2520 108 430220	370	101000
128310	78435S	4161	Desert Mountain Corporation	7,909.12					
1	16-50441	01/18/17	Ice Slicer	3,079.17		22738	2510 107 430220	220	101000
2	16-50441	01/18/17		769.79		22738	2520 108 430220	220	101000
3	16-50487	01/18/17	Ice Slicer	3,248.13		22738	2510 107 430220	220	101000
4	16-50487	01/18/17		812.03		22738	2520 108 430220	220	101000
128311	78436S	2221	NEWMAN TRAFFIC SIGNS	1,663.75					
1	TI-0305664	01/03/17	Black Film	1,245.60		22737	2510 107 430220	242	101000
2	TI-0305737	01/05/17	Stop Signs	311.40		22737	2520 108 430220	242	101000
3	TI-0306377	01/26/17	Stencil	85.40		22737	2510 107 430220	242	101000
4	TI-0306377	01/26/17		21.35		22737	2520 108 430220	242	101000
128312	78437S	999999	TINA SCHMIDT	50.50					
1	2602746	12/30/16	CDL Reimbursment	50.50		22736	1000 13 460433	220	101000
128313	78438S	2865	DEPT OF ENVIRONMENTAL QUALITY	126.00					
1	APR2017	01/05/17	2016 Annual Projection Report	50.40		22735	2510 107 430220	220	101000
2	APR2017	01/05/17		12.60		22735	2520 108 430220	220	101000
3	APR2017	01/05/17		31.50		22735	5210 23 430550	220	101000
4	APR2017	01/05/17		31.50		22735	5310 31 430630	220	101000
128314	78439S	2151	System Technology Consultants	865.00					
1	25961	01/12/17	Custer/Garfield Managed Servic	865.00		21370	2850 105 420140	350	101000
128315	78440S	790	DPC INDUSTRIES	80.00					
1	DE72000444	12/31/16	Chlorine 150# & 2000# Conc	50.00		22432	5210 80 430540	222	101000
2	DE72000444	12/31/16		30.00		22432	5310 33 430640	222	101000
128316	78392S	1859	MLEA	1,500.00					
1	10128	01/10/17	Basic Academy	1,500.00		22765	1000 5 420140	380	101000
128317	78393S	999999	MT DEPARTMENT OF JUSTICE	12.00					
1	D51FGLJ301	01/19/17	Title for Fuel Truck	12.00		21487	1000 3 410500	220	101000
128319	78441S	4062	SCL HEALTH - Supplies	733.39					
1	IN-2178	12/31/16	Medical Supplies	733.39		733.39	5510 10 420730	222	101000

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128320	78442S	1331 HOLY ROSARY HEALTH CENTER-CLINIC	184.23					
1	180567-01	01/12/17 Annual Physicals	184.23*		22802	1000 7 420460	350	101000
128321	78443S	4047 SAFEGUARD BUSINESS SYSTEMS	234.60					
1	031929120	01/10/17 Claims Checks	78.20		22521	1000 3 410500	220	101000
2	031929120	01/10/17	78.20		22521	5210 25 430510	220	101000
3	031929120	01/10/17	78.20		22521	5310 29 430610	220	101000
128322	78395S	1970 MONTANA DAKOTA UTILITIES	7,166.47					
1	MDU0117	01/15/17 Electric and Gas	461.90		221294	2220 16 460100	341	101000
2	MDU0117	01/15/17	460.58		221294	2220 16 460100	344	101000
3	MDU0117	01/15/17	202.27			1000 13 460433	341	101000
4	MDU0117	01/15/17	105.76			1000 13 460433	344	101000
5	MDU0117	01/15/17	3,776.11			5210 22 430530	341	101000
6	MDU0117	01/15/17	2,159.85			5210 22 430530	344	101000
128323	78444S	999999 STATE OF MONTANA ~ SURPLUS	100.00					
1	11354	01/19/17 Surplus tool purchase	100.00		598	5610 87 430300	230	101000
128324	78445S	4001 CRITELLI COURIERS, INC.	508.50					
1	7149B	05/09/16 Book Crate Delivery ~ May	229.00		22130	2880 39 460100	311	101020
2	9008B	12/01/16 Book Crate Delevery ~ December	279.50		22131	2880 39 460100	311	101020
128325	78446S	999999 STATE OF MONTANA ~ SURPLUS	4,200.00					
1	12792	01/19/17 1992 Flatbed Purchase ~ Chevy	4,200.00*		600	5610 87 430300	940	101000
128326	78396S	1936 DEPT OF ADMIN	2,500.00					
1	AUDIT2016	01/25/17 Annual Audit Report	834.00		21488	1000 3 410500	350	101000
2	AUDIT2016	01/25/17	833.00*		21488	5210 25 430510	350	101000
3	AUDIT2016	01/25/17	833.00*		21488	5310 29 430610	350	101000
128327	78398S	4163 MONTANA PUBLIC EMPLOYEE	15.87					
1	20806	01/04/17 # 6571 ID #211978	9.84		MPERA0	1000 3 410500	220	101000
2	213309	01/04/17 #6571 ID #213309	0.84		MPERA0	1000 3 410500	220	101000
3	213696	01/04/17 #6571 ID # 213696	5.19		MPERA0	1000 3 410500	220	101000
128328	78447S	1182 DOWL, INC.	2,000.00					
1	0001	01/04/17 Riverside & Denton Survey	2,000.00		22742	1000 13 460436	350	101000
128329	78448S	4022 MARILYNN FORMAN	600.00					
1	MF012617PD	01/26/17 PD ~ Cleaning	350.00		22768	1000 5 420140	350	101000
2	MF012617CH	01/26/17 City Hall	250.00		22773	6040 910 430220	360	101000

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128330	78449S	1535 LUCAS & TONN PC		100.00					
1	WLS012017	01/24/17 WestLaw Professional Servic		100.00		128330	1000 4 411100	350	101000
128331	78450S	999999 JAMES STACEY		342.70					
1	20160686	01/26/17 Appear for Ticket #TK2016-06		171.35		18179	1000 4 411100	370	101000
2	20160871	02/01/17 Appear for Ticket #TK2016-08		171.35		18180	1000 4 411100	370	101000
128332	78399S	999999 CHARLES FARRINGTON		127.00					
1	ADT22772	01/23/17 Field Training Officer Class		127.00		22772	1000 5 420140	370	101000
128333	78451S	999999 DENISE BONTRAGER		103.00					
1	52519	01/23/17 Search and Seizure Course		80.00		22771	1000 5 420140	380	101000
2	ADR22773	01/30/17 Meals for Training in Bozema		23.00		22773	1000 5 420140	370	101000
128334	78452S	999999 CHRIS FETTY		212.84					
1	TEV22770	01/24/17 Training Reimbursement		212.84		22770	1000 5 420140	370	101000
128335	78453S	287 TIGERDIRECT INC.		673.21					
1	R4102274	01/20/17 Computer & Monitor		484.71		22805	1000 7 420460	210	101000
2	R4102274	01/20/17		188.50		22805	5510 10 420730	210	101000
128336	78454S	999999 TOM SPEELMAN		41.00					
1	TEV22434	01/27/17 Training in Butte		41.00		22434	5310 33 430640	370	101000
128337	78455S	999999 DAVE HARRIS		104.00					
1	TEV22433	01/27/17 Training in Butte		41.00		22433	5310 33 430640	370	101000
2	ADRF0217	01/06/17 Water School		15.65		22427	5210 22 430530	370	101000
3	ADRF0217	01/06/17		23.48		22427	5210 80 430540	370	101000
4	ADRF0217	01/06/17		9.78		22427	5310 32 430690	370	101000
5	ADRF0217	01/06/17		14.09		22427	5310 33 430640	370	101000
128338	78456S	4152 Montana Radiator Works 1		214.00					
1	49821	01/20/17 Unit #16 Clean and Test Air Co		85.60		21656	2510 107 430220	363	101000
2	49821	01/20/17		21.40		21656	2520 108 430220	363	101000
3	49821	01/20/17		53.50		21656	5210 23 430550	363	101000
4	59821	01/20/17		53.50		21656	5310 31 430630	363	101000
128339	78400S	2450 POSTMASTER (UTILITIES)		1,015.54					
1	128339	01/30/17 Water and Sewer postage		507.77		128339	5210 25 430510	311	101000
2	128339	01/30/17		507.77		128339	5310 29 430610	311	101000

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128340	78457S	2153	JOHN MUGGLI CONTRACTING LLC	163,730.60					
1	161803	01/24/17	Wibaux Park Fountain	7,500.00		22744	1000 13 460435	350	101000
2	2414109	01/23/17	20" Tongue River Pay	156,230.60		22632	5210 23 430550	940	101000
128341	78458S	2910	TONGUE RIVER ELECTRIC	453.18					
1	TRECO117	01/25/17	Southgate Lighting	401.84		128341	2450 51 430263	341	101000
2	PTRECO0125	01/25/17	Radio Tower Fees	51.34		21373	2850 105 420140	341	101000
128342	78459S	2914	TOURISM BUSINESS IMPROVEMENT	6,046.00					
1	TBID0117	01/30/17	Monthly Collections	6,046.00		128342	7370 212500		101000
128343	78460S	4045	LAND SOLUTIONS, INC.	2,388.75					
1	LS013017	01/29/17	Consulting Service Plan/Zoni	2,388.75		22266	1000 36 411020	350	101000
128344	78461S	1361	INTERSTATE ENGINEERING	668.50					
1	S1000069	01/20/17	Concrete Settlement on 4th A	668.50		22265	5210 23 430550	357	101000
128345	78462S	4124	Target Solutions Learning	2,629.40					
1	18301	01/24/17	Fire Training Program	2,629.40		22804	1000 7 420460	380	101000
128346	78463S	999999	ALLEN KELM	63.00					
1	ATRF22634	01/31/17	Rural Water Conference	63.00		22634	5210 23 430550	370	101000
128347	78464S	999999	PROPERTY & SUPPLY BUREAU STATE	374.50					
1	10027	01/20/17	PD~ Boby Armor C. Bott	374.50		22774	1000 5 420140	220	101000
128348	78465S	331	MONTANA LAW ENFORCEMENT TESTING	16.00					
1	MLET0117	01/29/17	Annual Membership	16.00		22775	1000 5 420140	334	101000
128349	78466S	771	DEPT OF REVENUE	1,755.40					
1	CGR-2 011	01/31/17	Gross Receipts #2 Muggli C	1,755.40		22633	5210 23 430550	940	101000
128350	78467S	4067	ECONO SIGNS	301.80					
1	10-934368	01/13/17	Signs ~ Road Closed Ahead	150.90		22631	5210 23 430550	220	101000
2	10-934368	01/13/17		150.90		22631	5310 31 430630	220	101000
128351	78468S	4142	HD Supply Waterworks, LTD	345.60					
1	G588938	01/05/17	6" ROMAC ALPHA C PLUG	345.60		22627	5210 23 430550	230	101000
128352	78469S	999999	EDGE CONSTRUCTION	3,358.19					
1	045838	01/25/17	Line Locator & Transmitter	1,679.10		22621	5210 23 430550	214	101000
2	045838	01/25/17		1,679.09		22621	5310 31 430630	214	101000

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128353	78470S	2529 RAILROAD MANAGEMENT CO III, LLC		597.02					
1	337030	11/28/16 7.85" Water P.L. Encroach LIC#		597.02		22626	5210 23 430550	532	101000
128355	78471S	999999 NATALIE LERUD		39.04					
1		Refund Deposit		39.04			5210 214010		101000
128356	78472S	999999 ASHLEY BEELER		52.46					
1	65834	01/30/17 Refund Deposits		52.46		65834	5210 214010		101000
128357	78473S	999999 WADE CONSTRUCTION		3.46					
1	65835	01/30/17 Refund Deposits		3.46		65835	5210 214010		101000
128358	78474S	999999 JOHNNNA LEA		3.46					
1	65836	01/30/17 Refund Deposits		3.46		65836	5210 214010		101000
128359	78475S	999999 BRANDON AILPORT		3.46					
1	65837	01/30/17 Refund Deposits		3.46		65837	5210 214010		101000
128360	78476S	999999 DION STANTON		0.24					
1	65838	01/30/17 Refund Deposits		0.24		65838	5210 214010		101000
128361	78477S	999999 NICOLE KLEIN		30.08					
1	65839	01/30/17 Refund Deposits		30.08		65839	5210 214010		101000
128362	78478S	999999 ELHAMIDI HAY		89.04					
1	65840	01/30/17 Refund Deposits		89.04		65840	5210 214010		101000
128363	78479S	4134 Fickler Oil Company, Inc.		983.98					
1	62859	01/24/17 Oil		393.59		21654	2510 107 430220	231	101000
2	62859	01/24/17		98.41		21654	2520 108 430220	231	101000
3	62859	01/24/17		245.99		21654	5210 23 430550	231	101000
4	62859	01/24/17		245.99		21654	5310 31 430630	231	101000
128364	78480S	1477 LACAL EQUIPMENT INC		412.83					
1	0249796-IN	01/25/17 UNIT #19		330.26		21657	2510 107 430220	363	101000
2	0249796-IN	01/25/17		82.57		21657	2520 108 430220	363	101000
128365	78481S	1286 DENNIS HIRSCH		1,185.00					
1	DHC22748	01/31/17 January Building Permits		1,185.00		22748	2394 18 420531	350	101000
128366	78482S	721 DALES CLEANING SERVICE		600.00					
1	DCS22747	01/30/17 Cleaning Contract for Januar		600.00		22747	1000 8 411230	360	101000

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128367	78483S	2560	REGAN PLUMBING & HEATING	223.75					
1	217-51324	01/17/17	City Hall Bathroom Repair	223.75		22745	1000 8 411230	220	101000
128368	78484S	700	CUSTER COUNTY WATER & SEWER	15,584.50					
1	ccwsd0117	01/31/17	Water and Sewer Collections	15,584.50		128368	7980 211020		101000
128369	78485S	361	BILLS TRUCK SERVICE	1,700.62					
1	008404	01/23/17	E-8 Repair Parts and Labor	1,700.62		22807	1000 7 420460	364	101000
128370	78486S	999999	GAIL KREZELAK	16.74					
1	436372	01/09/17	Water for Court	16.74		20098	1000 6 410300	220	101000
128371	78487S	999999	STAN WHEELER	45.00					
1	494	02/01/17	Unbox Table, move Chairs	45.00		20100	1000 6 410300	360	101000
128372	78488S	4038	BOBCAT OF MILES CITY	4,388.00					
1	01-33222	01/26/17	Trencher	4,388.00		22750	1000 13 460433	214	101000
128373	78489S	4102	UNITED PARTS & SUPPLY	598.88					
1	45174	01/30/17	Unit #17	479.10		21655	2510 107 430220	363	101000
2	45259	01/30/17		119.78		21655	2520 108 430220	363	101000
			# of Claims	117	Total:	587,155.43			