



CITY OF MILES CITY AGENDA

*Regular Council Meeting
City Council Chambers*

*August 22, 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 | 8/8/2017 |
| B. Human Resource Meeting | 8/3/2017 |
| C. Finance Committee Meeting | 8/3/2017 |

2. SCHEDULE MEETINGS

3. REQUEST OF CITIZENS & PUBLIC COMMENT

Miles City Mavericks representative, Blayne Watts- Approval for the Miles City Mavericks to host the State 'A' American Legion Tournament in 2018.

Urban Renewal Board of Commissioners Request

4. APPOINTMENTS

5. PROCLAMATIONS

6. STAFF REPORTS

7. CITY COUNCIL COMMENTS

8. MAYOR COMMENTS

9. COMMITTEE RECOMMENDATIONS

10. BID OPENINGS

11. BID AWARDS

12. PUBLIC HEARINGS

- A. **RESOLUTION NO. 4087- A Resolution Approving and Adopting a Final Budget for the City of Miles City for FY 2017-2018; Authorizing Procedure For Adjustments to Appropriations For Certain Fee Based Budgets; Authorizing Procedure For Transferring Appropriations Between Items Within the Same Fund**
- B. **RESOLUTION NO. 4088- A Resolution Electing to Operate Under the All-Purpose Mill Levy and Fixing the Tax Levy for the General Fund, Ambulance Fund and Airport Fund to be Levied and Assessed on all the Taxable Property in the City of Miles City for Fiscal Year 2017-2018**
- C. **RESOLUTION NO. 4089- A Resolution Pursuant to 2-9-212 of The Montana Code Annotated, Authorizing A Permissive Medical Levy for FY 2017-2018 to Fund Group Health Insurance Premium Contributions by The City and Providing For Hearing Thereon**

- D. RESOLUTION NO. 4090- A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 165 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- E. RESOLUTION NO. 4091 - A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 167 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- F. RESOLUTION NO. 4092 -A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 171 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- G. RESOLUTION NO. 4093- A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 172 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- H. RESOLUTION NO. 4094- A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 195 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- I. RESOLUTION NO. 4095- A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 202 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- J. RESOLUTION NO. 4096- A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 173 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- K. RESOLUTION NO. 4097- A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 204 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 204 for the Fiscal Year 2017-2018**

- L. **RESOLUTION NO. 4098- A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 205 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 205 for the Fiscal Year 2017-2018**
- M. **RESOLUTION NO. 4099- A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 207 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 207 for the Fiscal Year 2017-2018**
- N. **RESOLUTION NO. 4101- A Resolution Pursuant to §15-10-420 of the Montana Code Annotated, Authorizing the Budgeting of an Increased Amount of Ad Valorem Tax Revenues in FY 2017-2018 in Excess of the Property Tax Revenues For the Prior Fiscal Year and Providing for Hearing Thereon**
- O. **PUBLIC HEARING on FY 2017/2018 Preliminary Budget**

13. UNFINISHED BUSINESS

- A. **RESOLUTION No. 4097- A Resolution Levying and Assessing a Tax Upon All of the Property Within Maintenance District No. 204 to Defray the Cost of Maintaining the Improvements in the Said Maintenance District No. 204 for the Fiscal Year 2017-2018**
- B. **OFFER OF AMENDMENTS TO FY 17/18 PRELIMINARY BUDGET**
- C. **RESOLUTION NO. 4100- A Resolution Establishing Procedures for the Sale or Lease of City Lands**
- D. **RESOLUTION NO. 4089- *(Second Reading)* A Resolution Pursuant to 2-9-212 of The Montana Code Annotated, Authorizing A Permissive Medical Levy for FY 2017-2018 to Fund Group Health Insurance Premium Contributions by The City and Providing For Hearing Thereon**

14. CONSENT AGENDA

- A. **RESOLUTION NO. 4090- *(Second Reading)* A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 165 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- B. **RESOLUTION NO. 4091 - *(Second Reading)* A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 167 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**

- C. **RESOLUTION NO. 4092 -***(Second Reading)* **A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 171 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- D. **RESOLUTION NO. 4093-** *(Second Reading)* **A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 172 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- E. **RESOLUTION NO. 4094-** *(Second Reading)* **A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 195 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- F. **RESOLUTION NO. 4095-** *(Second Reading)* **A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 202 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- G. **RESOLUTION NO. 4096-** *(Second Reading)* **A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 173 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- H. **RESOLUTION NO. 4097-** *(Second Reading)* **A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 204 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 204 for the Fiscal Year 2017-2018**
- I. **RESOLUTION NO. 4098-** *(Second Reading)* **A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 205 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 205 for the Fiscal Year 2017-2018**
- J. **RESOLUTION NO. 4099-** *(Second Reading)* **A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 207 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 207 for the Fiscal Year 2017-2018**
- K. **RESOLUTION NO. 4101-** *(Second Reading)* **A Resolution Pursuant to §15-10-420 of the Montana Code Annotated, Authorizing the Budgeting of an Increased Amount of Ad Valorem Tax Revenues in FY 2017-2018 in Excess of the Property Tax Revenues For the Prior Fiscal Year and Providing for Hearing Thereon**

15. NEW BUSINESS

- A. RESOLUTION NO. 4088- A Resolution Electing to Operate Under the All-Purpose Mill Levy and Fixing the Tax Levy for the General Fund, Ambulance Fund and Airport Fund to be Levied and Assessed on all the Taxable Property in the City of Miles City for Fiscal Year 2017-2018**

- B. RESOLUTION NO. 4087- A Resolution Approving and Adopting a Final Budget for the City of Miles City for FY 2017-2018; Authorizing Procedure for Adjustments to Appropriations for Certain Fee Based Budgets; Authorizing Procedure for Transferring Appropriations Between Items Within the Same Fund**

- C. Recommendation on not including uncontested municipal races on the ballot.**

16. 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 August 8, 2017
7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, August 8, 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, Rick Huber, Jeff Erlenbusch, Kathy Wilcox and Susanne Galbraith. Excused Councilpersons were Ken Gardner and John Uden.

Also present were City Attorney Dan Rice, Public Works Director Scott Gray, Public Utilities Director Al Kelm, Police Chief Doug Colombik, Fire Chief Gary Warren, Planner II Dawn Colton, Flood Plain Administrator Samantha Malenovsky, City Clerk Lorrie Pearce and Claims Clerk/Minute Recorder Ally Capps.

PLEDGE OF ALLEGIANCE

Mayor Hollowell led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

City Council Minutes: 7/25/2017

** *Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of July 25, 2017, subject to any changes, and seconded by Councilperson Huber. The motion passed by unanimous consent, 6-0.*

SCHEDULE MEETINGS

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

- Finance Committee Meeting Thursday, August 17 @ 6:00 p.m.

REQUEST OF CITIZENS & PUBLIC COMMENT

Citizen Amber Trenka 2317 Bridge Street spoke of her concern of the possible Splash Pads proposed placement in Wibaux Park; traffic flow, parking, emergency access and how this may affect access of current residents to their homes.

Citizen Kelly Klem 2720 Pearl Street spoke of other parks that he felt would benefit from having a Splash Pad. Voicing his concern on parking and increased traffic flow around Wibaux Park.

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

City Clerk Lorrie Pearce: Reminded Council of the Leading Local Workshop coming up September 12, 2017.

City Planner II Dawn Colton: Planner Colton will be attending the Montana Association of Planners conference and reminded council of the Community Builders Initiative in October in Kalispell.

Floodplain Administrator Samantha Malenovsky: The grant from Floodplain Mitigation Assistance, for ten million dollars, can be used only for shovel ready projects. There is a \$100,000.00 grant available for planning projects, this could be to move a project into a phase where the ten million dollar grant would then be shovel ready. The projects that the grant could be for are slough revitalization, upsize the storm sewer line to drain the underpass correctly, upsize the sewer main from Tongue River Main Street Bridge to Montana Street and protection of critical facilities. The Permitting Disaster Plan is being expedited through the Disaster and Emergency Services the draft should be ready by September 14, 2017. By October 24, 2017, the Permitting Disaster Plan should be finished and through both readings by Council and ready for the City to adopt. The grant submission date is November 7, 2017.

After a short discussion, Council decided they would like to see the slough revitalization project a priority with critical care facilities being second.

Public Works Director Scott Gray: Commented on why the Splash Pad placement has been focused on Wibaux Park. Children older than six are not allowed in the Frog Pool and do not have a place to swim until they are older and can swim in the Oasis. Parents with children in different age groups will be able to use the Frog Pool and Splash Pad. Noted are the traffic issues around Wibaux Park. The City is working to find solutions to resolve these issues. Keeping the Frog Pool, Splash Pad and Wibaux Fountain in the same park is a way to use the same filtration system by just doing modifications and upgrades to the current system. A new system would need constructed if the Splash Pad was located in another park. The Frog Pool currently staffed, by adding the Splash Pad to a different park will require an added expense in wages. Wibaux Park does not allow alcohol, making for a family friendly park. Bathrooms are required for a Splash Pad. If the Splash Pad was constructed in another park, bathrooms would need to be built.

CITY COUNCIL COMMENTS

Councilperson Galbraith read Public Utilities Director Allen Kelm's resignation letter being effective December 29, 2017.

Councilperson Andrews commented that he noticed the Montana Main Street Program Grant cycle opened on August 15, 2017. Commenting that he hoped Grant Administrator Connie Muggli or City Planner II Dawn Colton was looking into the grant for the city. Commented on the painted mural, complementing the artist, and

wished the city had more murals to admire. The property located behind the Water Works Museum is being used did any other Councilpersons know why? Mayor Hollowell responded that the Outlaws are currently using Stanley Field as their practice field and it was with Mayors consent.

Councilperson Huber: Attended the Economic Development Board on August 3, 2017, many new events are happening with the Economic Development Board if any Council members wanted updates to see him after the meeting. Expressing his praise, to Public Works Director Gray on how appealing the new curbing and asphalt around town looks.

MAYOR COMMENTS

None

STANDING COMMITTEE RECOMMENDATIONS

None

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

- A. RESOLUTION NO. 4082- A Resolution Approving the Work Plan and Budget for Fiscal Year 2017-2018 for Tourism Business Improvement District No.101, and Providing for Hearing Thereon**

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

- B. RESOLUTION NO. 4086- A Resolution Establishing Revised Floodplain Permit Fees For Miles City, Montana**

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

- C. RESOLUTION NO. 4087- A Resolution Approving and Adopting a Final Budget for the City of Miles City for FY 2017-2018; Authorizing Procedure For Adjustments to Appropriations For Certain Fee Based Budgets; Authorizing Procedure For Transferring Appropriations Between Items Within the Same Fund**

Recommendation: Kelly Klem 2720 Pearl Street, Commissioner for the Downtown Urban Renewal District. Explained the Downtown Urban Renewal District asked to amend the budget to include two items, repay the

City \$5,800.00 for the promotional video and leave the balance of the budget for payroll wages.

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

D. ORDINANCE NO. 1315- An Ordinance Repealing Section 12 of the Code of Ordinances of the City of Miles City and Enacting a New Section 12 of Said Code of Ordinances of the City of Miles City, Correcting Internal Citations Within the Flood Code Passed by Ordinance 1264 and 1271

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

E. PUBLIC HEARING on Preliminary Budget for Fiscal Year 2017-2018

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. 4082- (Second Reading) A Resolution Approving the Work Plan and Budget for Fiscal Year 2017-2018 for Tourism Business Improvement District No.101, and Providing for Hearing Thereon

*** Councilperson Galbraith moved to adopt the Resolution, read by title only, seconded by Councilperson Kassner and, on roll call vote, passed unanimously, 6-0.*

B. RESOLUTION NO. 4086- (Second Reading) A Resolution Establishing Revised Floodplain Permit Fees For Miles City, Montana

*** Councilperson Erlenbusch moved to adopt the Resolution, read by title only, seconded by Councilperson Andrews and, on roll call vote, passed unanimously, 6-0.*

C. ORDINANCE NO. 1315- (Second Reading) An Ordinance Repealing Section 12 of the Code of Ordinances of the City of Miles City and Enacting a New Section 12 of Said Code of Ordinances of the City of Miles City, Correcting Internal Citations Within the Flood Code Passed by Ordinance 1264 and 1271

*** Councilperson Galbraith moved to adopt the Ordinance, read by title only, seconded by Councilperson Erlenbusch*

*** Councilperson Galbraith moved to amend and accept the title change of Ordinance 1315, reflecting the changes in wording as read in the second reading. Seconded by Councilperson Erlenbusch and on roll call vote, **passed unanimously, 6-0.***

*** The original motion on roll call vote **passed unanimously, 6-0.***

CONSENT AGENDA

- A. **RESOLUTION NO. 4089- (First Reading) A Resolution Pursuant to 2-9-212 of The Montana Code Annotated, Authorizing A Permissive Medical Levy for FY 2017-2018 to Fund Group Health Insurance Premium Contributions by The City and Providing For Hearing Thereon**
- B. **RESOLUTION NO. 4090- (First Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 165 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- C. **RESOLUTION NO. 4091 - (First Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 167 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- D. **RESOLUTION NO. 4092-(First Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 171 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- E. **RESOLUTION NO. 4093- (First Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 172 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special**

Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018

- F. **RESOLUTION NO. 4094- (*First Reading*) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 195 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- G. **RESOLUTION NO. 4095- (*First Reading*) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 202 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- H. **RESOLUTION NO. 4096- (*First Reading*) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 173 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2017-2018**
- I. **RESOLUTION NO. 4097- : (*First Reading*) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 204 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 204 for the Fiscal Year 2017-2018**
- J. **RESOLUTION NO. 4098- (*First Reading*) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 205 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 205 for the Fiscal Year 2017-2018**
- K. **RESOLUTION NO. 4099- (*First Reading*) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 207 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 207 for the Fiscal Year 2017-2018**

*** Councilperson Galbraith moved to accept the Consent Agenda, seconded by Councilperson Kassner and on roll call vote, passed unanimously, 6-0.*

REGULAR NEW BUSINESS

L. **RESOLUTION NO. 4100- A Resolution Establishing Procedures for the Sale or Lease of City Lands**
Pulled from the agenda by the Mayor until the next Council Meeting

M. **RESOLUTION NO. 4101- (First Reading) A Resolution Pursuant to §15-10-420 of the Montana Code Annotated, Authorizing the Budgeting of an Increased Amount of Ad Valorem Tax Revenues in FY 2017-2018 in Excess of the Property Tax Revenues For the Prior Fiscal Year and Providing for Hearing Thereon**

*** Councilperson Galbraith moved to accept the Resolution, read by title only, seconded by Councilperson Kassner*

Public Comment: Citizen Michele Simpson 1016 N. 1st Street asked where the additional revenue is applied. Mayor Hollowell responded the increased revenue goes into general fund to help support; Fire, Police, Flood and Parks Departments and it could help offset costs on the increased City's insurance.

*** On roll call vote, passed unanimously, 6-0*

N. **Recommendation to join Local Update of Census Addresses- Federal Census from US Department of Commerce**

*** Councilperson Galbraith moved for the City to join in the Local Update of Census Addresses – Federal Census from the US Department of Commerce, seconded by Councilperson Gardner and, on roll call vote, passed unanimously, 6-0*

O. **Approval of July Claims**

*** Councilperson Huber moved to approve the July claims, seconded by Councilperson Galbraith on roll call vote, passed unanimously, 6-0.*

ADJOURNMENT

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

The meeting adjourned at 8:07 p.m.

John Hollowell, Mayor

Ally Capps, Payroll/Claims Clerk

Human Resources Committee
August 3, 2017

The **Human Resources Committee** met Tuesday, August 3, 2017, at 5:30 p.m. in the Conference Room at City Hall. Present were Committee Members Kathy Wilcox, Susanne Galbraith, John Uden and Jeff Erlenbusch. Also present were Public Works Director Scott Gray, Mayor John Hollowell, Planner II Dawn Colton, Administrative Assistant / Building Permit Technician Dianna Larson and Deputy City Clerk/HR Officer /Committee Recorder Linda Wilkins.

Committee Chairperson Kathy Wilcox called the meeting to order.

1. Request of Citizens

None

2. Committee Member Comments

None

3. Review and Recommendation of Wage Increase for Planner II and Public Works Director

Chairperson Wilcox opened the meeting for discussion. Committee Member Galbraith asked if Planner II Colton had taken on additional responsibilities and stated that in the current position description under duties was land management. Committee Member Uden commented that both individuals are doing an excellent job, but the Mayor has recommended denial of the wage increase and he thought it was his duty to listen to the recommendation of administration and he puts a lot of weight on the Mayor's recommendation. Committee Member Erlenbusch stated that there was substantial work in organizing the leases and that this would bring additional revenue to the City. He also stated there was a lot of time spent on getting the leases back on track but felt in the long term this would not continue. Planner II Colton stated that she was not getting paid what other planners are receiving and the Mayor appointing her as the lease administrator was a deliberate action, but not part of her original duties. She also stated that land management is a broad definition and the leases have taken a considerable amount of her time. She stated that City Clerk Pearce was doing billing but not handling the contract side of the leases. Public Works Director Gray stated that Planner II Colton has spent a lot of time at the industrial site and has been digging up more things to take care of. She has done a great job and would like to see her rewarded. Committee Member Erlenbusch asked if the next time leases are up will it take a similar amount of time. Planner II Colton responded that inspection and land issues will take a massive amount of time. Committee Member Erlenbusch thought that maybe a stipend would be appropriate. Committee Member Uden asked if Planner II Colton was getting her work done in the time allotted. Planner II Colton responded that she typically works from 7:30 a.m. to 4:30 or 5:00 p.m. Public Works Director Gray commented that in the past when additional duties have been assigned there has been an increase in wage.

***Committee Member Erlenbusch moved to recommend the increase for the Planner II be forwarded to the Finance Committee for recommendation, seconded by Committee Member Uden. On roll call vote, the motion failed 2-2.*

Committee Member Uden commented that Director Gray was doing an exceptional job but he would have to go with the recommendation of Mayor. Committee Member Galbraith stated that Director Gray is over parks now and he has not accepted a new duty. Committee Member Erlenbusch agreed and stated that park reservations would be more of a seasonal duty. Director Gray stated that the Utility Billing Clerk Bissell was trained to do these duties and these duties have always been down in that department and that making reservations and issuing alcohol variances has added a lot of work when they are already busy.

***Committee Member Erlenbusch moved to recommend the increase for the Public Works Director be forwarded to the Finance Committee for recommendation, seconded by Committee Member Uden. On roll call vote, the motion failed 2-2.*

6. Adjournment

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

The meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Chairperson Kathy Wilcox

Recorder Linda Wilkins

Finance Committee Meeting

August 3, 2017

The Finance Committee met Thursday, August 3, 2017 at 6:00 p.m. in the City Hall Conference room. Present were Committee Chairperson Susanne Galbraith and Committee Members Rick Huber, Kathy Wilcox and Dwayne Andrews.

Also present were: Airport Manager Jeff Langkau, Airport Commission Chairperson Doug Phair, Mayor John Hollowell, and Deputy City Clerk/Recorder Linda Wilkins.

Committee Chairperson Galbraith called the meeting to order.

1. Request of Citizens-

Urban Renewal Commissioner Kelly Klem wanted to modify the budget submitted earlier in July that will be presented to City Council next Tuesday to include a couple of items. 1) \$5,800 repayment to the City; and 2) balance of dollars to go to payroll. They are anticipating receiving taxes of approximately \$20,000 to \$ 25,000. He also submitted a letter prepared by Program Assistant/Historic Preservation Officer/TIF Director Connie Muggli.

2. Review and Recommendation on Airport Land Purchase

Commissioner Phair commented that Mr. Ben Holman owns property in the Champion Subdivision adjacent to airport property and would like to purchase 2 acres of airport property. The Airport Commission has agreed that the two acres are unusable by the airport since it is located in a ravine. Airport Manager Langkau has talked to DOWL about doing a survey which is required by the FAA as proof that the property being sold is for non-aeronautical use. Mr. Holman said he would bear all of the costs of acquiring the land, so the Airport came up with \$2,000 per acre, a cost of about \$5,000 for the survey by DOWL to be submitted to the FAA for approval, \$2,600 for engineering by KLJ. The Airport Commission has no authority to sell property and wanted to make sure to get proper approval to sell the land. Chairperson Galbraith stated that the sale of the land would have to go through the public bidding process. Commissioner Phair can see this as problematic since someone else could possibly purchase the property. Committee Member Andrews suggested the possibility of granting an easement then the land would not have to go out for bid and the easement would go into perpetuity as long as the use of the land doesn't change. He also commented that the cost to Mr. Holman to grant the easement could be the upfront costs. Then you would not have to put the property out for bid. After further discussion, it was decided that the Airport Commission would meet with Planner II Colton and study what needed to be done to grant use of this property to Mr. Holman either through sale, lease or easement.

***Committee Member Wilcox moved to recommend the Airport Manager and others talk with the City Planner and iron out details as to what is needed,*

*seconded by Committee Member Andrews. On roll call vote, the motion passed
4-0*

3. Review and Recommendation on Wage Increase for Planner II and Public Works Director

Scratched.

4. Review and Recommendation on Resolution 4100: A Resolution Establishing Procedures for the Sale and Lease of City Lands

Planner II Colton asked if there were any questions regarding the resolution. Committee Member Andrews questioned if easements should be addressed through this policy. Mayor Hollowell stated that easements come on a request basis and the Council approves or disapproves. Committee Member Wilcox thought there should be guidelines for easements, but needed to be addressed elsewhere. Planner II Colton explained she included for adoption the Standard Form of Lease as a template to be adopted with this resolution. This lease form would be customized for each lease. Regarding Section D. "Maintenance" there was discussion regarding changing the language under Section 3. Appraisal Item "a" to: "comparing two different real estate brokers' opinions on the value of the property, if through these brokers' estimates it was determined that the property value was more than \$10,000 an appraisal must be obtained from an appraiser". Darren Leidholt, 1817 Daly said he is considering leasing property from the City and asked where the city was in this process and what protection there is to the leasee if they make improvements to the property. Mayor Hollowell stated that after recommendation by this committee the resolution would move on to City Council. Chairperson Galbraith pointed to Section 4. "Extension of Leases with Substantial Permanent Improvements" to answer the last part of Mr. Leidholt's question that when improvements are made that the leasee has first right to purchase the property. Planner II Colton went back to the standard lease agreement. She had questions regarding Section D. "Maintenance" and asked the committee if fencing should be required for businesses such as junkyards when there is an accumulation of junk. Committee Member Wilcox said the lease language states that tenants are to keep property in order so that it does not create a public nuisance. Committee Member Huber pointed out that some businesses sublease to other businesses and how do you control subleasees. Committee Member Wilcox stated as a subleasee you agree to the lease conditions. Committee Member Andrews said the Industrial Park should have something in line so that it does not look junky even if it is a junkyard. He also questioned the subleasing of property. Committee Member Huber thought the City needs to be inviting for future businesses. Committee Member Andrews stated that there was nothing discussed in the lease about cleaning up property during the term of the lease. Chairperson Galbraith commented under default this was addressed and that the leasee was given 30 days to remedy whatever was in default. Committee Members agreed that under Maintenance the Code Enforcement

Officer should be identified as the individual who will enforce lease requirements during the term of the lease. Committee Member Huber suggested a cleaning deposit upon initial lease of the property and then upon termination of the lease the deposit would be returned on satisfactory clean-up of the property. Committee Member Wilcox suggested the cleaning deposit would be collected at the time the lease is executed and the amount of deposit will be determined on the use of the land. Planner II Colton will add language to the lease regarding cleaning deposits and have City Attorney Rice review. She said an environmental warranty is included in the lease to address hazardous material. There would be an inspection at the end of the lease by the Code Enforcement Officer and if there was environmental contamination the Fire Inspector would be contacted, they have training in environmental clean-up. Planner II Colton wanted suggestions on the 24-hour notification for inspection. Committee Members agreed to leave it at 24-hours. Item J. "Insurance" Colton questioned the wording about workers' compensation coverage, is it only for commercial property or can you require it for agricultural. Chairperson Galbraith suggested adding "as required by the state of Montana". Section 7. "Default" Planner II Colton stated it says 30 days to fix what has been damaged. Typically the time allotted is 30 days plus an additional 60 days, if requested. Committee Members suggested to leave it at 30 days and if they are working on the damage according to the terms of the lease an additional 60 days can be added. If additional time beyond the 60 days is requested, the tenant must submit their request to City Council for approval or denial. Planner II Colton will work on the revisions presented by the members of the committee.

***Committee Member Wilcox moved to recommend to Council for approval of Resolution 4100 as revised and adoption of Exhibit A as the standard form lease agreement, seconded by Committee Member Andrews. On roll call vote, the motion passed 4-0*

5. Review and Recommendation on Resolution 4082: A Resolution approving work plan and budget for FY 17/18 for tourism business improvement district 101, and providing for hearing thereon

***Committee Member Andrews moved to recommend approval of Resolution 4082, seconded by Committee Member Wilcox.*

Mayor Hollowell commented this money is used for broad advertising and when the Bakken was at its peak the funding provided by this district was \$120,000. He also stated that John Laney of the Chamber is always looking for advertising gimmicks to use these dollars for and if there were any ideas to contact Mr. Laney.

***On roll call vote, the motion passed 4-0*

6. Discussion on Signage at Denton Sports Complex

Chairperson Galbraith spoke to City Clerk Pearce about the money received for signage by the ball clubs and it basically goes towards lighting. Mayor Hollowell suggested a

surcharge going to the City to help with repairs and maintenance of the ball fields. Committee Member Huber stated there was an initial cost for the sign that goes to Miles City Youth Baseball and then every year thereafter there is a subscription fee. He thought the initial fee was \$400 and about \$250 each year. Mayor Hollowell thought maybe 10% of the revenues could be money accumulated for maintenance of the fields. Chairperson Galbraith will talk to Public Works Director Scott Gray about this and get a policy developed for signage at Denton Field Sports Complex.

7. Discussion on Business Licenses

Chairperson Galbraith postponed until another finance meeting.

8. Adjournment

***Committee Member Huber moved to adjourn the meeting, seconded by Committee Member Wilcox and **passed** unanimously, 4-0.*

The meeting was adjourned at 7:40 p.m.

Susanne Galbraith, Chairperson

Linda Wilkins, Recorder/Deputy City Clerk



Miles City Downtown Urban Renewal Agency

CITY OF MILES CITY

Todd Gillette

Brent Leischner, Chair
Harold "Kelly" Klem
Constance L. Muggli, District Coordinator

Brady Patch

August 17, 2017

Finance Committee

Madam Chair and Finance Committee Members,

The Miles City Downtown Urban Renewal Agency Board of Commissioners comes before you today to make a formal recommendation to the City Council, through this Committee, to retain the current full-time Tax Increment Finance Director position; and present a budget amended accordingly to provide for the effective operation of the Agency for FY 2017-2018. The Board makes this recommendation in keeping with the Bylaws of the Agency, adopted in Resolution No. 3843: Article VII, Powers and Duties of Agency Members, Section 1(a) Agency members shall:

- i. Abide by applicable ordinances of the City of Miles City.
- ii. Act in the best interest of the City of Miles City and the Miles City Downtown Tax Increment Finance District at all times.
- iii. Effectively budget and manage Tax Increment District Revenue in accordance with MCA 7-15-4288 and 7-15-4237
- iv. Encourage in every way possible the development and advancement of Tax Increment Finance District.
- v. Act in an advisory capacity to the City Council, the Mayor and Department Heads in management of the TIF District.

The City is empowered to assist with funding the position as follows:

- a. 7-15-4238. Employment of necessary staff. The urban renewal agency or department or officers exercising urban renewal project powers *shall be supplied with the necessary technical experts and such other agents and employees*, permanent and temporary, as are required.
- b. 7-15-4281. Financial authority in connection with urban renewal. (1) A municipality shall have power to:
 - (b) (i) *appropriate funds and make expenditures as may be necessary to carry out the purposes of this part; and*
 - (d) *adopt, in accordance with state law, annual budgets for the operation of an urban renewal agency, department, or office vested with urban renewal project powers under 7-15-4231;*

Likewise, increment revenue can be used to assist with salary expense:

7-15-4288 "Costs that may be paid by tax increment financing", (7) administrative costs associated with the management of the urban renewal area or targeted economic development district;

On July 7, 2017, the Urban Renewal Board of Commissioners, in keeping with the above duties, submitted a budget for the Urban Renewal Agency. That budget, which included a request for an allocation from the City for a portion of the Urban Renewal Agency/Tax Increment Finance Director's salary, was refused on the basis that the "grant writer's" position was being eliminated due to lack of funds. It is important to note that the position description was updated on 12/16/2015 to include the director's duties in managing the District, along with those of the Historic Preservation Officer and grant writing for other general fund departments.

It is also important to note that the Urban Renewal Agency is a City Department, created by Resolution 3843, to manage the implementation of the Urban Renewal Plan within a complex structure of statutes and regulations. Unlike other City departments however, the URA can provide funding to other City departments on infrastructure projects, improvements for public buildings and projects for the public good within the District. This might include funding for planning, parks, flood control, etc.

Now that the City has received Certified Values with an increase in revenue of 2.38% over last year, and a value of \$55,451 increment for the District, the Urban Renewal Agency Board of Commissioners again respectfully requests the Finance Committee recommend the City Council consider providing partial funding of approximately \$24,184 to support a full-time URA/TIF Director Position. This would represent a 47.57% split with the HPO and TIFD.

As the total increment revenue budget will not be finalized until the County mill is set, the Board conservatively estimates revenues of approximately \$36,000 for the FY2017-18 operating budget. While the Board is able to fund a part time position with the available increment funds for the current year, because we must reserve a portion of that increment for reinvestment in the District, a full time position is beyond our funding capacity, and so proposes the following equitable distribution of salary expense:

| \$16.27/ Wage Split | Wages | Taxes | Health Insurance | PERS | Total Budget | % Split |
|---------------------|-------------|------------|------------------|------------|--------------|---------|
| HP1000 | \$16,910.64 | \$1,551.96 | \$4,288.68 | \$1,432.32 | \$24,183.60 | 47.57% |
| TIFD | \$16,910.64 | \$1,526.64 | \$4,288.68 | \$1,432.32 | \$24,158.28 | 47.52% |
| HP2935 | \$2,126.76 | \$192.12 | \$0.00 | \$180.12 | \$2,499.00 | 4.92% |
| | \$35,948.04 | \$3,270.72 | \$8,577.36 | \$3,044.76 | \$50,840.88 | |

In FY 2016-2017, *the City provided funding of \$50,835 for salary in FY 2016-17*, which along with the SHPO Grant brought the position to the rate of \$16.27/hour. This budget proposal for FY 2017-18 represents a 52% reduction in general funding for just salary from last year, and is in keeping with the Board’s goal as stated to the Finance Committee last year, to absorb a higher percentage of the salary costs each year as increment revenue is realized.

In our role as an advisory board to the City with the duty to encourage in every way possible the development and advancement of Tax Increment Finance District, the Board feels strongly that with projects in process and the potential for more activity within the district this year, a full time position is warranted in order to maximize the potential of the district and meet our joint fiduciary responsibility to implement the Urban Renewal Plan and enhance the value of the District.

This recommendation is based on the current business case load, grant applications underway, and projects under development, which if not fully staffed, would delay implementation significantly, or necessitate cancellation of important projects for the foreseeable future. The position has over the past three years, provided leadership in establishing the district, funding the creation of the District, developing the administrative structure, meeting all legal requirements, administering related grants, and engaging the public in the process. In our opinion, limiting the staffing level to 23 hours per week will not provide sufficient time or provide the level of skill and customer service the public expects from the City. In fact, reducing the availability of staff to execute the current and future projects may create delays and project cancellations. Further, to do so may result in public relations issues for the department and the City, in trying to explain why the “Revitalize Downtown” has become less of a priority and project delays and

cancellations are necessary. We also do not believe that this pay level will attract a qualified candidate to assume the position upon the retirement of the current TIFD Director.

Current projects underway include, but are not limited to:

- Implement the Urban Renewal Plan in keeping with statutes and codes
- Finalization and administration of the CDBG-ED Revolving Loan Fund Grant, which will provide “program income” that can be reinvested in the District and provide grants and loans to the City for planning projects.
 - Marketing the program
 - Coordinating the program with local lenders
 - Working with business investors to assist in developing complex, multi-partner financial strategies
- NP Depot Restoration Project
- Main Street Streetscape Improvements
- Working with other City departments to identify and implement infrastructure improvements
- Business Recruitment and Retention, i.e. working with business investors to develop projects within the district that will create and retain jobs.
 - Facilitation of confidential Business Assistance Projects
- Identifying additional capital and funding sources to assist in funding District operations and business investment
- Identifying and implementing complementary programs that add value to the district
- Developing the marketing strategy and business recruitment and retention plans

In summary, the Urban Renewal Agency is a board of volunteer financial professionals that have served this City in good faith since 2013 to create and implement the Urban Renewal Plan that is central to “Revitalizing Downtown Miles City”. The Public has also contributed many hours of volunteer time as well, in developing the Plan, working to integrate it into the Growth Policy, Zoning Code updates and Transportation Plan.

The URA Board and Director have accomplished this without an operating budget, the expense for which has been absorbed through grants in the amount of \$36,000, and the Historic Preservation Office Budget for a total of \$19,212 to date. Please recall that The District was formed with three matching grants at no cost to the City. To limit the effectiveness of the District in meeting its goals at the point in time when it has finally begun to generate revenue to meet its purpose seems counter-intuitive. While grants provide funding for an immediate need, the TIFD increment revenue is a long-term funding source to be used to increase the tax revenue base for the City.

To summarize, the responsibilities of the TIFD Director are immense, and in today’s market exceed the salary rate we propose. For this reason, this is not a position for which to limit funding without serious consideration. We would appreciate the City’s cooperation in getting the most benefit possible from the Urban Renewal Plan and TIF by participating in a portion of the cost for a full time director.

Thank you for your consideration in this matter.

Respectfully,
Miles City Urban Renewal Board of Commissioners

PUBLIC HEARINGS

&

CONSENT AGENDA

RESOLUTION NO. 4087

A RESOLUTION APPROVING AND ADOPTING A FINAL BUDGET FOR THE CITY OF MILES CITY FOR FY 2017-2018; AUTHORIZING PROCEDURE FOR ADJUSTMENTS TO APPROPRIATIONS FOR CERTAIN FEE BASED BUDGETS; AUTHORIZING PROCEDURE FOR TRANSFERRING APPROPRIATIONS BETWEEN ITEMS WITHIN THE SAME FUND

WHEREAS, there was presented to the City Council of the City of Miles City, Montana a preliminary budget for the City of Miles City fiscal year 2017-2018;

AND WHEREAS, a public hearing was duly noticed and held on August 08, 2017 and again on August 22, 2017, upon such preliminary budget as required by §7-6-4024 MCA;

AND WHEREAS, upon due consideration of all matters presented at such public hearing, and the City Council having made such amendments, if any, to such preliminary budget as deemed necessary;

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

1. The budget attached hereto as Exhibit "A" (hereinafter "the Final FY 2017-2018 Budget,") and by this reference made a part hereof, is hereby approved and adopted.
2. The appropriations set forth in the Final FY 2017-2018 Budget are hereby authorized.
3. The spending for each fund in the FY 2017-2018 Budget is limited at the level of detail set forth in Exhibit "A" to this resolution, except that:
 - a. Pursuant to the authority of §7-6-4031 MCA, the City Council is hereby authorized throughout the budget period, by appropriate resolution, to transfer appropriations in the Final FY 2017-2018 Budget between items within the same fund; and
 - b. Pursuant to the authority of §7-6-4012 MCA, adjustments to appropriations for the following fee-based budgets may be authorized by the City Council during FY 2017-2018:
 - i. Fund No. 2394 Building Inspection
 - ii. Fund No. 2270 Health Fund

- iii. Fund No. 5510 Ambulance Fund
- iv. Fund No. 5610 Airport Fund
- v. Fund No. 6040 Public Works Garage Fund

Provided, all adjustment of fee-based appropriations must be based upon the cost of providing services supported by the fees, and fully funded by the related fees for services, fund reserves, or non-fee revenue such as interest.

- 4. This Resolution is effective July 1, 2017.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 22nd DAY OF AUGUST, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 4088

A RESOLUTION ELECTING TO OPERATE UNDER THE ALL-PURPOSE MILL LEVY AND FIXING THE TAX LEVY FOR THE GENERAL FUND, AMBULANCE FUND AND AIRPORT FUND TO BE LEVIED AND ASSESSED ON ALL THE TAXABLE PROPERTY IN THE CITY OF MILES CITY FOR FISCAL YEAR 2017-2018

WHEREAS the City Council of The City of Miles City, Montana, on August 22, 2017, by Resolution No. 4087 approved and adopted a final budget for the City of Miles City for fiscal year 2017-2018;

AND WHEREAS, pursuant to §7-6-4451, the City Council has determined that it is in the best interests of the City of Miles City to operate under the all-purpose annual mill levy;

AND WHEREAS, the City Council has determined the amount of taxes required to balance the budgets as provided in §§7-6-4034 and 7-6-4036 MCA;

AND WHEREAS, the City Council is required by law to fix the tax levy required for the City of Miles City for FY 2017-2018;

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

1. The City of Miles City elects to operate under the all-purpose mill levy authorized by §7-6-4451 for Fiscal Year 2017-2018.
2. There is hereby levied and assessed for the Fiscal Year 2017-2018 on all taxable property within the City of Miles City, Montana, a tax for 190.29 mills in the following respective amounts and for the following purposes:
 - A. For the general municipal and administrative purposes 187.79 mills, the money to be collected therefrom to be placed in a fund known as the "General Fund" and to be used for said purposes.
 - B. For the purpose of providing ambulance service by the City of Miles City, 1.00 mills, the money to be collected therefrom to be placed in a fund known as the "Ambulance Fund" and to be used for said purposes.
 - C. For the purposes of operation of the City-County Airport, 1.50 mills, the money to be collected therefrom to be placed in a fund known as the "Airport Fund" and to be used for said purposes.

3. The City Clerk is hereby directed to at once certify to the Clerk and Recorder of Custer County, Montana, a copy of this resolution.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT ITS REGULAR MEETING, DULY NOTICED, THIS 22ND DAY OF AUGUST, 2017.

John Hollowell,
Mayor

ATTEST:

Lorrie Pearce City Clerk

RESOLUTION NO. 4089

A RESOLUTION PURSUANT TO §2-9-212 OF THE MONTANA CODE ANNOTATED, AUTHORIZING A PERMISSIVE MEDICAL LEVY FOR FY 2017-2018 TO FUND GROUP HEALTH INSURANCE PREMIUM CONTRIBUTIONS BY THE CITY AND PROVIDING FOR HEARING THEREON

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

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

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

AND WHEREAS, the City of Miles City desires to levy such property tax for Fiscal Year 2017-2018;

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

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

That a property tax levy of 22.00 mills be imposed, pursuant to §2-9-212 MCA, for the purposes of funding the premium for group health insurance for Fiscal Year 2017-2018.

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed levy on the 22nd day of August, 2017, at 7:00 p.m. in the City Hall Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4127 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 8th DAY OF AUGUST, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY,
MONTANA, THIS 22nd DAY OF AUGUST, 2017.**

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 4090

A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 165 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2017-2018

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

WHEREAS, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2017-2018 is estimated by the City Council at the sum of \$204,872 and,

WHEREAS, the property in said Special Improvement Lighting District No. 165 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2017-2018 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 165.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 165, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 165 amounting to 0.006774 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 22nd day of August, 2017, at 7:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

Section 4: The City Clerk is hereby authorized and directed to publish in a newspaper of general circulation within the City of Miles City, in the manner provided for in 7-1-4127 MCA, a notice stating that the resolution levying the special assessment to defray the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for Special Improvement Lighting District No. 165 is on file at City Hall and subject to inspection.

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

PASSED BY THE CITY COUNCIL THIS 8th day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

WHEREAS, the above-entitled Resolution was filed in the Office of the City Clerk on the 8th day of August, 2017, and has ever since been on file in said office subject to public inspection.

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

WHEREAS, a hearing on objections was conducted by the City Council on August 22nd, 2017, pursuant to published notice;

WHEREAS, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2017-2018 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

THEREFORE, BE IT RESOLVED that the Resolution 4090 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2017-2018 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 22nd day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 4091

A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 167 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2017-2018

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

WHEREAS, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2017-2018 is estimated by the City Council at the sum of \$27,357 and,

WHEREAS, the property in said Special Improvement Lighting District No. 167 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2017-2018 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 167.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 167, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 167 amounting to 0 .011006 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 22nd day of August, 2017, at 7:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

Section 4: The City Clerk is hereby authorized and directed to publish in a newspaper of general circulation within the City of Miles City, in the manner provided for in 7-1-4127 MCA, a notice stating that the resolution levying the special assessment to defray the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for Special Improvement Lighting District No. 167 is on file at City Hall and subject to inspection.

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

PASSED BY THE CITY COUNCIL THIS 8th day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

WHEREAS, the above-entitled Resolution was filed in the Office of the City Clerk on the 8th day of August, 2017, and has ever since been on file in said office subject to public inspection.

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

WHEREAS, a hearing on objections was conducted by the City Council on August 22nd, 2017, pursuant to published notice;

WHEREAS, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2017-2018 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

THEREFORE, BE IT RESOLVED that the Resolution 4091 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2017-2018 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 22nd day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 4092

A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 171 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2017-2018

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

WHEREAS, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2017-2018 is estimated by the City Council at the sum of \$5,072 and,

WHEREAS, the property in said Special Improvement Lighting District No. 171 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2017-2018 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 171.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 171, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 171 amounting to 0.006397 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 22nd day of August, 2017, at 7:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

Section 4: The City Clerk is hereby authorized and directed to publish in a newspaper of general circulation within the City of Miles City, in the manner provided for in 7-1-4127 MCA, a notice stating that the resolution levying the special assessment to defray the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for Special Improvement Lighting District No. 171 is on file at City Hall and subject to inspection.

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

PASSED BY THE CITY COUNCIL THIS 8th day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

WHEREAS, the above-entitled Resolution was filed in the Office of the City Clerk on the 8th day of August, 2017, and has ever since been on file in said office subject to public inspection.

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

WHEREAS, a hearing on objections was conducted by the City Council on August 22nd, 2017, pursuant to published notice;

WHEREAS, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2017-2018 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

THEREFORE, BE IT RESOLVED that the Resolution 4092 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2017-2018 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 22nd day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 4093

A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 172 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2017-2018

WHEREAS, the City Council for the City of Miles City, Montana did, on the 13th day of April, 1970, create a special improvement district in said City, known and designated as Special Improvement Lighting District No. 172; and

WHEREAS, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2017-2018 is estimated by the City Council at the sum of \$19,255 and,

WHEREAS, the property in said Special Improvement Lighting District No. 172 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2017-2018 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 172.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 172, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 172 amounting to 0.025257 per square foot;

Section 2: A description of each lot or parcel of land, the total square footage of property contained therein, the name of the owner and the amount assessed against each lot or parcel of land in Special Improvement Lighting District 172, is attached hereto as Exhibit "A" and made a part hereof, and shall, upon passage, be kept on file in the City Clerk's Office.

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 22nd day of August, 2017, at 7:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

Section 4: The City Clerk is hereby authorized and directed to publish in a newspaper of general circulation within the City of Miles City, in the manner provided for in 7-1-4127 MCA, a notice stating that the resolution levying the special assessment to defray the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for Special Improvement Lighting District No. 172 is on file at City Hall and subject to inspection.

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

PASSED BY THE CITY COUNCIL THIS 8th day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

WHEREAS, the above-entitled Resolution was filed in the Office of the City Clerk on the 8th day of August, 2017, and has ever since been on file in said office subject to public inspection.

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

WHEREAS, a hearing on objections was conducted by the City Council on August 22nd, 2017, pursuant to published notice;

WHEREAS, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2017-2018 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

THEREFORE, BE IT RESOLVED that the Resolution 4093 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2017-2018 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 22nd day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 4094

A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 195 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, ~~FOR THE~~ FISCAL YEAR 2017-2018

WHEREAS, the City Council for the City of Miles City, Montana, did, on the 28th day of March, 1978, create a special improvement district in said City, known and designated as Special Improvement Lighting District No. 195; and,

WHEREAS, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2017-2018 is estimated by the City Council at the sum of \$5,745 and,

WHEREAS, the property in said Special Improvement Lighting District No. 195 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2017-2018 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 195.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 195, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 195 amounting to 0.007819 per square foot;

Section 2: A description of each lot or parcel of land, the total square footage of property contained therein, the name of the owner and the amount assessed against each lot or parcel of land in Special Improvement Lighting District 195, is attached hereto as Exhibit "A" and made a part hereof, and shall, upon passage, be kept on file in the City Clerk's Office.

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 22nd day of August, 2017, at 7:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

Section 4: The City Clerk is hereby authorized and directed to publish in a newspaper of general circulation within the City of Miles City, in the manner provided for in 7-1-4127 MCA, a notice stating that the resolution levying the special assessment to defray the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for Special Improvement Lighting District No. 195 is on file at City Hall and subject to inspection.

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

PASSED BY THE CITY COUNCIL THIS 8th day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

WHEREAS, the above-entitled Resolution was filed in the Office of the City Clerk on the 8th day of August, 2017, and has ever since been on file in said office subject to public inspection.

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

WHEREAS, a hearing on objections was conducted by the City Council on August 22nd, 2017, pursuant to published notice;

WHEREAS, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2017-2018 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

THEREFORE, BE IT RESOLVED that the Resolution 4094 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2017-2018 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 22nd day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 4095

A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 202 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2017-2018

WHEREAS, the City Council for the City of Miles City, Montana did, on the 10th day of May, 1983, create a special improvement district in said City, known and designated as Special Improvement Lighting District No. 202; and,

WHEREAS, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2017-2018 is estimated by the City Council at the sum of \$6,984 and,

WHEREAS, the property in said Special Improvement Lighting District No. 202 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2017-2018 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 202.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 202, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 202 amounting to 0.008165 per square foot;

Section 2: A description of each lot or parcel of land, the total square footage of property contained therein, the name of the owner and the amount assessed against each lot or parcel of land in Special Improvement Lighting District 202, is attached hereto as Exhibit "A" and made a part hereof, and shall, upon passage, be kept on file in the City Clerk's Office.

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 22nd day of August, 2017, at 7:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

Section 4: The City Clerk is hereby authorized and directed to publish in a newspaper of general circulation within the City of Miles City, in the manner provided for in 7-1-4127 MCA, a notice stating that the resolution levying the special assessment to defray the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for Special Improvement Lighting District No. 202 is on file at City Hall and subject to inspection.

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

PASSED BY THE CITY COUNCIL THIS 8th day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

WHEREAS, the above-entitled Resolution was filed in the Office of the City Clerk on the 8th day of August, 2017, and has ever since been on file in said office subject to public inspection.

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

WHEREAS, a hearing on objections was conducted by the City Council on August 22nd, 2017, pursuant to published notice;

WHEREAS, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2017-2018 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

THEREFORE, BE IT RESOLVED that the Resolution 4095 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2017-2018 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 22nd day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 4096

A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 173 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2017-2018

WHEREAS, the City Council for the City of Miles City, Montana, did on the 13th day of March, 2007, create a special improvement district in said City, known and designated as Special Improvement Lighting District No. 173; and,

WHEREAS, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2017-2018 is estimated by the City Council at the sum of \$1,431 and,

WHEREAS, the property in said Special Improvement Lighting District No. 173 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2017-2018 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 173.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 173, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 173 amounting to 0.002980 per square foot;

Section 2: A description of each lot or parcel of land, the total square footage of property contained therein, the name of the owner and the amount assessed against each lot or parcel of land in Special Improvement Lighting District 173, is attached hereto as Exhibit "A" and made a part hereof, and shall, upon passage, be kept on file in the City Clerk's Office.

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 22nd day of August, 2017, at 7:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

Section 4: The City Clerk is hereby authorized and directed to publish in a newspaper of general circulation within the City of Miles City, in the manner provided for in 7-1-4127 MCA, a notice stating that the resolution levying the special assessment to defray the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for Special Improvement Lighting District No. 173 is on file at City Hall and subject to inspection.

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

PASSED BY THE CITY COUNCIL THIS 8th day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

WHEREAS, the above-entitled Resolution was filed in the Office of the City Clerk on the 8th day of August, 2017, and has ever since been on file in said office subject to public inspection.

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

WHEREAS, a hearing on objections was conducted by the City Council on August 22nd, 2017, pursuant to published notice;

WHEREAS, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2017-2018 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

THEREFORE, BE IT RESOLVED that the Resolution 4096 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2017-2018 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 22nd day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 4097

A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL OF THE PROPERTY WITHIN MAINTENANCE DISTRICT NO. 204 TO DEFRAY THE COST OF MAINTAINING THE IMPROVEMENTS IN THE SAID MAINTENANCE DISTRICT NO. 204 FOR THE FISCAL YEAR 2017-2018

WHEREAS, on the 15th day of May, 1984, the City Council of the City of Miles City, Montana, passed Ordinance No. 933 and Resolution No. 2284 creating Maintenance District No. 204 includes, but is not limited to, sprinkling, chip sealing, seal coating, overlaying, treating, pothole repair, general cleaning, sweeping, flushing, snow removal, leaf and debris removal and the operation, maintenance and repair of traffic signal systems, the repair of traffic and street signs, the placement and maintenance of pavement markings, curb and gutter repair, and minor sidewalk repair that includes cracking, chipping, sinking, and the replacement of not more than 6 feet of sidewalk in any 100-foot portion of sidewalk, and

WHEREAS, not more than forty percent (40%) of the property owners protested in writing against the passage of the ordinance and the said ordinance was finally passed and adopted on June 12, 1984; and

WHEREAS, pursuant to 7-12-4425, MCA the City Council of the City of Miles City, Montana, is mandated to pass and finally adopt a resolution assessing all of the property within Maintenance District No. 204 in an amount equal to not less than seventy-five percent (75%) of the entire cost of the said work and the estimated cost of maintenance in said district for fiscal year 2017-2018 is \$1,167,021.

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

Section 1: That to defray the costs of maintaining Maintenance District No. 204 for the fiscal year 2017-2018 there is hereby levied and assessed a tax upon all property in said district as follows:

MAINTENANCE DISTRICT NO. 204: 0.037211 per
sq. ft. assessment

FOR EXAMPLE: A typical lot within the district of approximately 7,000 square feet shall have an annual assessment of \$260.47.

Section 2: That there shall be maintained open to public inspection at the City Clerk's Office at City Hall in the City of Miles City, Montana, a list which describes each lot or parcel of land being assessed, with the name of the owner thereof, if known, and the amount levied thereon set opposite which shall be open to the public during business hours between 8:00 AM and 5:00 PM, Monday through Friday, excluding holidays.

Section 3: That the City Clerk of the City of Miles City, Montana, shall sign a notice stating that this resolution levying a special assessment to defray the cost of Maintenance District No. 204, is on file in his or her office and is subject to inspection and said notice shall be published at in the Miles City Star as provided in 7-1-4127 MCA. The notice shall also state that the City Council of the City of Miles City, Montana, shall on 22nd day of August, 2017, at 7:00 PM in the City Council Chambers at City Hall, Miles City, Montana, hear objections to the final adoption of this resolution. This Notice shall contain a statement setting out the method of assessment being proposed for adoption. The final date of publication of such Notice shall be at least 5 days prior to the date of such hearing.

PASSED BY THE CITY COUNCIL this 8th day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED THIS 22nd day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

NON-LEVIED FUNDS - SUMMARY SCHEDULE

| | |
|-----------------|----|
| Fiscal Year: 20 | 18 |
| Page No. | |

| Fund # | Fund Name | (1) Appropriation | (2) Budgeted Cash Reserve | (3)=(1)+(2) Total Requirements | (4) Cash Available (Less current liabilities) | (5) Total Non-Tax Revenues | (6)=(4)+(5) Total Resources | Estimated Ending Cash Balance |
|--------|------------------|-------------------|---------------------------|--------------------------------|---|----------------------------|-----------------------------|-------------------------------|
| 2510 | St Mt # 204 9% | 1534915 | 138,142 | 1,673,057 | 674,877 | 998,180 | 1,673,057 | 138,142 |
| 10% | | 1534915 | 153,492 | 1,688,407 | 674,877 | 1,013,530 | 1,688,407 | 153,492 |
| 5% | | 1534915 | 76,746 | 1,611,661 | 674,877 | 936,784 | 1,611,661 | 76,746 |
| 15% | | 1534915 | 230,237 | 1,765,152 | 674,877 | 1,090,275 | 1,765,152 | 230,237 |
| 20% | | 1534915 | 306,983 | 1,841,898 | 674,877 | 1,167,021 | 1,841,898 | 306,983 |
| 37% | | 1534915 | 491,173 | 2,026,088 | 674,877 | 1,351,211 | 2,026,088 | 491,173 |
| 20% | | 1534915 | 306,983 | 1,841,898 | 674,877 | 1,167,021 | 1,841,898 | 306,983 |
| 33% | | 1534915 | 506,522 | 2,041,437 | 674,877 | 1,366,560 | 2,041,437 | 506,522 |
| 37% | | 1534915 | 491,173 | 2,026,088 | 674,877 | 1,351,211 | 2,026,088 | 491,173 |
| 33% | | 1534915 | 506,522 | 2,041,437 | 674,877 | 1,366,560 | 2,041,437 | 506,522 |
| 34% | | 1534915 | 521,871 | 2,056,786 | 674,877 | 1,381,909 | 2,056,786 | 521,871 |
| 35% | | 1534915 | 537,220 | 2,072,135 | 674,877 | 1,397,258 | 2,072,135 | 537,220 |
| 40% | | 1534915 | 613,966 | 2,148,881 | 674,877 | 1,474,004 | 2,148,881 | 613,966 |
| 42% | | 1534915 | 644,664 | 2,179,579 | 674,877 | 1,504,702 | 2,179,579 | 644,664 |
| 43% | | 1534915 | 660,013 | 2,194,928 | 674,877 | 1,520,051 | 2,194,928 | 660,013 |
| 44% | | 1534915 | 675,363 | 2,210,278 | 674,877 | 1,535,401 | 2,210,278 | 675,363 |
| 45% | | 1534915 | 690,712 | 2,225,627 | 674,877 | 1,550,750 | 2,225,627 | 690,712 |
| 50% | | 1534915 | 767,458 | 2,302,373 | 674,877 | 1,627,496 | 2,302,373 | 767,458 |
| 10% | Last Year 259-79 | | | 0 | | 0 | 0 | 0 |
| | TOTAL | 27,628,470 | 8,319,239 | 35,947,709 | 12,147,786 | 23,799,923 | 35,947,709 | 8,319,239 |

*Total Revenues compared to Total Appropriations:

(3,828,547)

*if negative appropriations exceed revenues

Revision June 2012

Total Requirements compared to Total Resources

0

*if other than zero budget is not balanced

1,167,021 ÷
31,361,815 ÷ 66 =
0.037211*

0.037211 ×
7,000 ÷ =
260,477,000*

259,790,000 +
260,470,000 -
0.680,000*

1,090,275 ÷
31,361,815 ÷ 66 =
0.034764*

0.034764 ×
7,000 ÷ =
243,348,000*

259,790,000 +
243,340,000 -
16,450,000*

1,366,560 ÷
31,361,815 ÷ 66 =
0.043574*

0.043574 ×
7,000 ÷ =
305,018,000*

259,790,000 +
305,090,000 +
45,300,000*

20%

15%

33%

Fill 17 was Taxed
for project that did not
get started. Appropriations
\$1,534,915 for FY17/18.
Be used for FY17/18. *[Signature]*

NON-LEVIED FUNDS - SUMMARY SCHEDULE

Fiscal Year 20 _____ 18

Page No. _____

| Fund # | Fund Name | (1) Appropriation | (2) Budgeted Cash Reserve | (3)=(1)-(2) Total Requirements | (4) Cash Available (Less current liabilities) | (5) Total Non-Tax Revenues | (6)=(4)+(5) Total Resources | Estimated Ending Cash Balance |
|--------|------------------|-------------------|---------------------------|--------------------------------|---|----------------------------|-----------------------------|-------------------------------|
| 2510 | St. Mt # 204 9% | 1534915 | 138,142 | 1,673,057 | 674,877 | 998,180 | 1,673,057 | 138,142 |
| 10% | | 1534915 | 153,492 | 1,688,407 | 674,877 | 1,013,530 | 1,688,407 | 153,492 |
| 5% | | 1534915 | 76,746 | 1,611,661 | 674,877 | 936,784 | 1,611,661 | 76,746 |
| 15% | | 1534915 | 230,237 | 1,765,152 | 674,877 | 1,090,275 | 1,765,152 | 230,237 |
| 20% | | 1534915 | 306,983 | 1,841,898 | 674,877 | 1,167,021 | 1,841,898 | 306,983 |
| 32% | | 1534915 | 491,173 | 2,026,088 | 674,877 | 1,351,211 | 2,026,088 | 491,173 |
| 25% | | 1534915 | 383,729 | 1,918,644 | 674,877 | 1,243,767 | 1,918,644 | 383,729 |
| 35% | | 1534915 | 506,522 | 2,041,437 | 674,877 | 1,366,560 | 2,041,437 | 506,522 |
| 32% | | 1534915 | 491,173 | 2,026,088 | 674,877 | 1,351,211 | 2,026,088 | 491,173 |
| 33% | | 1534915 | 506,522 | 2,041,437 | 674,877 | 1,366,560 | 2,041,437 | 506,522 |
| 34% | | 1534915 | 521,871 | 2,056,786 | 674,877 | 1,381,909 | 2,056,786 | 521,871 |
| 24% | | 1534915 | 368,380 | 1,903,295 | 674,877 | 1,228,418 | 1,903,295 | 368,380 |
| 23% | | 1534915 | 353,030 | 1,887,945 | 674,877 | 1,213,068 | 1,887,945 | 353,030 |
| 22% | | 1534915 | 337,681 | 1,872,596 | 674,877 | 1,197,719 | 1,872,596 | 337,681 |
| 21% | | 1534915 | 322,332 | 1,857,247 | 674,877 | 1,182,370 | 1,857,247 | 322,332 |
| 30% | | 1534915 | 460,475 | 1,995,390 | 674,877 | 1,320,513 | 1,995,390 | 460,475 |
| 29% | | 1534915 | 445,125 | 1,980,040 | 674,877 | 1,305,163 | 1,980,040 | 445,125 |
| 27% | | 1534915 | 414,427 | 1,949,342 | 674,877 | 1,274,465 | 1,949,342 | 414,427 |
| 10% | Last Year 259,79 | | | 0 | | | 0 | 0 |
| TOTAL | | 27,628,470 | 6,508,040 | 34,136,510 | 12,147,786 | 21,988,724 | 34,136,510 | 6,508,040 |

*Total Revenues compared to Total Appropriations: (5,639,746)

0

*If negative appropriations exceed revenues

Revision June 2012

Total Requirements compared to Total Resources

0

*If other than zero budgets is not balanced

*Proposed
Change*

1,182,570 +
31,361,815 =
0-039700 =
0-039700 x
7,000 =
263,900000 *
263,900000 +
259,790000 -
4,110000 *

1,197,719 +
31,361,815 =
0-038190 =
0-038190 x
7,000 =
267,330000 *
267,330000 +
259,790000 -
7,540000 *

1,213,068 +
31,361,815 =
0-038679 =
0-038679 x
7,000 =
270,753000 *
270,750000 +
259,790000 -
10,960000 *

1,228,418 +
31,361,815 =
0-039169 =
0-039169 x
7,000 =
274,183000 *
274,180000 +
259,790000 -
14,390000 *

21%

22%

23%

24%

RESOLUTION NO. 4098

A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL OF THE PROPERTY WITHIN MAINTENANCE DISTRICT NO. 205 TO DEFRAY THE COST OF MAINTAINING THE IMPROVEMENTS IN THE SAID MAINTENANCE DISTRICT NO. 205 FOR THE FISCAL YEAR 2017-2018

WHEREAS, on the 15th day of May, 1984, the City Council of the City of Miles City, Montana, passed Ordinance No. 933 and Resolution No. 2285 creating Maintenance District No. 205 includes, but is not limited to, sprinkling, chip sealing, seal coating, overlaying, treating, pothole repair, general cleaning, sweeping, flushing, snow removal, leaf and debris removal and the operation, maintenance and repair of traffic signal systems, the repair of traffic and street signs, the placement and maintenance of pavement markings, curb and gutter repair, and minor sidewalk repair that includes cracking, chipping, sinking, and the replacement of not more than 6 feet of sidewalk in any 100-foot portion of sidewalk, and

WHEREAS, not more than forty percent (40%) of the property owners protested in writing against the passage of the ordinance and the said ordinance was finally passed and adopted on June 12, 1984; and

WHEREAS, pursuant to 7-12-4425, MCA the City Council of the City of Miles City, Montana, is mandated to pass and finally adopt a resolution assessing all of the property within Maintenance District No. 205 in an amount equal to not less than seventy-five percent (75%) of the entire cost of the said work and the estimated cost of maintenance in said district for fiscal year 2017-2018 is \$175,011.

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

Section 1: That to defray the costs of maintaining Maintenance District No. 205 for the fiscal year 2017-2018 there is hereby levied and assessed a tax upon all property in said district as follows:

MAINTENANCE DISTRICT NO. 205: 0.020848 per
sq. ft. assessment

FOR EXAMPLE: A typical lot within the district of approximately 7,000 square feet shall have an annual assessment of \$145.93.

Section 2: That there shall be maintained open to public inspection at the City Clerk's Office at City Hall in the City of Miles City, Montana, a list which describes each lot or parcel of land being assessed, with the name of the owner thereof, if known, and the amount levied thereon set opposite which shall be open to the public during business hours between 8:00 AM and 5:00 PM, Monday through Friday, excluding holidays.

Section 3: That the City Clerk of the City of Miles City, Montana, shall sign a notice stating that this resolution levying a special assessment to defray the cost of Maintenance District No. 205, is on file in his or her office and is subject to inspection and said notice shall be published at in the Miles City Star as provided in 7-1-4127 MCA. The notice shall also state that the City Council of the City of Miles City, Montana, shall on 22nd day of August, 2017, at 7:00 PM in the City Council Chambers at City Hall, Miles City, Montana, hear objections to the final adoption of this resolution. This Notice shall contain a statement setting out the method of assessment being proposed for adoption. The final date of publication of such Notice shall be at least 5 days prior to the date of such hearing.

PASSED BY THE CITY COUNCIL this 8th day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED THIS 22nd day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 4099

A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL OF THE PROPERTY WITHIN MAINTENANCE DISTRICT NO. 207 TO DEFRAY THE COST OF MAINTAINING THE IMPROVEMENTS IN THE SAID MAINTENANCE DISTRICT NO. 207 FOR THE FISCAL YEAR 2017-2018

WHEREAS, on the 27th day of March, 2007, the City Council of the City of Miles, Montana, passed Ordinance No. 1167 and on March 13th, 2007 Resolution No. 3137 creating Maintenance District No. 207 includes, but is not limited to, sprinkling, chip sealing, seal coating, overlaying, treating, pothole repair, general cleaning, sweeping, flushing, snow removal, leaf and debris removal and the operation, maintenance and repair of traffic signal systems, the repair of traffic and street signs, the placement and maintenance of pavement markings, curb and gutter repair, and minor sidewalk repair that includes cracking, chipping, sinking, and the replacement of not more than 6 feet of sidewalk in any 100-foot portion of sidewalk, and

WHEREAS, not more than forty percent (40%) of the property owners protested in writing against the passage of the ordinance and the said ordinance was finally passed and adopted on June 12, 1984; and

WHEREAS, pursuant to 7-12-4425, MCA the City Council of the City of Miles City, Montana, is mandated to pass and finally adopt a resolution assessing all of the property within Maintenance District No. 207 in an amount equal to not less than seventy-five percent (75%) of the entire cost of the said work and the estimated cost of maintenance in said district for fiscal year 2017-2018 is \$7,850.

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

Section 1: That to defray the costs of maintaining Maintenance District No. 207 for the fiscal year 2017-2018 there is hereby levied and assessed a tax upon all property in said district as follows:

MAINTENANCE DISTRICT NO. 207: 0.015439 per
sq. ft. assessment

FOR EXAMPLE: A typical lot within the district of approximately 7,000 square feet shall have an annual assessment of \$108.07.

Section 2: That there shall be maintained open to public inspection at the City Clerk's Office at City Hall in the City of Miles City, Montana, a list which describes each lot or parcel of land being assessed, with the name of the owner thereof, if known, and the amount levied thereon set opposite which shall be open to the public during business hours between 8:00 AM and 5:00 PM, Monday through Friday, excluding holidays.

Section 3: That the City Clerk of the City of Miles City, Montana, shall sign a notice stating that this resolution levying a special assessment to defray the cost of Maintenance District No. 207, is on file in his or her office and is subject to inspection and said notice shall be published at in the Miles City Star as provided in 7-1-4127 MCA. The notice shall also state that the City Council of the City of Miles City, Montana, shall on 22nd day of August, 2017, at 7:00 PM in the City Council Chambers at City Hall, Miles City, Montana, hear objections to the final adoption of this resolution. This Notice shall contain a statement setting out the method of assessment being proposed for adoption. The final date of publication of such Notice shall be at least 5 days prior to the date of such hearing.

PASSED BY THE CITY COUNCIL this 8th day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED THIS 22nd day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 4101

A RESOLUTION PURSUANT TO §15-10-420 OF THE MONTANA CODE ANNOTATED, AUTHORIZING THE BUDGETING OF AN INCREASED AMOUNT OF AD VALOREM TAX REVENUES IN FY 2017-2018 IN EXCESS OF THE PROPERTY TAX REVENUES FOR THE PRIOR FISCAL YEAR AND PROVIDING FOR HEARING THEREON

WHEREAS, the City Council of the City of Miles City, Montana intends to budget for real and personal property tax revenues for Fiscal Year 2017-2018 in excess of the property tax revenues for Fiscal Year 2016-2017, exclusive of taxes on properties appearing for the first time on the property tax records;

AND WHEREAS, §15-10-420 MCA requires the adoption of a resolution of the City Council authorizing such action;

AND WHEREAS, pursuant to §15-10-420 MCA, published notice and public hearing is required prior to adoption of this resolution;

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

It hereby authorizes the budgeting of real and personal property tax revenues for FY 2017-2018 in excess of the real and personal property tax revenues for FY 2016-2017.

BE IT FURTHER RESOLVED that pursuant to §15-10-420 MCA, a public hearing shall be held on the above proposed levy on the 22rd day of August, 2017, at 7:00 p.m. in the City Hall Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §15-10-420 MCA at least 2 times with at least 6 days separating each publication. Such publication shall be placed in a portion of the newspaper other than that portion utilized for legal and classified advertisements.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 8th DAY OF AUGUST, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY,
MONTANA, THIS 22rd DAY OF AUGUST, 2017.**

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

Ad Voleum Taxes

Property Tax Revenues for FY 2016-17

| | |
|---------|----------------|
| General | \$1,695,707.00 |
| Medical | \$192,686.00 |
| Total | \$1,888,393.00 |

Property Tax Revenues for FY 2017-18

| | |
|------------|----------------|
| General | \$1,730,721.00 |
| Medical | \$202,760.00 |
| Total | \$1,933,481.00 |
| Difference | \$45,088.00 |

- Increase: 0.023876% /

1,730,721.00000+
 202,760.00000+
 1,933,481.00000*

 1,933,481.00000+
 1,888,393.00000-
 45,088.00000*

 45,088.00000÷
 1,888,393.00=
 0.023876*

2.38%

UNFINISHED BUSINESS

RESOLUTION NO. 4097

A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL OF THE PROPERTY WITHIN MAINTENANCE DISTRICT NO. 204 TO DEFRAY THE COST OF MAINTAINING THE IMPROVEMENTS IN THE SAID MAINTENANCE DISTRICT NO. 204 FOR THE FISCAL YEAR 2017-2018

WHEREAS, on the 15th day of May, 1984, the City Council of the City of Miles City, Montana, passed Ordinance No. 933 and Resolution No. 2284 creating Maintenance District No. 204 includes, but is not limited to, sprinkling, chip sealing, seal coating, overlaying, treating, pothole repair, general cleaning, sweeping, flushing, snow removal, leaf and debris removal and the operation, maintenance and repair of traffic signal systems, the repair of traffic and street signs, the placement and maintenance of pavement markings, curb and gutter repair, and minor sidewalk repair that includes cracking, chipping, sinking, and the replacement of not more than 6 feet of sidewalk in any 100-foot portion of sidewalk, and

WHEREAS, not more than forty percent (40%) of the property owners protested in writing against the passage of the ordinance and the said ordinance was finally passed and adopted on June 12, 1984; and

WHEREAS, pursuant to 7-12-4425, MCA the City Council of the City of Miles City, Montana, is mandated to pass and finally adopt a resolution assessing all of the property within Maintenance District No. 204 in an amount equal to not less than seventy-five percent (75%) of the entire cost of the said work and the estimated cost of maintenance in said district for fiscal year 2017-2018 is \$1,167,021.

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

Section 1: That to defray the costs of maintaining Maintenance District No. 204 for the fiscal year 2017-2018 there is hereby levied and assessed a tax upon all property in said district as follows:

MAINTENANCE DISTRICT NO. 204: 0.037211 per
sq. ft. assessment

FOR EXAMPLE: A typical lot within the district of approximately 7,000 square feet shall have an annual assessment of \$260.47.

Section 2: That there shall be maintained open to public inspection at the City Clerk's Office at City Hall in the City of Miles City, Montana, a list which describes each lot or parcel of land being assessed, with the name of the owner thereof, if known, and the amount levied thereon set opposite which shall be open to the public during business hours between 8:00 AM and 5:00 PM, Monday through Friday, excluding holidays.

Section 3: That the City Clerk of the City of Miles City, Montana, shall sign a notice stating that this resolution levying a special assessment to defray the cost of Maintenance District No. 204, is on file in his or her office and is subject to inspection and said notice shall be published at in the Miles City Star as provided in 7-1-4127 MCA. The notice shall also state that the City Council of the City of Miles City, Montana, shall on 22nd day of August, 2017, at 7:00 PM in the City Council Chambers at City Hall, Miles City, Montana, hear objections to the final adoption of this resolution. This Notice shall contain a statement setting out the method of assessment being proposed for adoption. The final date of publication of such Notice shall be at least 5 days prior to the date of such hearing.

PASSED BY THE CITY COUNCIL this 8th day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED THIS 22nd day of August, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

NON-LEVIED FUNDS - SUMMARY SCHEDULE

Fiscal Year: 20 _____
 Page No. _____ 18

| Fund # | Fund Name | Appropriation | Budgeted Cash Reserve | Total Requirements | Cash Available (Less current liabilities) | Total Non-Tax Revenues | Total Resources | Estimated Ending Cash Balance |
|--------|------------------|---------------|-----------------------|--------------------|---|------------------------|-----------------|-------------------------------|
| 2510 | SF Mt # 204 9% | 1534915 | 138,142 | 1,673,057 | 674,877 | 998,180 | 1,673,057 | 138,142 |
| 10% | | 1534915 | 153,492 | 1,688,407 | 674,877 | 1,013,530 | 1,688,407 | 153,492 |
| 5% | | 1534915 | 76,746 | 1,611,661 | 674,877 | 936,784 | 1,611,661 | 76,746 |
| 15% | | 1534915 | 230,237 | 1,765,152 | 674,877 | 1,090,275 | 1,765,152 | 230,237 |
| 20% | | 1534915 | 306,983 | 1,841,898 | 674,877 | 1,167,021 | 1,841,898 | 306,983 |
| 32% | | 1534915 | 491,173 | 2,026,088 | 674,877 | 1,351,211 | 2,026,088 | 491,173 |
| 25% | | 1534915 | 383,729 | 1,918,644 | 674,877 | 1,243,767 | 1,918,644 | 383,729 |
| 33% | | 1534915 | 506,522 | 2,041,437 | 674,877 | 1,366,560 | 2,041,437 | 506,522 |
| 32% | | 1534915 | 491,173 | 2,026,088 | 674,877 | 1,351,211 | 2,026,088 | 491,173 |
| 33% | | 1534915 | 506,522 | 2,041,437 | 674,877 | 1,366,560 | 2,041,437 | 506,522 |
| 34% | | 1534915 | 521,871 | 2,056,786 | 674,877 | 1,381,909 | 2,056,786 | 521,871 |
| 23% | | 1534915 | 353,030 | 1,887,945 | 674,877 | 1,213,068 | 1,887,945 | 353,030 |
| 22% | | 1534915 | 337,681 | 1,872,596 | 674,877 | 1,197,719 | 1,872,596 | 337,681 |
| 21% | | 1534915 | 322,332 | 1,857,247 | 674,877 | 1,182,370 | 1,857,247 | 322,332 |
| 30% | | 1534915 | 460,475 | 1,995,390 | 674,877 | 1,320,513 | 1,995,390 | 460,475 |
| 29% | | 1534915 | 445,125 | 1,980,040 | 674,877 | 1,305,163 | 1,980,040 | 445,125 |
| 27% | | 1534915 | 414,427 | 1,949,342 | 674,877 | 1,274,465 | 1,949,342 | 414,427 |
| 10% | Last Year 259,79 | | | 0 | | | 0 | 0 |
| TOTAL | | 27,628,470 | 6,508,040 | 34,136,510 | 12,147,786 | 21,988,724 | 34,136,510 | 6,508,040 |

*Total Revenues compared to Total Appropriations: (5,639,746)

0

*If negative appropriations exceed revenues

Revision June 2012

Total Requirements compared to Total Resources

0

*If other than zero budget is not balanced

1 * 182 * 370 = +
 31 * 361 * 815 = +
 0 * 037700 *
 0 * 037700 *
 7 * 000 = +
 263 * 900000 *
 263 * 900000 +
 259 * 790000 -
 4 * 110000 *
 1 * 197 * 719 = +
 31 * 361 * 815 = +
 0 * 038190 *
 0 * 038190 *
 7 * 000 = +
 267 * 330000 *
 267 * 330000 +
 259 * 790000 -
 7 * 540000 *
 1 * 213 * 068 = +
 31 * 361 * 815 = +
 0 * 038679 *
 0 * 038679 *
 7 * 000 = +
 270 * 753000 *
 270 * 750000 +
 259 * 790000 -
 10 * 960000 *
 1 * 228 * 418 = +
 31 * 361 * 815 = +
 0 * 039169 *
 0 * 039169 *
 7 * 000 = +
 274 * 183000 *
 274 * 180000 +
 259 * 790000 -
 14 * 390000 *

21%

22%

23%

24%

Proposed Change

Offer of Amendments

Revenue

| FUND | ACCOUNT | Amount Amended | Total Amount | |
|------|---------|----------------|-----------------|-----------------------------------|
| 1000 | 311010 | \$ (35,941.00) | \$ 1,698,998.00 | Property Taxes |
| 1000 | 311020 | \$ (11,424.00) | \$ 44,742.00 | Personal Taxes |
| 1000 | 383000 | \$ (5,639.00) | \$ 573,259.00 | Changed Permissive Levy & Adm Fee |
| 1000 | 362020 | \$ 23,000.00 | \$ 33,692.00 | MMIA reimbursement & Sale of land |
| 2372 | 311010 | \$ (5,639.00) | \$ 202,783.00 | Permissive Levy |
| 2310 | 311010 | \$ 12,000.00 | \$ 36,000.00 | Add'l Tax Revenue from TIFD |
| 2310 | 311010 | \$ (1,000.00) | \$ - | Delete Tax Revenue |
| 2510 | 363010 | \$ 481,057.00 | \$ 1,228,418.00 | Assessment on Revenue@ 24% |

Expenditures

| | | | | | | |
|------|-----|--------|-----|-----------------|---------------|------------------------|
| 1000 | 95 | 521000 | 820 | \$ (3,391.00) | \$ - | HB473 |
| 2510 | 107 | 430233 | 350 | \$ (100,000.00) | \$ 350,000.00 | Professional Services |
| 2510 | 107 | 430235 | 230 | \$ (150,000.00) | \$ 350,000.00 | Repair & Maintenance |
| 2510 | 107 | 430235 | 350 | \$ (56,000.00) | \$ 169,000.00 | Professional Services |
| 1000 | 36 | 411020 | 350 | \$ (10,000.00) | \$ 37,300.00 | Industrial Site Survey |
| 2310 | 11 | 460462 | 111 | \$ 8,834.00 | \$ 15,935.00 | TIFD Expenses |
| 2310 | 11 | 460462 | 131 | \$ 488.00 | \$ 488.00 | TIFD Expenses |
| 2310 | 11 | 460462 | 132 | \$ 488.00 | \$ 488.00 | TIFD Expenses |
| 2310 | 11 | 460462 | 133 | \$ (615.00) | \$ - | TIFD Expenses |
| 2310 | 11 | 460462 | 141 | \$ 13.00 | \$ 25.00 | TIFD Expenses |
| 2310 | 11 | 460462 | 142 | \$ 112.00 | \$ 208.00 | TIFD Expenses |
| 2310 | 11 | 460462 | 144 | \$ 704.00 | \$ 1,294.00 | TIFD Expenses |
| 2310 | 11 | 460462 | 145 | \$ 778.00 | \$ 1,432.00 | TIFD Expenses |
| 2310 | 11 | 460462 | 220 | \$ (669.00) | \$ 2,000.00 | TIFD Expenses |
| 2310 | 11 | 460462 | 320 | \$ (2,000.00) | \$ - | TIFD Expenses |
| 2310 | 11 | 460462 | 350 | \$ (59.00) | \$ 500.00 | TIFD Expenses |
| 2310 | 11 | 460462 | 721 | \$ 926.00 | \$ 7,200.00 | TIFD Expenses |
| 2510 | 107 | 521000 | 820 | \$ 1,696.00 | \$ 162,048.00 | HB473 |
| 2520 | 108 | 521000 | 820 | \$ 1,695.00 | \$ 48,943.00 | HB473 |
| 5210 | 22 | 430530 | 111 | \$ 17,428.00 | \$ 267,183.00 | Retirement Payout |
| 5210 | 22 | 430530 | 141 | \$ 26.00 | \$ 474.00 | Retirement Payout |
| 5210 | 22 | 430530 | 142 | \$ 971.00 | \$ 17,610.00 | Retirement Payout |
| 5210 | 22 | 430530 | 143 | \$ 1,287.00 | \$ 49,320.00 | Retirement Payout |
| 5210 | 22 | 430530 | 144 | \$ 1,334.00 | \$ 24,171.00 | Retirement Payout |
| 5210 | 22 | 430530 | 145 | \$ 1,476.00 | \$ 26,761.00 | Retirement Payout |
| 5210 | 23 | 430550 | 111 | \$ 36,053.00 | \$ 158,235.00 | Retirement Payout |
| 5210 | 23 | 430550 | 133 | \$ 1,726.00 | \$ 2,253.00 | Retirement Payout |
| 5210 | 23 | 430550 | 141 | \$ 57.00 | \$ 298.00 | Retirement Payout |
| 5210 | 23 | 430550 | 142 | \$ 2,119.00 | \$ 10,857.00 | Retirement Payout |
| 5210 | 23 | 430550 | 143 | \$ 19,054.00 | \$ 49,761.00 | Retirement Payout |
| 5210 | 23 | 430550 | 144 | \$ 1,572.00 | \$ 13,868.00 | Retirement Payout |
| 5210 | 23 | 430550 | 145 | \$ 3,200.00 | \$ 16,814.00 | Retirement Payout |
| 5310 | 31 | 430630 | 111 | \$ 30,045.00 | \$ 146,238.00 | Retirement Payout |
| 5310 | 31 | 430630 | 133 | \$ 1,438.00 | \$ 1,934.00 | Retirement Payout |
| 5310 | 31 | 430630 | 141 | \$ 48.00 | \$ 280.00 | Retirement Payout |

Offer of Amendments

| | | | | | | | | |
|------|----|--------|-----|----|-----------|----|------------|-------------------|
| 5310 | 31 | 430630 | 142 | \$ | 1,766.00 | \$ | 10,187.00 | Retirement Payout |
| 5310 | 31 | 430630 | 143 | \$ | 537.00 | \$ | 30,729.00 | Retirement Payout |
| 5310 | 31 | 430630 | 144 | \$ | 2,409.00 | \$ | 14,244.00 | Retirement Payout |
| 5310 | 31 | 430630 | 145 | \$ | 2,667.00 | \$ | 15,771.00 | Retirement Payout |
| 5310 | 32 | 430690 | 111 | \$ | 3,832.00 | \$ | 71,631.00 | Retirement Payout |
| 5310 | 32 | 430690 | 142 | \$ | 213.00 | \$ | 4,635.00 | Retirement Payout |
| 5310 | 32 | 430690 | 143 | \$ | 600.00 | \$ | 13,552.00 | Retirement Payout |
| 5310 | 32 | 430690 | 144 | \$ | 293.00 | \$ | 6,362.00 | Retirement Payout |
| 5310 | 32 | 430690 | 145 | \$ | 324.00 | \$ | 7,044.00 | Retirement Payout |
| 5310 | 33 | 430640 | 111 | \$ | 10,015.00 | \$ | 116,945.00 | Retirement Payout |
| 5310 | 33 | 430640 | 142 | \$ | 558.00 | \$ | 7,866.00 | Retirement Payout |
| 5310 | 33 | 430640 | 143 | \$ | 2,059.00 | \$ | 21,615.00 | Retirement Payout |
| 5310 | 33 | 430640 | 144 | \$ | 765.00 | \$ | 10,653.00 | Retirement Payout |
| 5310 | 33 | 430640 | 145 | \$ | 847.00 | \$ | 11,795.00 | Retirement Payout |

RESOLUTION #4100

A RESOLUTION ESTABLISHING PROCEDURES FOR THE SALE OR LEASE OF CITY LANDS

WHEREAS, the City of Miles City ("*the City*") owns certain lands that are available for lease or sale;

AND WHEREAS, the City desires to establish a uniform procedure that provides public notice of lands for sale or lease, and seeks to obtain a fair return and reasonable compensation to the City from such leases or sales;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY as follows:

Section 1. Notice of Intent To Lease City Real Property. Except as set forth in Section 4, the City shall give notice of its intent to lease City real property by publication in a newspaper of general circulation in the county, once each week, for four (4) consecutive weeks, with at least five (5) days between each publication. The notice shall solicit written proposals for the lease of such property and give a date and time by which all such proposals must be deposited with the City Lease Administrator. The notice shall give the legal description of any tract of real property offered for lease, a description of any improvements included within such lease, and the amount of current annual rental rates for such real property. If the property is offered for lease under a standard form of lease, the notice shall state that the standard form of lease is available for review at the City Lease Administrator's office, setting forth the name, telephone number and business address of the City Lease Administrator.

Section 2. Notice of Intent to Sell City Real Property. Except as set forth in Section 5, the City shall give notice of its intent to sell City real property by publication in a newspaper of general circulation in the county, once each week, for four (4) consecutive weeks, with at least five (5) days between each publication. The notice shall solicit written proposals for the purchase of such property and give a date and time by which all such proposals must be deposited with the City Lease Administrator. The notice shall give the legal description of any tract of real property offered for sale, a description of any improvements included within such sale, and the estimated fair market value of such real property and the lowest bid the City will consider accepting.

Section 3. Appraisal.

a. If real property considered for sale by the City has an estimated fair market value in excess of \$25,000.00, prior to the consideration of any sale of such property, the City shall have it appraised by a qualified real estate appraiser.

b. If the real property considered for sale was transferred to the City via a Federal Land Patent or includes any deed restrictions, any appraisal must be conducted in accordance with the stated requirements.

Section 4. Extension of Leases With Substantial Permanent Improvements.

The City has previously leased parcels of real property and allowed the tenants to construct substantial permanent improvements upon the same. Given the impracticality for a tenant to relocate such improvements upon lease expiration, the City may, in the City's sole discretion, agree to renew such leases in circumstances where the City has allowed the Tenant to construct substantial permanent improvements, without advertising the same for lease under the provisions of Section 1. Should the City Council determine that a renewal is appropriate, any extension granted by the City Council shall be at the current lease rates established by the City Council. "Substantial Permanent Improvements" shall be determined by the City Council and shall include buildings and other improvements of significant value, but shall not include fencing or corrals.

Section 5. Sale of Leased Property With Substantial Permanent Improvements Owned by Tenant. The City has previously leased parcels of real property and allowed the tenants to construct substantial permanent improvements upon the same. Should the City determine that it wishes to sell the underlying real property of a leasehold to a current tenant who has constructed substantial permanent improvements upon the leasehold, the City may order an appraisal of the real property, less improvements, and enter into a contract to sell said property to the tenant at the appraised price, and without complying with the provisions set forth in Section 2. "Substantial Permanent Improvements" shall be determined by the City Council and shall include buildings and other improvements of significant value, but shall not include fencing or corrals.

Section 6. Transmittal of Offers to Finance Committee. Following the date and time specified in the published notice for submission of written proposals, the City Lease Administrator shall transmit a copy of all written proposals timely received, to the chair of the Finance Committee of the City Council.

Section 7. Review and Recommendation of Finance Committee. The Finance Committee shall then meet, review all such proposals, conduct such interviews of proposed lessees or purchasers as it deems necessary, and shall pass on to the City Council all such proposals, with the Committee's recommendations for action thereon.

Section 8. Council Consideration. Upon receipt of the recommendation of the Finance Committee, the City Council shall take such action upon such proposed lease or purchase as it deems in the best interests of the City. Nothing herein shall be construed as requiring the Finance Committee or the City Council to accept any written proposal for lease or purchase.

Section 9. Payment of Costs Incidental to Transfer. Unless otherwise agreed by resolution of the City Council, applicants to purchase City lands shall pay all charges incident to the conveyance and transfer of the lands from the City to the purchaser, including counsel fees incurred by the City, fees of the closing agent, recording fees, title insurance premiums, survey expenses and platting expenses (not related to any subdivision costs), appraisal fees (if required), financing costs and expenses of applicant, and all applicable federal, state, and local taxes which may be incurred or imposed by reason of such conveyance and transfer and by reason of the delivery of said deed and other instruments. Such charges shall be paid by the applicant as they are incurred by the City and are payable by the applicant whether or not the transaction closes. In

addition, the City may require the applicant to provide a deposit for the payment of such costs prior to their being incurred.

Section 10. Two-Thirds Majority Vote Required to Lease or Sell. Except for real property described in §7-8-4201(3) MCA, all leases, sales, transfers, exchanges or donations of City real property must be made by an ordinance or resolution passed by a two-thirds vote of all the members of the City Council.

Section 12. Previous Policies. This policy replaces Resolution 2989 and any other conflicting policies governing the lease and sale of City property.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 22ND DAY OF AUGUST, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

EXHIBIT A

Standard Form of Lease CITY PROPERTY LEASE AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of Month Year, by and between the **CITY OF MILES CITY, MONTANA**, a Montana municipal corporation, of 17 S. Eighth Street, Miles City, Montana 59301, hereinafter referred to as the "CITY" and _____ Name, a [state of creation & type, i.e. a Montana limited liability company], of [Company Address], hereinafter referred to as "TENANT".

RECITALS:

WHEREAS the CITY owns certain real property located in the City of Miles City, Custer County, Montana, more particularly described as follows:

Legal Description: legal description in Miles City, Montana, (or Custer County) containing approximately xxx,xxx square feet, more or less;

AND WHEREAS it is the desire of TENANT to lease the above described Leasehold for a term of xxx (x) years, subject to the option to renew as hereinafter provided.

AND WHEREAS CITY is agreeable to providing such # of years year term lease, together with the option to renew for additional # of years year terms, upon the Leasehold under the following terms and conditions;

NOW, THEREFORE, the parties hereto mutually covenant and agree as follows:

I. AGREEMENT

The CITY, for and in consideration of the rents to be paid and the covenants to be performed by TENANT, does hereby demise, lease, and let unto TENANT the real property located *insert location here* and more particularly described as follows:

(*Legal Description*) in the of Miles City, Montana, (*or Custer County*) containing approximately _____ square feet or acres, as applicable, more or less, hereinafter "*Leasehold*".

II. INITIAL TERM

The term of this Agreement shall be for a period of # of years years, beginning on July 1, _____ and expiring at midnight on June 30, _____, hereinafter, "*the initial lease term*", subject to the option to renew this lease as provided for in Article IV of this lease.

III. RENTAL

The annual rental for the initial lease term described in Section II. shall be in accordance with the rates established by the CITY, as follows:

Legal Desc containing _____ sq. ft. *applicable lease rate description*@ \$0.00 dollars per sq. ft.) for a total rental of _____ and ___/100 Dollars (\$_____) for the first year of the initial lease term. Payment for the first year of this agreement shall be paid upon contract execution date. (*Any proration will be stated here.*) Rental rates at each payment period shall be at the standard rates set by resolution adopted by City Council. Payments in subsequent years shall be due and payable in advance of July 1st of each subsequent year of the lease term, commencing July 1, 20xx through June 30, 20xx.

THE FOLLOWING SECTION IS SUBJECT TO THE RECOMMENDATION OF THE FINANCE COMMITTEE AND THE WILL OF THE CITY COUNCIL:

IV. OPTION TO RENEW.

FOLLOWING the "INITIAL TERM", THIS agreement shall be automatically renew for a period not to exceed # of years years upon the same terms and conditions herein unless the CITY or TENANT gives to the other party written notice of cancellation of said agreement not less than thirty (30) days prior to the expiration of the initial or any renewal term. Rental rates at each payment period shall be at the standard rates set by resolution adopted by City Council.

V. RESPONSIBILITIES OF THE TENANT

TENANT does hereby acknowledge, covenant and agrees as follows:

A. Purpose.

TENANT desires to lease the premises described above for the following general purposes:

PURPOSE OF THE LEASE/NATURE OF THE BUSINESS IS STATED HERE

TENANT agrees to use the premises for the stated purpose and the stated purpose only, and covenants that it will not use or occupy said premises, or allow the same to be used or occupied, for any unlawful purpose or any purpose deemed extrahazardous due to fire or otherwise.

B. Compliance with Laws.

TENANT shall comply with, conform to, and obey all present and future laws, ordinances, rules and regulations of all governmental authorities or agencies, respecting the use and occupation of the premises.

C. Independent Investigation.

TENANT acknowledges that it has carefully examined and inspected the premises and improvements and it is fully familiar and acquainted therewith, and agrees to accept the same in their present conditions, and that it is not leasing the premises because of any warranty, representation, information or promises made by the CITY or anyone acting for or on behalf of the CITY, which are not specifically set forth in this Agreement.

D. Maintenance.

TENANT agrees to keep the premises and improvements thereon in good repair and upkeep, reasonable wear and tear alone excepted, and further agrees neither to permit nor cause any waste on the property, or with respect to any improvements thereon. Tenant shall not create any condition which would be considered a public nuisance as defined in Chapter 15 of the Miles City Code of Ordinances. TENANT shall keep the premises in a clean and orderly condition and not allow accumulations of junked or inoperable automobiles, trucks, farm equipment, or scrap upon the premises. CITY may require that TENANT screen any condition which the CITY determines, in the CITY'S absolute and sole discretion, constitutes a public nuisance or unsightly condition, using fencing or other method as may be approved by the CITY.

E. Improvements to Remain.

Within sixty (60) days immediately following the expiration of this lease, the TENANT shall remove any improvements located on the leasehold and shall restore, at TENANT'S expense, the leasehold premises to level with the adjoining property and in a debris free condition. "Improvements" shall not include stormwater drainage facilities or other permanent improvements provided as City Services. If inclement weather during such sixty (60) day period delays such removal and restoration, CITY shall provide TENANT with a reasonable time, not to exceed an additional sixty (60) days in which to remove the improvements and restore the leasehold. If TENANT fails to remove such improvements within such sixty (60) day period, CITY, at its option, may (1) cause the removal of such improvements and restoration of the leasehold premises to be done and shall be entitled to recover all costs and expenses of such removal and restoration from TENANT or (2) may retain all such improvements as property of CITY without compensation to TENANT. Provided, however, that upon termination of the Lease, TENANT, within such same sixty (60) day period, shall have the right to sell the improvements upon the Leasehold to a successor tenant.

In the event that any financial institution holds a security interest upon any of the improvements hereon, then, in the event of termination of this lease, whether by expiration of term or uncured default, the financial institution holding such security agreement shall be allowed to remove any improvements upon which it holds a security interest within the times provided for the TENANT to remove improvements, as set forth in the first paragraph of this subsection.

F. Right to Inspect.

The CITY or the CITY'S authorized agents shall have the right to enter upon the premises after providing twenty-four (24) hours' written notice and during normal business hours, in order to inspect and determine whether TENANT complies with the terms of this Agreement.

G. Utilities.

TENANT agrees to pay for the use and maintenance of all utility services on the premises, including gas, electricity, telecommunications, water, sewer and solid waste disposal, if applicable.

H. Taxes and Assessments.

TENANT shall pay any and all taxes and assessments which may be lawfully levied against TENANT'S occupancy or use of the premises or any improvements thereon as a result of TENANT'S occupancy.

I. Indemnification.

TENANT shall indemnify and hold the CITY harmless for any loss, damage, claim and/or liability occasioned by, growing out of, or arising or resulting from any default hereunder, or any tortious or negligent act on the part of TENANT, its agents, employees or customers, and TENANT hereby agrees to indemnify and hold harmless the CITY for any such loss or damage. The obligations hereunder shall survive the termination of this lease.

J. Insurance.

TENANT agrees to maintain with a good and reputable insurance company a policy of fire and extended coverage insurance covering the improvements on the premises involved herein to the maximum insurable value, and said policy of insurance shall have a loss-payable clause specifically naming and covering the interests of the CITY. TENANT further agrees to carry minimum liability insurance in the amount of ONE MILLION AND NO/100THS DOLLARS (\$1,000,000.00) each accident, and to carry Worker's Compensation Insurance as required by the laws of the State of Montana. TENANT shall provide evidence of such current and valid insurance upon approval of this lease by the City Council of Miles City and, thereafter, each year on or before July 1, or upon demand by the lease administrator of the CITY.

K. Environmental Warranty.

TENANT warrants and agrees to neither cause nor allow to be caused any release of hazardous substances from, into, or upon the premises, nor to cause or allow to be caused any contamination by hazardous waste or substances with respect to the premises, and that, when applicable, TENANT shall comply with all local, state and federal environmental laws and regulations.

TENANT agrees to indemnify, defend and hold harmless the CITY, its employees, agents, members, successors and assigns, from and against any and all damage, claim, liability, or loss, including reasonable attorneys and other fees, arising out of, or in any way connected to, any condition in, on or of the property, that is caused or allowed to be caused by TENANT, its agents, employees or customers. Such duty of indemnification shall include, but not to be limited to, damage, liability or loss pursuant to all local, state and federal environmental laws and regulations, strict liability and common law. The obligations hereunder shall survive the termination of this lease.

Should the occupancy involve activities that include hazardous materials, the City may require the TENANT to store those materials in a separate containment unit in accordance with local building and fire codes.

TENANT shall not be responsible under this Section for preexisting environmental hazards, if any.

L. Compliance with ADA.

TENANT agrees to comply with the Americans with Disabilities Act as the same may apply to TENANT.

M. Non-Discrimination.

TENANT hereby agrees that the premises not be used in any manner that would discriminate against any person or persons on the basis of sex, age, physical or mental handicap, race, creed, religion, color, or national origin.

VI. ASSIGNABILITY OF INTEREST

TENANT shall not assign this Lease, nor sublet the premises, nor any part thereof, without the prior written consent of the CITY, which consent shall not be unreasonably withheld. No permitted sublease shall release TENANT from its obligations under this Lease.

VII. DEFAULT

If TENANT shall at any time be in default in the payment of rent due hereunder, or in the performance of any of the covenants or provisions of this Lease, and TENANT shall fail to remedy such default within thirty (30) days after receipt of written notice thereof from the CITY, then it shall be lawful for the CITY to enter upon the premises, and again repossesses and enjoy the same as if the Lease had not been entered into, and thereupon this Lease and everything herein contained on the part of the CITY to be done and performed shall cease and terminate, without prejudice, however, to the right of the CITY to recover from TENANT all rent due up to the time of such entry. In the case of such default and entry by the CITY, the ownership of any and all improvements on the premises shall vest in the CITY (if the same shall not have already vested), and the CITY may re-let the premises for the remainder of TENANT'S term for the highest rent obtainable and may recover from TENANT any deficiency between the amount so

obtained and the rent due hereunder from TENANT. If the default is in the performance of any of covenants or provision of this Lease, other than failure to timely pay the rental called for herein, and, by the nature of the default, it cannot reasonably be cured within a thirty (30) day period, so long as TENANT commences and diligently pursues a cure of such default promptly within the initial thirty (30) day cure period, then TENANT shall have a further reasonable time to complete such cure, not to exceed an additional sixty (60) days after the expiration of the initial thirty (30) day cure period. Payments not received by the City within thirty (30) calendar days of the annual due date shall be subject to a late fee at a rate of 10% per annum.

IX. MISCELLANEOUS PROVISIONS

If is further mutually understood and agreed as follows:

A. Notice.

Any notice hereunder shall be in writing and may be delivered personally or by registered or certified mail with postage prepaid. Postal notice shall be deemed complete when deposited in a United States Post Office addressed to the tenant with proper postage attached.

B. Oral Modification Prohibited.

No modification or alteration of this Agreement shall be valid unless evidenced by a writing signed by the parties hereto.

C. Attorneys Fees and Costs.

Should either party incur any costs or expenses, including reasonable attorney fees, in enforcing this Agreement or any provision hereunder, or protecting its rights and interest hereunder, the other or unsuccessful party shall reimburse the prevailing party upon demand.

D. Binding Effects.

This Agreement shall be binding upon and inure to the benefit of the heirs, legal representatives, successors and assigns of the parties hereto; provided, however, that no assignment by, from, through or under TENANT in violation of the provisions hereof shall vest in the assignee(s) any right, title, or interest whatsoever.

E. Time of the Essence.

Time is of the essence of this Agreement and all obligations of this Agreement shall be performed on or before the dates set forth herein.

F. Incorporation of Recitals.

The Recitals set forth above are incorporated into the terms and conditions of this Agreement and made a part hereof by reference.

G. Executed Copy.

Each of the parties hereby acknowledges receiving an executed copy of this Agreement.

H. Interpretation.

This Agreement shall be governed and construed in all respects according to the laws of the State of Montana.

I. Contingent Upon Approval of City Council.

This Agreement shall not become effective until a resolution approving this lease has been adopted by the affirmative vote of two-thirds of the membership of the City Council of the City of Miles City, pursuant to §7-8-4201(2) MCA.

IN WITNESS WHEREOF, the parties hereto have executed the Agreement the date and year first hereinabove written.

CITY OF MILES CITY

By: _____
IT'S MAYOR

ATTEST:

CITY CLERK

TENANT:

(Legal title of tenant goes here)

By: _____
(title of authorized signer or name if individual)

STATE OF MONTANA)
 : SS.
COUNTY OF CUSTER)

This instrument was acknowledged before me on the ____ day of July, ____ by _____ in his capacity as Mayor of the City of Miles City, Montana, a Montana municipal corporation.

(Notarial Seal)

(Printed name of notary)
Notary Public for the State of Montana
Residing at Miles City, Montana
My Commission expires: ____ / ____ / ____

STATE OF MONTANA)
 : SS.
COUNTY OF CUSTER)

This instrument was acknowledged before me on the ____ day of _____, 2008
by _____ in his capacity as President of The Tire Guys, a
Montana company.

(Notarial Seal)

(Printed name of notary)
Notary Public for the State of Montana
Residing at Miles City, Montana
My Commission expires: ____ / ____ / ____

RESOLUTION NO. 4089

A RESOLUTION PURSUANT TO §2-9-212 OF THE MONTANA CODE ANNOTATED, AUTHORIZING A PERMISSIVE MEDICAL LEVY FOR FY 2017-2018 TO FUND GROUP HEALTH INSURANCE PREMIUM CONTRIBUTIONS BY THE CITY AND PROVIDING FOR HEARING THEREON

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

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

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

AND WHEREAS, the City of Miles City desires to levy such property tax for Fiscal Year 2017-2018;

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

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

That a property tax levy of 22.00 mills be imposed, pursuant to §2-9-212 MCA, for the purposes of funding the premium for group health insurance for Fiscal Year 2017-2018.

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed levy on the 22nd day of August, 2017, at 7:00 p.m. in the City Hall Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4127 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 8th DAY OF AUGUST, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY,
MONTANA, THIS 22nd DAY OF AUGUST, 2017.**

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

NEW BUSINESS

RESOLUTION NO. 4088

A RESOLUTION ELECTING TO OPERATE UNDER THE ALL-PURPOSE MILL LEVY AND FIXING THE TAX LEVY FOR THE GENERAL FUND, AMBULANCE FUND AND AIRPORT FUND TO BE LEVIED AND ASSESSED ON ALL THE TAXABLE PROPERTY IN THE CITY OF MILES CITY FOR FISCAL YEAR 2017-2018

WHEREAS the City Council of The City of Miles City, Montana, on August 22, 2017, by Resolution No. 4087 approved and adopted a final budget for the City of Miles City for fiscal year 2017-2018;

AND WHEREAS, pursuant to §7-6-4451, the City Council has determined that it is in the best interests of the City of Miles City to operate under the all-purpose annual mill levy;

AND WHEREAS, the City Council has determined the amount of taxes required to balance the budgets as provided in §§7-6-4034 and 7-6-4036 MCA;

AND WHEREAS, the City Council is required by law to fix the tax levy required for the City of Miles City for FY 2017-2018;

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

1. The City of Miles City elects to operate under the all-purpose mill levy authorized by §7-6-4451 for Fiscal Year 2017-2018.
2. There is hereby levied and assessed for the Fiscal Year 2017-2018 on all taxable property within the City of Miles City, Montana, a tax for 190.29 mills in the following respective amounts and for the following purposes:
 - A. For the general municipal and administrative purposes 187.79 mills, the money to be collected therefrom to be placed in a fund known as the "General Fund" and to be used for said purposes.
 - B. For the purpose of providing ambulance service by the City of Miles City, 1.00 mills, the money to be collected therefrom to be placed in a fund known as the "Ambulance Fund" and to be used for said purposes.
 - C. For the purposes of operation of the City-County Airport, 1.50 mills, the money to be collected therefrom to be placed in a fund known as the "Airport Fund" and to be used for said purposes.

3. The City Clerk is hereby directed to at once certify to the Clerk and Recorder of Custer County, Montana, a copy of this resolution.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT ITS REGULAR MEETING, DULY NOTICED, THIS 22ND DAY OF AUGUST, 2017.

John Hollowell,
Mayor

ATTEST:

Lorrie Pearce City Clerk

RESOLUTION NO. 4087

A RESOLUTION APPROVING AND ADOPTING A FINAL BUDGET FOR THE CITY OF MILES CITY FOR FY 2017-2018; AUTHORIZING PROCEDURE FOR ADJUSTMENTS TO APPROPRIATIONS FOR CERTAIN FEE BASED BUDGETS; AUTHORIZING PROCEDURE FOR TRANSFERRING APPROPRIATIONS BETWEEN ITEMS WITHIN THE SAME FUND

WHEREAS, there was presented to the City Council of the City of Miles City, Montana a preliminary budget for the City of Miles City fiscal year 2017-2018;

AND WHEREAS, a public hearing was duly noticed and held on August 08, 2017 and again on August 22, 2017, upon such preliminary budget as required by §7-6-4024 MCA;

AND WHEREAS, upon due consideration of all matters presented at such public hearing, and the City Council having made such amendments, if any, to such preliminary budget as deemed necessary;

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

1. The budget attached hereto as Exhibit "A" (hereinafter "the Final FY 2017-2018 Budget,") and by this reference made a part hereof, is hereby approved and adopted.
2. The appropriations set forth in the Final FY 2017-2018 Budget are hereby authorized.
3. The spending for each fund in the FY 2017-2018 Budget is limited at the level of detail set forth in Exhibit "A" to this resolution, except that:
 - a. Pursuant to the authority of §7-6-4031 MCA, the City Council is hereby authorized throughout the budget period, by appropriate resolution, to transfer appropriations in the Final FY 2017-2018 Budget between items within the same fund; and
 - b. Pursuant to the authority of §7-6-4012 MCA, adjustments to appropriations for the following fee-based budgets may be authorized by the City Council during FY 2017-2018:
 - i. Fund No. 2394 Building Inspection
 - ii. Fund No. 2270 Health Fund

- iii. Fund No. 5510 Ambulance Fund
- iv. Fund No. 5610 Airport Fund
- v. Fund No. 6040 Public Works Garage Fund

Provided, all adjustment of fee-based appropriations must be based upon the cost of providing services supported by the fees, and fully funded by the related fees for services, fund reserves, or non-fee revenue such as interest.

- 4. This Resolution is effective July 1, 2017.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 22nd DAY OF AUGUST, 2017.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk