



CITY OF MILES CITY AGENDA

*Regular Council Meeting
City Council Chambers*

*February 27, 2018
7:00 p.m.*

CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

1. APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES
 - A. Regular City Council Meeting 2/13/2018
2. SCHEDULE MEETINGS
3. REQUEST OF CITIZENS & PUBLIC COMMENT
3. APPOINTMENTS
 - Leif Ronning-Planning Board
 - Rock Wankel- Historic Preservation Commission- 3 years
 - Jeff Erlenbusch- Historic Preservation Commission- 3 years
4. PROCLAMATIONS
5. STAFF REPORTS
6. CITY COUNCIL COMMENTS
7. MAYOR COMMENTS
8. COMMITTEE RECOMMENDATIONS
 - Send \$27,947.41 to collections for ambulance charge offs
 - Send \$1,752.95 to collections for water/sewer charge offs
9. BID OPENINGS -Bids received for new 4-wheel drive ambulance
-Bids received for Wibaux Park Fountain
10. BID AWARDS
11. PUBLIC HEARINGS
 - A. **ORDINANCE NO. 1321- An Ordinance Amending Ordinance 1294, and Revising the Urban Renewal District Boundary to Include Full Parcels Split by Original Boundaries**
 - B. **ORDINANCE NO. 1322- An Ordinance Revising Sections 23-28, 23-29, and 23-33 of the Code of Ordinances of the City of Miles City, Montana, so as Revise Provisions Regarding Curb Stop Maintenance, Meter Replacement Fees, and Service Line Materials**
 - C. **RESOLUTION NO. 4127- A Resolution Pursuant to §7-6-4006 of the Montana**

Code Annotated, Authorizing Amendment of Final Budget for FY 2017-2018 to Increase the Budgeted Amount in the General Fund for Various Unbudgeted Expenditures

12. UNFINISHED BUSINESS

- A. **ORDINANCE NO. 1321- *(Second Reading)* An Ordinance Amending Ordinance 1294, and Revising the Urban Renewal District Boundary to Include Full Parcels Split by Original Boundaries**
- B. **ORDINANCE NO. 1322- *(Second Reading)* An Ordinance Revising Sections 23-28, 23-29, and 23-33 of the Code of Ordinances of the City of Miles City, Montana, so as Revise Provisions Regarding Curb Stop Maintenance, Meter Replacement Fees, and Service Line Materials**
- C. **RESOLUTION NO. 4127- *(Second Reading)* A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2017-2018 to Increase the Budgeted Amount in the General Fund for Various Unbudgeted Expenditures**

13. NEW BUSINESS

- A. **Discussion of current and future raffles**
- B. **Drawing of raffle**
- C. **RESOLUTION NO. 4130 A Resolution Requesting Distribution of Bridge and Road Safety and Accountability Program Funds**
- D. **RESOLUTION NO. 4131- A Resolution Approving an Application for Tax Exemption and Reduction for Remodeling, Reconstruction or Expansion of Existing Commercial Buildings or Structures for 1884 Properties, LLC**
- E. **RESOLUTION NO. 4132- A Resolution Establishing Maurice R. Hilleman Complex, Encompassing Stanley Field, Pumping Plant Park, Waterworks Art Museum, the Miles City Water Plant, and the Miles City Law Enforcement Shooting Range**
- F. **RESOLUTION NO. 4133- A Resolution Authorizing the Assignment of a Certain Lease Agreement and Option to Purchase Between the City of Miles City and United Parts and Supply, LLC to Ailport Properties Montana, LLC, for the Lease and Purchase of Parcel 1 of the Anderson Tract, Tract "E" of the Industrial Site West of Miles City**
- G. **RESOLUTION NO. 4135- *(First Reading)* A Resolution Pursuant to §7-6-4006 of**

**the Montana Code Annotated, Authorizing Award of an Urban Renewal Agency
Direct Grant for Infrastructure Improvements to the City Public Works
Department, and Amendment of Final Budget for FY 2017-2017 to Increase the
Budgeted Amount in Fund 2510-107-460235-230**

14. ADJOURNMENT

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

Minutes

REGULAR COUNCIL MEETING February 13, 2018
7:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, February 13, 2018, in the City Hall Conference Room at City Hall, 17 S. 8th Street, Miles City, Montana. Mayor John Hollowell called the meeting to order. Council Members present were Brant Kassner, Dwayne Andrews, Ken Gardner, John Uden, Rick Huber, Jeff Erlenbusch, Kathy Wilcox and Susanne Galbraith.

Also present were Fire Chief Branden Stevens, Planner II Dawn Colton, Public Works Director Scott Gray, Flood Administrator Samantha Malenovsky, City Attorney Dan Rice and Tax Increment District/Historic Preservation Officer Connie Muggli and City Clerk/Minute Recorder Lorrie Pearce.

PLEDGE OF ALLEGIANCE

Mayor Hollowell led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

Special City Council Minutes: 1/23/2018

****** *Councilperson Uden moved to approve the minutes of the Special Council Meeting of January 23, 2018 subject to any changes, and seconded by Councilperson Kassner. The motion **passed** by unanimous consent, 8-0.*

City Council Minutes: 1/23/2018

****** *Councilperson Gardner moved to approve the minutes of the Regular Council Meeting of January 23, 2018 and seconded by Councilperson Galbraith. The motion **passed** by unanimous consent, 8-0.*

Public Service Minutes: 1/19/2018

****** *Councilperson Erlenbusch moved to approve the minutes of the Human Resource Committee Meeting of January 19, 2018, and seconded by Councilperson Andrews. The motion **passed** by unanimous consent, 8-0.*

Finance Committee Minutes: 1/22/2018

****** *Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting of January 22, 2018 subject to any changes, and seconded by Councilperson Gardner. The motion **passed** by unanimous consent, 8-0.*

Flood Control Minutes: 2/01/2018

****** *Councilperson Erlenbusch moved to approve the minutes of the Flood Control Meeting of February 1, 2018 subject to any changes, and seconded by Councilperson Gardner. The motion **passed** by unanimous consent, 8-0.*

Public Safety Minutes: 2/01/2018

** Councilperson Gardner moved to approve the minutes of the Public Safety Meeting of February 1, 2018 subject to any changes, and seconded by Councilperson Kassner. The motion **passed** by unanimous consent, 8-0.

Human Resource Minutes: 2/01/2018

** Councilperson Wilcox moved to approve the minutes of the Human Resource Meeting of February 1, 2018 subject to any changes, and seconded by Councilperson Uden. The motion **passed** by unanimous consent, 8-0.

SCHEDULE MEETINGS

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

- Finance: Thursday, February 22nd @ 6:00 p.m.
- Human Resource: Thursday, March 1st @ 5:15 p.m.

REQUEST OF CITIZENS & PUBLIC COMMENT

Property Lessee Greg Kmetz, 21 Water Plant Road explained the history on leasing lots 33-34 in the Industrial Park. He thought he was paying way too much for the lease and asked if he did not renew his lease if the City would give the area to RJ Ailport at no cost for five years. Mr. Ailport would bring in a business specifically for oilfield service and would employ a couple dozen employees. Industrial Site Lessee Jerry Singleton said that he was very excited to bring Mr. Ailport to the Industrial Site and felt the business would not make a large impact to truck traffic. After a long discussion Attorney Rice explained that the City cannot donate a lease to one person, it could give the lessee tax an abatement for improvements on the building but would need to approve the assignment at the original cost. Mr. Kmetz could relinquish the lease and it would go out for bid, which could possibly come in lower.

APPOINTMENTS

None

PROCLAMATIONS

None

STAFF REPORTS

Director Gray thanked the park, utilities and works crews for all the hard work on snow removal. Muggli Construction and Doeden Construction were hired to remove the snow. Miles Community College students have also participated. Custer County will give the City two trucks and a loader on Friday to help with the cause. He met with several city, county and state representatives to discuss declaring a disaster and emergency. He explained that the ambulance and police vehicles could not get

through the snow. If a disaster can be declared the City would bill property owner's two mills which are equal to approximately \$18,400. The money would not make a dent in the expenses but would help. He said the expenses spent to date are \$85,000. He also reported that the skating rink was open.

Attorney Rice said that the owner of the Range Riders would be asking for a tax abatement on improvements, which would be on the next council meeting agenda.

Chief Stevens reported on the fire and rescue:

- At full staff and overtime has been reduced to an average of 20 hours per full time employee, compared to 60 hours in November
- Promotions for officers are finished
- Tender 23 is still out of service
- The four wheel drive ambulance grant bids are due February 27th
- Applied for a \$359,573 grant to purchase self-contained breathing apparatus and a cascade system
- Training center is in the final approval stage
- Narcan training for the Police is this Thursday
- Station roof is leaking and could be a major project
- Presented Tyler Kuhn and Nick Stinson as new probation officers and presented newly promoted Captain Sarah Lewins and Jake Richards with badges

Administrator Malenovsky said there is a Federal grant available worth between \$200,000 to \$500,000. She thought the City would apply for a \$200,000 grant. It is a one to one match. The City needs to pre-apply and then be invited to apply for the match. If granted it would be used for the slough study.

CITY COUNCIL COMMENTS

Councilperson Andrews said there were a couple of businesses on Main Street that needed to shovel their snow. One was between Hardesty Real Estate and the Courthouse and the lot between Miles City Jewelry and the Grind. He felt it makes it hard for special needs residents to get around town in the un-shoveled snow.

Councilperson Uden asked the Mayor to assign a committee to investigate awarding all employees a day off with pay since City Hall was closed last Friday with all of them receiving pay for the day off. Mayor Hollowell sent the issue to Human Resources.

MAYOR COMMENTS

Mayor Hollowell said he had contacted Emergency/Disaster Coordinator Jeff Gates on the two mills for declaring the City a disaster. He asked for a straw poll from Council as to whether it felt it was a good idea. All Council members felt it was worth

pursuing. He read a letter from Boy Scout Troop 222, representing several other Boy Scout Troops, thanking the City and its employees for giving the troops the opportunity to camp at Spotted Eagle and making the experience better through their consideration and professionalism.

COMMITTEE RECOMMENDATIONS

Have some sort of memorial for Dr. Hilleman at Riverside Park and City names Pumping Plant Park the “Maurice Hilleman Complex”.

*** Councilperson Andrews moved to have some sort of memorial for Dr. Hilleman at Riverside Park and the City names Pumping Plant Park the Maurice Hilleman Complex, seconded by Councilperson Galbraith.*

Councilperson Uden explained that he had recommended Riverside Park to be renamed “Dr. Maurice R. Hilleman Park”. He thought since he was born and raised in Miles City, graduated from Montana State University and credited for discovering several vaccinations, that he should be recognized.

Councilperson Andrews thought some sort of memorial should happen and the Public Service Committee passed the naming of the Pumping Plant Park area the “Maurice Hilleman Complex”.

Mayor Hollowell read a letter from a citizen asking Council not to rename Riverside Park after Maurice Hilleman.

Director Gray explained that part of the discussion at the committee meeting was to put a plaque of Maurice Hilleman in the cemented area where the old water tower was. Then name the complex at Pumping Plant Park after him.

Councilperson Galbraith thought the area in Riverside Park where the old water tower was would be a great place for plaque.

It was decided a Resolution was needed to rename the Pumping Plant Park area to Maurice Hilleman Complex, but one was not needed for the plaque at Riverside Park. The complex area would include Stanley Field, Pumping Plant Park, Waterworks Art Museum, Miles City Water Plant and the Miles City Law Enforcement Shooting Range

*** Councilperson Andrews amended his motion to only name the Pumping Plant Park area to Maurice R. Hilleman Complex. Councilperson Galbraith seconded the amendment.*

*** The motion passed 7-1 with Councilperson Uden voting no*

BID OPENINGS

None

BID AWARDS

None

PUBLIC HEARINGS

- A. **ORDINANCE NO. 1319- An Ordinance Amending Chapter 5 Section 2 of the Code of Ordinances of Miles City, Montana, With Regards to Adoption of Model Technical Codes and Administrative Regulations**

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

- B. **ORDINANCE NO 1320- 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**

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

UNFINISHED BUSINESS

- A. **ORDINANCE NO. 1319- (Second Reading) An Ordinance Amending Chapter 5 Section 2 of the Code of Ordinances of Miles City, Montana, With Regards to Adoption of Model Technical Codes and Administrative Regulation**

** *Councilperson Galbraith moved to adopt the Ordinance, read by title only, seconded by Councilperson Kassner and, on roll call vote, passed unanimously, 8-0. Ordinance No. 1319 was adopted.*

- B. **ORDINANCE NO 1320- (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**

** *Councilperson Galbraith moved to adopt the Ordinance, read by title only, seconded by Councilperson Wilcox and on roll call vote, passed unanimously, 8-0. Ordinance No. 1320 was adopted.*

- C. **RESOLUTION NO. 4115- A Resolution Revising City of Miles City**

Personnel Policies Regarding Discipline and Discharge (Tabled)

- ** *Councilperson Uden moved to approve the Resolution, read by title only, seconded by Councilperson Wilcox and on roll call vote, passed unanimously, 8-0. Resolution No. 4115 was adopted.*

NEW BUSINESS

- A. ORDINANCE NO. 1321- (First Reading) An Ordinance Amending Ordinance 1294, and Revising the Urban Renewal District Boundary to Include Full Parcels Split by Original Boundaries**

- ** *Councilperson Galbraith moved to approve the Ordinance, read by title only, and seconded by Councilperson Kassner. On roll call vote, the motion passed by unanimous consent, 6-2 with Councilperson Uden and Andrews voting no. Mayor Hollowell referred the Ordinance to the Finance Committee*

- B. ORDINANCE NO. 1322- (First Reading) An Ordinance Revising Sections 23-28, 23-29, and 23-33 of the Code of Ordinances of the City of Miles City, Montana, so as Revise Provisions Regarding Curb Stop Maintenance, Meter Replacement Fees, and Service Line Materials**

- ** *Councilperson Gardner moved to approve the Ordinance, read by title only, and seconded by Councilperson Galbraith and on roll call vote, the motion passed by unanimous consent, 8-0. Mayor Hollowell referred the Ordinance to the Finance Committee*

- C. RESOLUTION NO. 4126- A Resolution Granting a Revocable License to Bert Boughton and Byron Boughton And Bert Dee Boughton for an Encroachment Upon City of Miles City Property, for the Benefit of Tract 4A of the Industrial Sites, West of Miles City**

- ** *Councilperson Galbraith moved to approve the Resolution, read by title only, and to include the staff report as finding of fact and seconded by Councilperson Gardner.*

** *After a short discussion, Councilperson Galbraith moved to amend her motion to add fee after the word license, under proposal on the staff report. Councilperson Gardner seconded the motion. On roll call vote, the motion and amended motion passed by unanimous consent, 8-0. Resolution No. 4126 passed.*

- D. RESOLUTION NO. 4127- (First Reading) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment**

of Final Budget for FY 2017-2018 to Increase the Budgeted Amount in the General Fund for Various Unbudgeted Expenditures

****** *Councilperson Uden moved to approve the Resolution, read by title only, and seconded by Councilperson Galbraith. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4127 was referred to the Finance Committee*

E. RESOLUTION NO. 4128- A Resolution Approving an Amendment of Municipal Street Lighting and Equipment Rental Agreement With Montana-Dakota Utilities Co.

****** *Councilperson Galbraith moved to approve the Resolution, read by title only, and seconded by Councilperson Gardner.*

Director Gray explained that Montana Dakota Utilities will be replacing the lights in Miles City except for three lighting districts. The districts that are not being replaced with new lighting are Main Street (150 lights), Balsam (26 lights) and Milestown (9 lights). MDU representatives Ron Hurr and Paul Hopfauf explained that it would save the City a lot of money if those districts were replaced at the same time. The City would save money with the purchasing, installation and disposal cost. Director Gray said that he is waiting for cost to the districts, and once received, a letter will be sent to property owners explaining what the cost would be and when the public hearing is scheduled. Attorney Rice suggested the City borrow the money to pay for the lighting districts expenses and bill them accordingly. Mr. Hopfauf said that MDU is looking into the tax implication on selling the City the lights and is to amend an old agreement so they can install the new lights and charge new rates.

****** *On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No. 4128 passed.*

F. RESOLUTION NO. 4129- A Resolution Approving a Real Property Lease Agreement Between the City of Miles City, and Nolley's Welding and Machine, Inc., For Certain Real Property Owned by Miles City, Montana

****** *Councilperson Uden moved to approve the Resolution, read by title only, and seconded by Councilperson Gardner. On roll call vote, the motion passed by unanimous consent, 8-0. Resolution No.4129 passed.*

G. APPROVAL OF JANUARY CLAIMS

** *Councilperson Andrews moved to approve the January claims, seconded by Councilperson Huber and passed unanimously.*

ADJOURNMENT

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

The meeting was adjourned at 9:40 p.m.

John Hollowell, Mayor

Lorrie Pearce, City Clerk

Leif Ronning
100 N. Custer
Miles City , Mt.

To: Miles City Council

I am currently a member of the Zoning Commission. During our last meeting a discussion was held about combining the Zoning Commission with the Planning Board due to a vacancy on the planning board. All members of the commission agreed to this this proposal. Another proposal was to have a current member of this board apply to fill a vacancy on the Planning Board and I agreed to do so.

If it is the desire of the council I would fill the current vacancy on the Planning Board and continue to serve on both boards.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leif Ronning', with a long, sweeping horizontal stroke extending to the right.

Leif Ronning

Patient Collections Report

All Companies

MCFR COLLECTION ACCOUNTS H

Call Date Range - Oldest Call Date To Most Recent Call Date

Total Page : 79 of 79

Page : 79 of 79

Date : 11/27/2017

Time : 15:17:58

History ID : 22952841

Grand Totals:

Total Patient Accounts on Report: 35
Total Calls on This Report: 46
Total Account Balances For This Report: \$30783.59

Less 26277 (\$1846.06) (Medicare Billing) *per patient R.*
26022 (54.62) (write off) > \$145.32
26320 (90.70) (write off)
26249 (844.80) (Medicaid Idaho)

\$27,947.41 - To DCI Collection

Need Approval for \$27,947.41 to Collection

& \$145.32 to write-off JV


2-12-18

BLACK MOUNTAIN SOFTWARE UTILITY BILLING SYSTEM

SELECTIVE PAST DUE 120 OR MORE DAYS

For target date 02/06/2018

CITY OF MILL CITY

12:35:35 - 02/06/2018

Account	Route - Meter	Customer Name	Balance	Past Due
0129000-00	26-01-290	[REDACTED]		
	Fund - Service			
	5210 - WATER		134.98	134.98
	5310 - SEWER		88.74	88.74
	5210 - STATE FEE		2.00	2.00
	5210 - CURB STOP		3.00	3.00
			228.72	228.72
0216510-00	26-02-165	[REDACTED]		
	5210 - WATER		21.16	21.16
	5310 - SEWER		5.43	5.43
	5210 - STATE FEE			
	5210 - CURB STOP			
	5210 - OVERPAYMENT			
			26.59	26.59
0947500-03	26-09-476.02	[REDACTED]		
	5210 - WATER		34.52	34.52
	5310 - SEWER		32.26	32.26
	5210 - STATE FEE		1.00	1.00
	5210 - CURB STOP			
	5210 - OVERPAYMENT			
			67.78	67.78
2128510-00	26-21-284	[REDACTED]		
	5210 - WATER		43.18	43.18
	5310 - SEWER		53.08	53.08
	5210 - STATE FEE			
	5210 - CURB STOP			
			2.00	2.00
2150000-04	26-21-500.01	[REDACTED]		
	5210 - WATER		98.26	98.26
	5310 - SEWER		21.16	21.16
	5210 - STATE FEE		26.02	26.02
	5210 - CURB STOP			
	5210 - OVERPAYMENT			
			1.00	1.00
26510-00	26-24-265	[REDACTED]		
	5210 - WATER		48.18	48.18
	5310 - SEWER		25.30	25.30
	5210 - CURB STOP		22.22	22.22
	5210 - OVERPAYMENT			
			47.52	47.52
1520-00	26-25-215	[REDACTED]		
	5210 - WATER		210.06	210.06
	5310 - SEWER		122.76	122.76
	5210 - STATE FEE			
	5210 - CURB STOP			
	5210 - OVERPAYMENT			
			4.00	4.00
00-00	26-25-240	[REDACTED]		
	5210 - WATER		336.82	336.82
	5310 - SEWER		88.75	88.75
	7980 - ASSESSMENT		86.20	86.20
	5210 - STATE FEE			
	5210 - CURB STOP			
	5210 - OVERPAYMENT			
			2.00	2.00
00	26-26-495	[REDACTED]		
	5210 - WATER		176.95	176.95
	5310 - SEWER		105.80	105.80
	5210 - STATE FEE		130.10	130.10
	5210 - CURB STOP		2.00	2.00
	5210 - OVERPAYMENT		5.00	5.00
			242.90	242.90

BLACK MOUNTAIN SOFTWARE UTILITY BILLING SYSTEM

CITY OF MILL CITY

SELECTIVE PAST DUE 120 OR MORE DAYS

For target date 02/06/2018

12:35:35 - 02/06/2018

Account	Fund - Service	Route - Meter	Customer Name	Balance	Past Due
3020500-01	26-30-205.01				
	5210 - WATER			47.30	47.30
	5310 - SEWER			26.54	26.54
	5210 - STATE FEE				
	5210 - CURB STOP			1.00	1.00
	5210 - OVERPAYMENT				
			Subtotal for Account 3020500-01 :	74.84	74.84
3023500-01	26-30-235.01				
	5210 - WATER			21.59	21.59
	5310 - SEWER			26.54	26.54
	7980 - ASSESSMENT				
	5210 - STATE FEE				
	5210 - CURB STOP			1.00	1.00
	5210 - OVERPAYMENT				
			Subtotal for Account 3023500-01 :	49.13	49.13
3116200-00	26-31-162				
	5210 - WATER			136.97	136.97
	5310 - SEWER			32.81	32.81
	5210 - STATE FEE			2.00	2.00
	5210 - CURB STOP			1.00	1.00
	5210 - OVERPAYMENT				
			Subtotal for Account 3116200-00 :	172.78	172.78
3306510-08	26-33-065.04				
	5210 - WATER			78.27	78.27
	5310 - SEWER			53.08	53.08
	5210 - CURB STOP			2.00	2.00
			Subtotal for Account 3306510-08 :	133.35	133.35
3401010-04	26-34-010.04				
	5210 - WATER			21.59	21.59
	5310 - SEWER			26.54	26.54
	5210 - STATE FEE				
	5210 - CURB STOP			1.00	1.00
	5210 - OVERPAYMENT				
			Subtotal for Account 3401010-04 :	49.13	49.13

Total Balance: 1752.95

Total Past Due: 1752.95

PUBLIC HEARINGS
&
UNFINISHED BUSINESS

ORIDINANCE NO: 1321

AN ORDINANCE AMENDING ORDINANCE 1294, AND REVISING THE URBAN RENEWAL DISTRICT BOUNDARY TO INCLUDE FULL PARCELS SPLIT BY ORIGINAL BOUNDARIES.

WHEREAS, the City has adopted the Miles City Downtown Urban Renewal Plan (the “Plan”) which governs the operation and administration of the urban renewal district (the “District”) in all respects, including the provision and application of tax increments as provided in Sections 7-15-4282 through 7-15-4293 of the Act as provided therein and is in full force and effect as of May 12th, 2015; and

WHEREAS, the Plan defined the boundaries of the Urban Renewal District as depicted on Exhibit A of the Plan and legally described on the attached Exhibit B of the Plan, each of which was incorporated therein and made a part thereof, (the Original Boundaries), and

WHEREAS, the Montana Department of Revenue has directed the City of Miles City to amend and legally describe the Original Boundaries of said District to include the full parcel of those parcels which had been bisected by the Original Boundaries. Inclusion of the full parcels bisected by the Original Boundaries will permit the Department of Revenue to accurately determine and administer the increment revenue generated within the District, and

WHEREAS, said boundaries have been amended and are depicted in Exhibit A of this Ordinance, and legally described in Exhibit B of this Ordinance.

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

1. Findings. This Council hereby finds, determines and declares, based on the comments received at the public hearing and other studies and information available to this Council, that the Boundary Amendments depicted and described in the attached Exhibits “A” and “B”, both exhibits being fully incorporated as set forth herein, accurately reflect all parcels within the Miles City Downtown Urban Renewal District, as certified by Department of Revenue to be included in the District.
2. Revised Boundaries. The amended boundary as set forth in Exhibits “A” and “B” are hereby adopted and approved in all respects.
3. Effective Date. This Ordinance shall become effective thirty (30) days after its final passage.

Said Ordinance read and put on its passage this 13th day of February, 2018.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this 27th day of February, 2018.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

EXHIBIT A

MAP: MILES CITY DOWNTOWN URBAN RENEWAL DISTRICT



EXHIBIT B:

Legal Description of Miles City Downtown Urban Renewal District

The area included in the Miles City Urban Renewal District is described as:

Beginning at the intersection of Tatro Street and 7th St, continuing east on Tatro Street along the northern border of the City's easement right of way setback to the municipal limits, paralleling the city limits south and east to the intersection of Ullman St and Gordon St, continuing east on Gordon Street along the northern border of the City's easement right of way setback to the intersection of Gordon St and Woodbury St, continuing South on Woodbury along the eastern border of the City's easement right of way setback to the southwest corner of Lot 9, Block 10, Park Addition;

Amended to include Parcel 14-1740-27-3-34-12-0000:

thence N.89°46'20"E., a distance of 109.03 feet; thence N.65°08'00"E., a distance of 42.87 feet; thence N.00°13'40"W., a distance of 62.13 feet; thence N.89°46'20"E., a distance of 132.0 feet; thence S.00°13'40"E., a distance of 1.58 feet; thence N.65°08'00"E., a distance of 162.13 feet; thence S.89°46'20"W., a distance of 67.37 feet; thence N.00°13'40"W., a distance of 40.00 feet; thence N.89°46'20"E., a distance of 132.00 feet; thence S.00°13'40"E., a distance of 10.36 feet; thence N.65°08'00"E., a distance of 17.60 feet; thence N.00°13'40"W., a distance of 83.02 feet; thence N.89°46'20"E., a distance of 132.00 feet; thence S.00°13'40"E., a distance of 22.47 feet; thence N.65°08'00"E., a distance of 88.01 feet; thence N.00°13'40"W., a distance of 65.91 feet; thence N.89°46'20"E., a distance of 132.00 feet; thence S.00°13'40"E., a distance of 5.36 feet; thence N.65°08'00"E., a distance of 17.60 feet; thence N.00°13'40"W., a distance of 78.02 feet; thence N.89°46'20"E., a distance of 132.00 feet; thence S.00°13'40"E., a distance of 17.48 feet; thence N.65°08'00"E., a distance of 43.95 feet; thence N.00°13'30"W., a distance of 54.80 feet; thence N.65°01'50"E., a distance of 37.44 feet; thence N.64°57'17"E., a distance of 282.84 feet; thence N.00°29'47"W., a distance of 426.32 feet; thence N.64°52'47"E., a distance of 874.73 feet; thence N.65°01'50"E., a distance of 259.82 feet; thence N.00°25'22"W., a distance of 10.99 feet; thence N.64°55'42"E., a distance of 687.67 feet; thence S.00°14'45"E., a distance of 292.20 feet; thence N.64°48'55"E., a distance of 408.36 feet; thence N.59°44'54"E., a distance of 79.80 feet; thence N.50°58'54"E., a distance of 123.86 feet; thence N.53°37'39"E., a distance of 78.92 feet; thence N.56°28'11"E., a distance of 112.72 feet; thence S.00°14'40"E. along the centerline extension of Strevell Ave., a distance of 395.17 feet; thence S.64°48'40"W., a distance of 176.77 feet; thence S.65°01'57"W., a distance of 2,728.55 feet; thence S.65°08'00"W., a distance of 43.95 feet; thence S.00°13'40"E., a distance of 32.50 feet; thence S.89°46'20"W., a distance of 71.21 feet; thence S.65°08'00"W., a distance of 84.48 feet; thence S.00°13'40"E., a distance of 84.78 feet; thence S.89°46'20"W., a distance of 132.00 feet; thence N.00°13'40"W., a distance of 23.51 feet; thence S.65°08'00"W., a distance of 215.00 feet; thence S.89°46'20"W., a distance of 16.57 feet; thence S.00°13'40"W., a distance of 7.60 feet; thence S.65°08'00"W., a distance of 17.60 feet; thence S.00°13'40"E., a distance of 65.06 feet; thence S.89°46'20"W., a distance of 132.00 feet; thence N.00°13'40"W., a distance of 4.52 feet; thence S.65°08'00"W., a distance of 88.01 feet; thence S.00°13'40"E., a

distance of 87.83 feet; thence S.89°46'20"W., a distance of 132.00 feet; thence N.00°13'40"W., a distance of 27.86 feet; thence S.65°08'00"W., a distance of 17.60 feet; thence S.00°13'40"E., a distance of 60.52 feet; thence S.89°46'20"W., a distance of 132.00 feet to the northwest corner of Lot 14, Block 10, Park Addition; thence south along the east side of Woodbury Street to the intersection of Woodbury and Leighton Blvd,

continuing west on Washington St along the southern border of the City's easement right of way setback to the intersection of Washington St and 10St, continuing south on 10th St along the eastern border of the City's easement right of way setback to the intersection of 10th and Pleasant St, continuing east along the northern border of the City's easement right of way setback to the intersection of

Amended to include parcel 14-1740-34-2-31-06-2000

Pleasant St and the City's easement right of way setback of N Center Ave, proceeding SE along the NE boundary of BN R/W LAND LEASE 40243641, continue SW on the boundary of BN R/W LAND LEASE 40243641 to the intersection of the City's easement north right of way setback on Main Street, continue directly east on Main to the intersection of

Main St and S Lake Ave, continuing south along the eastern border of the City's easement right of way setback to the intersection of S Lake Ave and Fort St, continuing west on Fort Street along the southern border of the City's easement right of way setback to the intersection of Fort St and S Montana Ave, continuing southwest on Montana Street along the southwestern border of the City's easement right of way setback to the intersection of S Montana Ave, Pearl Street and 10th St, continuing northwest on 10th along the southern border of the City's easement right of way setback to the intersection of 10th St and S Montana Ave and Atlantic Ave, continuing southwest on Atlantic along the southeastern border of the City's easement right of way setback to the intersection of Atlantic and NueVu, continuing southeast on NueVu along the eastern border of the City's easement right of way setback to the intersection of NueVu and Yellowstone, continuing southwest on Yellowstone along the southern border of the City's easement right of way setback to the city limits and the Tongue River, following the municipal limits west, north, and east to

Amended to include parcel 14-1740-33-2-18-04-0000:

a point 688 feet South of the meander corner between S 32 & S33 on the north bank of the Tongue River slough; thence North, a distance of 688 feet to the said meander corner; thence N.00°07'W., a distance of 78 feet; thence N.39°49'E., along the south line of Tract 3, Env. 212A, a distance of 427 feet; thence N.46°56'E., a distance of 81 feet; thence N.49°51'E., along the south line of Tract 4, Env. 224B, a distance of 162 feet; thence N.53°09'E., along the south line of Tract 5, Env. 224B, a distance of 267 feet; thence S.00°26'E., a distance of 99 feet; thence N.55°41'E., a distance of 197 feet; thence N.41°30"E., a distance of 262 feet; thence N.89°51'E., a distance of 16 feet; thence

N.40°30'W., a distance of 266 feet; thence S.71°00'W., a distance of 193 feet; thence N.42°02'E., a distance of 524 feet to the northwest corner on Lot 6, Block 21, Gordon Addition; thence S.21°57'W., a distance of 94 feet; thence S.16°03'E., a distance of 99 feet; thence S.73°49'E., a distance of 103 feet; thence S.64°57'W., a distance of 10 feet to the northwest corner of Lot 1, Amended Plat, Env. 116A; thence S.11°17'E., a distance of 154 feet; thence S.04°45'E., a distance of 21 feet; thence S.11°08'W., a distance of 46 feet; thence S.24°48'E., a distance of 113 feet to the southwest corner of Lot 2, Amended Plat, Env. 116A; thence N.64°57'E., a distance of 660 feet to the southwest corner of Lot 10, Block 15, Gordon's Addition,

continuing east on Hubbell St. along the northern border of the City's easement right of way setback to the intersection of Hubbell St and 6th St, continuing north on 6th a along the western border of the City's easement right of way setback to the intersection of 6th and William St, continuing east on William St along the northern border of the City's easement right of way setback to the intersection of William St and 7th St, continuing north on 7th St along the western border of the City's easement right of way setback north to the intersection of 7th St and Tatro Street.

ORDINANCE NO. 1322

AN ORDINANCE REVISING SECTIONS 23-28, 23-29, AND 23-33 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY, MONTANA, SO AS REVISE PROVISIONS REGARDING CURB STOP MAINTENANCE, METER REPLACEMENT FEES, AND SERVICE LINE MATERIALS.

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

Section 1. Section 23-28 shall be amended to read as follows:

Sec. 23-28. - General service regulations.

The following rules and regulations of the city water department, authorized by the city council and approved by the state public service commission, are a part of the contract with every person who takes water, and every person agrees, by applying for water, to be bound thereby.

- (1) *Security deposits.* The city contracts with the owner or tenant of property, or their respective authorized agent. The city may require a deposit in conformance to the rules and regulations of the state public service commission. Application for the use of water must be made at the office of the city clerk, on a printed form furnished for that purpose. Service will be furnished to any customer who fully and truly sets forth all of the purposes for which water may be required and who agrees to comply with all of the rules and regulations governing the service, provided the purposes set forth comply with all of the municipal rules, and that the system of mains and pipes extends to the point where service is desired.
- (2) *Application for service.* An application for the introduction of water service to any premises shall be signed by the owner of the premises and shall be made on a regular form furnished by the city for that purpose. When an application has been granted, the city shall tap the main. All expense of tapping and laying the service pipes from the main to the consumer's premises shall be borne by the consumer. The city will maintain the service line from the main to the curb stopcock, to include the curb stopcock. All expense of maintaining the service pipes from the curb stopcock to the consumer's premises shall be borne by the consumer. The service pipe shall be laid below street grade and on the consumer's premises, at a standard depth of not less than six feet to prevent freezing. A curb stopcock of an approved pattern with a cast iron curb box shall be installed by the consumer at a point designated by the city engineer's office.

- (3) *Stop and waste cocks.* At some convenient point inside of the building and so located that it cannot freeze, a stop and waste cock of approved pattern shall be installed, so that the water can be readily shut off from the building and the water pipes drained in order to prevent freezing.
- (4) *Wasting water.* Waste of water is prohibited, and consumers shall maintain their fixtures and service pipes in good repair at their own expense, and all waterways shall be closed when not in use or during a fire alarm. Leaky pipes and fixtures shall be repaired at once without waiting for notice from the superintendent, and, if pipes or fixtures are not repaired after reasonable notice is given, the water shall be shut off by the city.
- (5) *Service pipes.* Service pipes shall be so arranged that the supply of each separate building, house or premises may be controlled by a separate curb stopcock, installed within or near the line of the street curb in conformance to established rules, or as directed by the superintendent of the department. This curb cock and box shall be maintained in good repair and kept easily accessible.
- (6) *Temporary discontinuance of service.* Should the consumer desire to discontinue the use of water temporarily, or should the premises become vacant, the superintendent, when notified to do so in writing, shall shut off the water at the curb, and allowance will be made on the bill for such time as the water is not in use.

(7) *Notice when service discontinued.*

a. Notice shall be given, whenever practicable, prior to shutting off water, but consumers are warned that due to unavoidable accidents or emergencies their water supply may be shut off at any time.

b. All persons having boilers on their premises depending on connected pressure with the water mains are cautioned against collapse of their boilers. As soon as the water is turned off, the hot water faucet should be opened and left open until the water is again turned on. A check valve shall always be placed between the boiler and the main, or between the boiler and the meter, in order to prevent the draining of the boiler or damage to the meter. The premises should not be left with any faucets open and water turned off.

- (8) *Access to premises.* The city's agents or other authorized persons shall have access at reasonable hours to any premises where water is used, for the purpose of making inspection or investigation of the water system.

Violation of rules; delinquent accounts. For violation of any of the rules set out in this section or for nonpayment of water rent, for either domestic, sprinkling or other purposes, the city has the right to turn off the water, in accordance with the rules and regulations of the state public service commission.

Section 2. Section 23-29 shall be amended to read as follows:

Sec. 23-29. - Meters and metered service.

- (a) *Ownership.* Meters are owned by the city and shall be furnished to consumers and set in place without charge, provided proper receptacles are provided for them and the service pipes are suitably arranged.
- (b) *Consumers subject to minimum charge.* A metered consumer shall be subject to the minimum charge for the class of service such consumer receives.
- (c) *Protection from frost; meter box.* Every metered consumer shall provide such meter with the necessary protection from frost or other damage. The meter shall be located so as to facilitate easy access for repairs and reading purposes. Where necessary for protection of a meter, a standard meter box shall be installed by the city. The cost of such box shall be paid by the consumer. After installation of a meter box, the city shall connect the meter and maintain the same in good condition. The city will repair or replace a frozen or damaged meter. The cost of repair or replacement of the meter shall be at the following rates and shall be borne by the consumer:
1. Repair of brass meters.
 - a. 5/8 meter \$60.00
 - b. 3/4 meter \$80.00
 - c. 1" meter ... \$100.00
 - d. 1 1/2" meter... \$450.00
 - e. 2" meter.....\$476.00
 2. Replacement of plastic meters.
 - a. 3/4 meter ... \$142.00
 - b. 1" meter\$220.00
 - c. 1 1/2" meter...\$550.00
 - d. 2" meter\$850.00
- (d) *Payment of expense of meter removal.* When a meter is installed at the request of a consumer, its installation shall be permanent unless the consumer elects to have the meter removed and pays all expenses incident to its installation and removal, or discontinues service entirely. Service on a meter for a shorter period than six months shall be considered temporary, and the consumer shall be required to reimburse the city for the actual cost of the installation and removal of the meter.
- (e) *Replacements.* The city may replace any meter at such time as it may see fit and shall be the judge of the size and make of any meter installed. In case of a dispute as to the accuracy of a meter, the consumer, upon depositing the estimated cost of making a

test, may demand that the new meter be removed and tested as to accuracy in the presence of such consumer. In case the meter is found to be registering correctly or in favor of the consumer, the cost of such testing and replacing of the meter shall be borne by the consumer, whose bills shall be adjusted back for a period of 60 days. In case the meter is found to be recording incorrectly and against the consumer, the amount deposited by the consumer shall be refunded and a reasonable adjustment made for overcharges, for a period not exceeding 60 days previous to the demand of the consumer for a test to be made.

- (f) *Incorrect recording.* In case a meter is found stopped for any reason or it is found that it is not correctly recording the consumption of water, the city may average the amount due for the current month, using the last two months when it registered correctly as a basis of such average.
- (g) *Tampering.* Water consumers shall not be permitted to interfere in any way with the meter after it is set in place. In case the meter seal is broken or the working parts of the meter have been tampered with or the meter damaged, the city may render a bill for the current month, based on an average of the last two months, together with the full cost of such damage as has been done to the meter, and may refuse to furnish water until the account is paid in full.
- (h) *Service to multiple premises.* In no case shall the city furnish water from one meter to two or more houses, whether the same are owned by one person or not.

Section 3. Section 23-33 shall be amended to read as follows:

Sec. 23-33. - Installation and maintenance of service pipes.

- (a) *Permits for installation.* Permits for the installation and repair of service pipes shall be issued only to regularly licensed master plumbers, or such work shall be done under the supervision of the city engineer's office.
- (b) *Materials for street service.* The material for service on all streets, avenues and alleys in the city shall be ~~nonferrous metals~~ copper from the main to the curb stopcock. Copper or nonmetal material, no smaller than 1", may be used from the curb stopcock to the consumer's premises. A tracer wire suitable for locate purposes shall be installed in the same trench as, and on top of all nonmetal service pipe.
- (c) *Repairs.* All work on services installed or repaired shall be under the supervision of and subject to the inspection and approval of the city engineer's office, and shall be guaranteed by the person doing the plumbing installation for a period of one year. This also applies to the maintenance of ditches.

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

Said Ordinance read and put on its passage this 13th day of February, 2018.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED this 27th day of February, 2018.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

STAFF REPORT

Department: Public Utilities

Contact: Tom Speelmon 234-3493
tspeelmon@milescity-mt.org

Agenda Item #: 14 B.

Action: Ordinance Amendment

RECOMMENDATION

Approve Ordinance NO. 1322 Revising Sections 23-28, 23-29, and 23-33 of the Code of Ordinances of the City of Miles City.

BACKGROUND / ANALYSIS

Sec. 23-28 of the City Ordinances deals with service line regulations. Under application for service, the ordinance currently states that the consumer is responsible for the installation, repair and maintenance of the entire service line. Since the implementation of the curbstops fee the City has been repairing and maintaining the curbstops to ensure they function when needed. We have also been repairing the service line from the main tap to the curbstops. The ordinance amendment is to change the ordinance to reflect what we are actually doing and to define City/consumer responsibilities.

Sec. 23-29 of the City Ordinances deals with meters and meter service. The ordinance currently states that the consumer is responsible for safe guarding the meter from freezing and other damage. The City has been charging consumers with frozen meters a \$50.00 fee for repairing frozen meters. This amount appears to be the old cost of the repair kit for 5/8 brass meters and I could not find any documentation indicating how it was to be applied. The 5/8 brass meters are no longer made. We will continue to repair the ones we have until repair parts are no longer available or become too expensive. The new replacement meters for 3/4 and 1" are plastic and not repairable. The new 1 1/2" and 2" meters are ductile iron and not repairable. The recommended rates for the ordinance reflect our cost only.

Sec. 23-33 of the City Ordinances deals with installation and maintenance of service lines. Exhibit A of the City Ordinances states that the service line from the main to the curbstops will be no smaller than a 1" copper line. Contractors have been installing HDPE (poly) services lines from the curbstops to the residence. This is typically less expensive for the consumer and long runs can be completed with no splices. The issue is that if a tracer wire is not installed with the poly line it can be extremely difficult and expensive to locate the curbstops if it gets covered up.

FISCAL IMPACT

There should be no fiscal impact to amending Sec. 23-28 as we are just changing the ordinance to reflect what we are currently doing and defining the City's responsibility in that regard. Amending Sec. 23-29 and 23-33 will be a cost savings to the City as we will recoup the actual cost of repairing or replacing the damaged meters. Installing tracer wire will allow the curbstops to be located saving man hours pot holing or metal detecting looking for it.

RESOLUTION NO. 4127

A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AMENDMENT OF FINAL BUDGET FOR FY 2017-2018 TO INCREASE THE BUDGETED AMOUNT IN THE GENERAL FUND FOR VARIOUS UNBUDGETED EXPENDITURES.

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2017-2018 to provide increased funding in the amount of \$22,893.00 for certain unbudgeted general fund expenditures, as permitted by §7-6-4006 MCA;

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

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

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

The appropriations for the Final Budget for Fiscal Year 2017-2018 shall be increased in the following amount:

Fund No. 1000-001-410200-214 in the sum of \$1,300 (Mayor/Computer)
Fund No. 1000-013-460436-350 in the sum of \$10,000 (Parks/Connors Stadium)
Fund No. 1000-301-410600-300 in the sum of \$1,277 (November Elections)
Fund No. 1000-005-420140-350 in the sum of \$2,760 (Lab Testing)
Fund No. 1000-003-410500-360 in the sum of \$7,556 (TIFD/County software)

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2017-2018 on the 27th day of February, 2018, at 7:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4128 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE
THIS 13TH DAY OF FEBRUARY, 2018.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF
MILES CITY, MONTANA, THIS 27TH DAY OF FEBRUARY, 2018.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

New Business

RESOLUTION NO. 4130

**A RESOLUTION REQUESTING DISTRIBUTION OF
BRIDGE AND ROAD SAFETY AND ACCOUNTABILITY PROGRAM FUNDS**

WHEREAS, the Bridge and Road Safety and Accountability Account created by HB 473 requires the Montana Department of Transportation to allocate accrued funds to cities, towns, counties, and consolidated city-county governments for construction, reconstruction, maintenance, and repair of rural roads, city or town streets and alleys, bridges, or roads and streets that the city, town, county, or consolidated city-county government has the responsibility to maintain; and,

WHEREAS, a city, town, county, or consolidated city-county government that requests funds under the Bridge and Road Safety and Accountability Account must match each \$20 requested with \$1 of local government matching funds; and,

WHEREAS, a city, town, county, or consolidated city-county government requesting distribution of allocated funds may make such a request to the Department of Transportation between March 1 and November 1 of the year the funds were allocated; and,

WHEREAS, a description of the projects to be funded are detailed in Appendix A and,

WHEREAS, the local match for the allocated funds are identified as Special Improvement District 204 and 205.

THEREFORE, NOW BE IT RESOLVED THAT:

1. City of Miles City requests distribution of its share of the allocated Bridge and Road Safety and Accountability funds to be used for the projects identified in Appendix A.
2. That Lorrie Pearce, City Clerk of the City of Miles City is hereby empowered and authorized to execute such further documents as may be necessary to facilitate the distribution of said funds.

Adopted this 27th day of February, 2018.

Mayor

ATTEST:

Clerk of the City of Miles City

Appendix A

The Darling Addition Project will involve the reconstruction of city streets and intersections, water mains, sanitary sewers and storm drain utilities. There will also be ADA curb corners installed, curbing replaced and fire hydrants. The project is located in the Darling Addition of Miles City in the general area between Main St. and Stower St. and between S. Custer Ave. and S. Merriam Ave. This project will be phased over a three year span to allow the Public Works and Utilities to budget and complete this project. This project will address a failing storm sewer system with inadequate drainage, improve sewer lines and upgrade the water lines so they are capable of enough flow to have enough pressure from the fire hydrants to protect the property's in this area.

RESOLUTION NO. 4131

A RESOLUTION APPROVING AN APPLICATION FOR TAX EXEMPTION AND REDUCTION FOR REMODELING, RECONSTRUCTION OR EXPANSION OF EXISTING COMMERCIAL BUILDINGS OR STRUCTURES FOR 1885 PROPERTIES, LLC.

WHEREAS, 1885 PROPERTIES, LLC has applied for a tax exemption and reduction for remodeling, reconstruction, or expansion of existing commercial buildings or structures for certain renovations made to property located within the City of Miles City, pursuant to MCA 15-24-1502;

AND WHEREAS, the City finds that approving said application encourages development within the City, particularly as to buildings and areas which are in a state of disrepair or non-use;

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

1. The "Application for Tax Exemption and Reduction for the Remodeling, Reconstruction or Expansion of Existing Commercial Buildings or Structures," attached hereto as Exhibit "A," is hereby approved and adopted by the Council.
2. The Mayor of the City of Miles City is hereby authorized to execute said Application and mark the same as "Approved" and return to the Montana Department of Revenue for processing.

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed tax reduction on the 13th day of March, 2018, at 7:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4128 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 27TH DAY OF FEBRUARY, 2018.

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 13TH DAY OF MARCH, 2018.**

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk



Application for Tax Exemption and Reduction for the Remodeling, Reconstruction or Expansion of Existing Commercial Buildings or Structures

This application must be submitted to the appropriate local governing body or bodies by the property owner of record or his agent. The decision of the local governing body or bodies must be mailed to the Department of Revenue before April 1 of the tax year for which the benefits are sought.

I, 1885 PROPERTIES, LLC whose mailing address is 607 MAIN STREET, MILLS CITY MT 59301

do hereby make application for tax exemption and reduction for the remodeling, reconstruction or expansion of existing commercial building(s) or structure(s), in accordance with 15-24-1502, MCA, on the following described lands. (Please attach an additional page if the legal description does not fit within this space). Legal Description:

LOT 3 BLOCK 43 ORIGINAL TOWNSITE MILLS CITY, CUSTER COUNTY, MT 605 MAIN STREET

- I submit the following information in support of this application:
Date that the remodeling, reconstruction or expansion will start 10/26/17
Date that the remodeling, reconstruction, or expansion will be completed 1/15/18
Date that the earliest building permit was received. 10/26/17
Estimated cost of the remodeling, reconstruction or expansion \$ 100,000
Please supply a brief description and diagram of the remodeling, reconstruction or expansion. If additional space is required, please attach additional pages. RENOVATE RANGE RIDERS, CAFE DINING ROOM.
The commercial building or structures has not been used in a business for 1 months.
Property taxes on the building or structures are delinquent yes no.

Under penalty for perjury, I hereby certify the facts herein stated are true. I further acknowledge by my signature that I have reviewed the information on the reverse side of this form and understand its meaning.

Signature of Property Owner or Agent Date 2/13 Year 18
Signature of Property Owner or Agent Date 2/13 Year 18

For County Government Purposes Only

Application received by county governing body on year. This application for exemption and reduction for remodeling, reconstruction or expansion of existing commercial buildings or structures is hereby: Approved Disapproved

By, Chairman-County Commission on, year

For City Government Purposes Only

Application received by city governing body on year. This application for exemption and reduction for remodeling, reconstruction or expansion of existing commercial buildings or structures is hereby: Approved Disapproved

By, Authorized Agent of City Government on, year

For Department of Revenue Purposes Only

- Application received by Department of Revenue governing body on year.
The remodeling, reconstruction or expansion of the existing commercial building or structure increases the taxable value of that structure or building by at least 5% yes no.
This application for tax exemption and reduction for the remodeling, reconstruction, or expansion of existing commercial buildings or structures is hereby Approved Disapproved
If approved, the appropriate tax benefits will be granted for the tax year.

By, County Appraiser on, year

BUILDING	GEOCODE	LAND	VAL	VAL	VAL	DIFFERENCE	2017 GENERAL TAX	2018					TAXPAYER SAVINGS W INCENTIVE	
								2017 IMPR	2018 IMPR	TOTAL	18-17	GENERAL TAX W/O INCENTIVE		2018 GEN TAX W INCENTIVE
RANGE RIDERS CAFÉ	14174033119020000	26500	61710	76700	103200	14990	\$1,411.58	\$1,651.45	\$1,459.55	\$1,507.53	\$1,555.50	\$1,603.48	\$1,651.45	\$479.75
TI	14174033119030000	26500	73500	90400	116900	16900	\$1,600.24	\$1,870.69	\$1,654.33	\$1,708.42	\$1,762.51	\$1,816.60	\$1,870.69	\$540.88
MAMA STELLAS	14174033119040000	26500	73500	86800	113300	13300	\$1,600.24	\$1,813.08	\$1,642.81	\$1,685.38	\$1,727.94	\$1,770.51	\$1,813.08	\$425.66
						45190								\$1,446.30 TOTAL

2018 - 191.90

2019 - 143.92

2020 - 95.95

2021 - 47.97

2022 - ~~0~~

479.74

RESOLUTION NO. 4132

**A RESOLUTION ESTABLISHING MAURICE R. HILLEMANN COMPLEX,
ENCOMPASSING STANLEY FIELD, PUMPING PLANT PARK, WATERWORKS ART
MUSEUM, THE MILES CITY WATER PLANT, AND THE MILES CITY LAW
ENFORCEMENT SHOOTING RANGE.**

WHEREAS, The City of Miles City owns certain property located West of the City of Miles City, more particularly described as Government Lot 9, located with Township 8 North, Range 47 East, Section 32, containing approximately 15.72 acres, and within which lies Stanley Field, Pumping Plant Park, Waterworks Art Museum, the Miles City Water Plant, and the Miles City Law Enforcement Shooting Range;

AND WHEREAS, the City Council desires to name this property “Maurice R. Hilleman Complex” in honor of microbiologist Dr. Maurice R. Hilleman, who was born and raised in Miles City, and who developed over 40 vaccines, many of which are still used today;

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

1. The City Council does hereby name certain real property owned by the City, described as Government Lot 9, located with Township 8 North, Range 47 East, Section 32, containing approximately 15.72 acres, as “Maurice R. Hilleman Complex.”

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY
CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY,
MONTANA, THIS 27TH DAY OF FEBRUARY, 2018.**

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 4133

A RESOLUTION AUTHORIZING THE ASSIGNMENT OF A CERTAIN LEASE AGREEMENT AND OPTION TO PURCHASE BETWEEN THE CITY OF MILES CITY AND UNITED PARTS AND SUPPLY, LLC, TO AILPORT PROPERTIES MONTANA, LLC, FOR THE LEASE AND PURCHASE OF PARCEL 1 OF THE ANDERSON TRACT, TRACT "E" OF THE INDUSTRIAL SITE WEST OF MILES CITY.

WHEREAS, the CITY currently leases certain property within the Industrial Site to United Parts and Supply, LLC, for the lease of Parcel 1 of the Anderson Tract, Tract "E" of the Industrial Site west of Miles city, Montana, containing approximately 55,432 square feet (1.27 acres) more or less;

AND WHEREAS, the CITY has granted to United Parts and Supply, LLC, an option to purchase said parcel; said option having been exercised, and being in the process of subdivision in order to complete said transaction;

AND WHEREAS, United Parts and Supply, LLC, intends to sell certain improvements upon said parcel, consisting of a large steel building, to Ailport Properties Montana, LLC, and both United Parts and Supply, LLC and Ailport Properties Montana, LLC, desire that the CITY approve assignment of said Lease Agreement and Option to Purchase to Ailport Properties Montana, LLC;

AND WHEREAS, an "Assignment of Lease Agreement and Option to Purchase" between the parties has been prepared and presented to the City Council for approval.

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

That the "Assignment of Lease Agreement and Option to Purchase" attached hereto as Exhibit "A," and made a part hereof, is hereby approved by the City Council of the City of Miles City.

PASSED AND ADOPTED BY A 2/3 VOTE of the City Council this 27th day of February, 2018.

By: _____
John Hollowell, Mayor

Attest:

Lorrie Pearce, City Clerk

ASSIGNMENT OF LEASE AGREEMENT AND OPTION TO PURCHASE

This ASSIGNMENT, made and entered into this ____ day of _____, 2018, by and between the City of Miles City, Montana, a Montana municipal corporation, of 17 S. 8th Street, Miles City, Montana 59301, hereinafter "CITY," United Parts and Supply, LLC, of _____, Miles City, Montana, hereinafter "ASSIGNOR," and Ailport Properties Montana, LLC, of _____, Miles City, Montana, hereinafter "ASSIGNEE,"

WHEREAS, the CITY currently leases certain property within the Industrial Site to ASSIGNOR pursuant to a lease agreement and option to purchase dated June 13, 2012 and renewed on June 13, 2017 (the "Lease Agreement and Option to Purchase"), for the following property: Parcel 1 of the Anderson Tract, Tract "E" of the Industrial Site west of Miles city, Montana, containing approximately 55,432 square feet (1.27 acres) more or less;

AND WHEREAS, ASSIGNOR intends to sell its improvements upon said leasehold to ASSIGNEE, and ASSIGNOR desires to assign its interest in said Lease Agreement and Option to Purchase with CITY to ASSIGNEE, which requires approval of CITY;

AND WHEREAS, ASSIGNEE has agreed to comply with all conditions of said Lease Agreement and Option to Purchase, and intends to proceed with completion of the purchase of the property pursuant to the option to purchase portion of said agreement;

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

ASSIGNMENT

The ASSIGNOR hereby assigns, and the CITY hereby approves, the Lease Agreement and Option to Purchase between CITY and United Parts and Supply, LLC, as described above, to ASSIGNEE. ASSIGNEE has reviewed said Lease Agreement and Option to Purchase, agrees to be bound by all conditions of said Lease Agreement and Option to Purchase.

IN WITNESS WHEREOF, the parties hereto have executed this ASSIGNMENT OF LEASE AGREEMENT the date and year first hereinabove written.

CITY OF MILES CITY:

By: _____
John Hollowell, Mayor

Attest:

Lorrie Pearce, City Clerk

Exhibit "A"

ASSIGNOR:

UNITED PARTS AND SUPPLY, LLC

By:

ASSIGNEE:

AIRPORT PROPERTIES MONTANA, LLC

By:

RESOLUTION NO. 4135

A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AWARD OF AN URBAN RENEWAL AGENCY DIRECT GRANT FOR INFRASTRUCTURE IMPROVEMENTS TO THE CITY PUBLIC WORKS DEPARTMENT, AND AMENDMENT OF FINAL BUDGET FOR FY 2017-2018 TO INCREASE THE BUDGETED AMOUNT IN FUND 2510-107-460235-230.

WHEREAS, Public Works Department on behalf of Special Improvement District No. 2510 has applied for an Urban Renewal Agency Direct Grant for Infrastructure Improvements, has met all the program criteria to receive said grant, and the Miles City Urban Renewal Board of Commissioners has recommended that the City Council award a grant in the amount of \$5,000 to the City's Public Works Department to be used toward the construction of curb and gutter and alley repairs within the Urban Renewal District of Miles City Montana;

AND WHEREAS, the City Council finds that the award of such grant is appropriate and in the best interests of the Urban Renewal District and the City's residents, and that such resulting amendment of the final budget will result in an overall increase in appropriation authority within such fund;

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

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

The appropriations for the Final Budget for Fiscal Year 2017-2018 for Special Improvement District No. 2510 / SID 204 Fund No. 2510-107-460235-230 shall be increased in the following amount: \$5,000.00.

The following budget transfer is hereby authorized:

Transfer \$5,000 from TIFD/Down Town Fund No. 2310-011-521000-820 to Special Improvement District No. 2510 / SID 204 Fund No. 2510-383000

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2017-2018 on the 13th day of March, 2018, at 7:00 p.m. in the City Council Chambers at City Hall, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4128 MCA, at least 2 times with at least 6 days separating each publication.

SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 27th DAY OF FEBRUARY, 2018.

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 13TH DAY OF MARCH, 2018.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk