



CITY OF MILES CITY AGENDA

*Regular Council Meeting
City Council Chambers*

*January 22, 2019
6:00 p.m.*

CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

1. **APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES**
 - A. Regular City Council Meeting 1/08/2019
2. **SCHEDULE MEETINGS**
3. **REQUEST OF CITIZENS & PUBLIC COMMENT**
4. **APPOINTMENTS-**
Austin Lott- Planning Board
5. **PROCLAMATIONS**
6. **STAFF REPORTS**
Lyne Anderson- 911 Presentation
7. **CITY COUNCIL COMMENTS**
8. **MAYOR COMMENTS**
9. **COMMITTEE RECOMMENDATIONS**
10. **BID OPENINGS**
11. **BID AWARDS** - (1) Four Wheel Drive Loader (2) Four Wheel Drive Extendable Stick Backhoe Loader (3) Combination Sewer Vacuum Truck
12. **PUBLIC HEARINGS**
 - A. **RESOLUTION NO. 4221- A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2018-2019 to Increase the Budgeted Amount in Various Funds for Various Unbudgeted Revenues and Expenditures**
 - B. **RESOLUTION NO. 4225- A Resolution Adopting Findings of Facts, and Denying a Conditional Use Permit for a Medical Marijuana Dispensary at 2317 and 2319 Melrose Avenue**
13. **UNFINISHED BUSINESS**
 - A. **RESOLUTION NO. 4221- (Second Reading) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2018-2019 to Increase the Budgeted Amount in Various Funds for Various Unbudgeted Revenues and Expenditures**

14. NEW BUSINESS

- A. **RESOLUTION NO. 4225- A Resolution Adopting Findings of Facts, and Denying a Conditional Use Permit for a Medical Marijuana Dispensary at 2317 and 2319 Melrose Avenue**

- B. **RESOLUTION NO. 4226- A Resolution Approving a Change Order to the Agreement With Montana Civil, LLC for the Addition of Irrigation Restoration, Imported Trench Backfill Material, Curb and Gutter Replacement and Other Miscellaneous Quantity Changes Related to the Darling Addition Street and Utilities Rehabilitation Project**

- C. **Approval on Disposal of Retention Records**

15. ADJOURNMENT

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

Minutes

REGULAR COUNCIL MEETING January 8, 2019
6:00 p.m.

CALL TO ORDER

The Regular Council meeting was held Tuesday, January 8, 2019, 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, John Uden, Jeff Erlenbusch and Susanne Galbraith. Councilpersons Kathy Wilcox and Rick Huber were excused.

Also present were City Attorney Dan Rice, Public Works Director Scott Gray, Public Utility Director Tom Speelmon, Police Chief Doug Colombik, Fire Chief Branden Stevens, 911 Supervisor Lyne Anderson and City Clerk/Minute Recorder Lorrie Pearce.

PLEDGE OF ALLEGIANCE

Mayor Hollowell led the Council in the Pledge of Allegiance.

APPROVAL OF COUNCIL & COMMITTEE MINUTES

City Council Minutes: 12/11/2018

****** *Councilperson Galbraith moved to approve the minutes of the Regular Council Meeting of December 11, 2018, and seconded by Councilperson Erlenbusch. The motion **passed** by unanimous consent, 6-0.*

Human Resource Committee Minutes: 12/06/2018

****** *Councilperson Uden moved to approve the minutes of the Human Resource Committee Meeting of December 6, 2018, and seconded by Councilperson Gardner. The motion **passed** by unanimous consent, 6-0.*

Finance Committee Minutes: 12/06/2018

****** *Councilperson Andrews moved to approve the minutes of the Finance Committee Meeting of December 6, 2018, and seconded by Councilperson Galbraith. The motion **passed** by unanimous consent, 6-0.*

Flood Control Minutes: 12/20/2018

** *Councilperson Gardner moved to approve the minutes of the Flood Control Committee Meeting of December 20, 2018, and seconded by Councilperson Erlenbusch. The motion passed by unanimous consent, 6-0.*

SCHEDULE MEETINGS

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

Finance Committee	01/17/2019 @ 6pm
Public Safety Committee	01/23/2019 @ 6pm
Human Resource Committee	01/17/2019 @ 5:30pm

REQUEST OF CITIZENS & PUBLIC COMMENT

None

APPOINTMENTS

Standing Committees:

Finance Committee – Susanne Galbraith, Dwayne Andrews, Brant Kassner, Rick Huber

Public Safety Committee- Ken Gardner, John Uden, Kathy Wilcox, Jeff Erlenbusch

Public Services Committee- Dwayne Andrews, Ken Gardner, John Uden, Kathy Wilcox

Human Resources Committee- Kathy Wilcox, John Uden, Susanne Galbraith, Jeff Erlenbusch

Flood Committee- Ken Gardner, Jeff Erlenbusch, Brant Kassner, Rick Huber

Non Standing Committees:

Planning Board- Brant Kassner

Solid Waste Board- Susanne Galbraith

Economic Development Board- Rick Huber

Airport Commission- Ken Gardner

Local 600- Labor Management Committee (2)- Dwayne Andrews and Susanne Galbraith

** *Councilperson Uden moved to approve the standing and non standing committees established by the Mayor while deleting Dwayne Andrews from the Solid Waste Board and adding him to the Local 600-Labor Management Committee, seconded by Councilperson Erlenbusch and passed unanimously.*

PROCLAMATIONS

None

STAFF REPORTS

Lyne Anderson- Presented a letter of excellence to Rayna Idland for her professional commitment to an extremely emotional situation which involved a weapon that had been discharged.

Doug Colombik- Presented three award:

- Cory Sheets for his quick response in a situation that saved a life.
- Chris Fetty for his involvement in implementing the K9 program.
- Dustin Sloan for his commitment to the Montana Special Olympic program

Scott Gray- Thanked Bill Ronning for his 25 years of service and announced that Jim Garza accepted the new Shop Forman position.

Tom Speelmon- Explained that more than 100,000 gallons of water a month has been saved since the first phase of the Darling program was complete. This saves the City approximately \$7,000 a month.

Lorrie Pearce- Reminded Council to send a letter or call our representatives to ask them to NOT take money from the entitlement program. This program is for Cities and Towns to help with yearly expenses.

CITY COUNCIL COMMENTS

Susanne Galbraith- She had been contacted by the County Disaster Coordinator Bill Ellis on the Homeland Security grant. She wondered if the City would have use for the grant. Supervisor Anderson said that the grant is \$60,000 and plans are to use \$40,000 to install a new emergency siren and \$20,000 to repair the broken siren on the North side of town.

John Uden- Said he would be out of town from January 31st to February 10th .

MAYOR COMMENTS

None

STANDING COMMITTEE RECOMMENDATIONS

None

BID OPENINGS-

- (1) Four Wheel Drive Loader – Three bids received:
Titan Machinery- \$160,226.07 with a buyback of \$38,630- Case
RDO Equipment- \$195,850.00 with a buyback of \$47,000- JD
Tractor & Equipment- \$186,245.00 with a buyback of \$35,000-Ca
- (2) Four Wheel Drive Extendable Stick Backhoe Loader: Three bids received:
Titan Machinery- \$117,274.00 with a buyback of \$48,200- Case

RDO Equipment- \$125,250.00 with a buyback of \$43,000- JD
Tractor & Equipment- \$134,549.00 with a buyback of \$47,500-Cat

- (3) Combination Sewer Vacuum Truck- Two bids received
Titan Machinery- \$387,368
Kois Brothers- \$374,300

** *Councilperson Uden moved to refer the received bids to the Finance Committee, seconded by Councilperson Galbraith. The motion passed unanimously*

BID AWARDS

None

PUBLIC HEARINGS

None

UNFINISHED BUSINESS

None

NEW BUSINESS

A. Election of Council President

** *Councilperson Andrews moved for Susanne Galbraith to be the Council President, seconded by Councilperson Gardner.*

** *Councilperson Erlenbusch moved to cease the motion, and seconded by Councilperson Uden. The motion passed unanimously 6-0.*

** *The original motion passed 6-0*

B. RESOLUTION NO. 4221- (First Reading) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2018-2019 to Increase the Budgeted Amount in Various Funds for Various Unbudgeted Revenues and Expenditures

** *Councilperson Galbraith moved to approve the Resolution, read by title only, and seconded by Councilperson Andrews. On roll call vote, the motion passed by unanimous consent, 6-0. Resolution No. 4221 passed*

C. RESOLUTION NO. 4222- A Resolution Approving an Agreement Between the City of Miles City and Liquid Engineering Corporation For the Supply of all Materials and Services for the Installation of a Clearwell Baffle System at the Miles City Water Treatment Plant

** *Councilperson Gardner moved to approve the Resolution, read by title only, and seconded by Councilperson Erlenbusch. On roll call vote, the motion passed by unanimous consent, 6-0 Resolution No. 4222 passed*

D. RESOLUTION NO. 4224- A Resolution Authorizing the City of Miles City to Enter Into an Interlocal Agreement With Custer County for Fiscal Years 2018-2019 and 2019-2020

** *Councilperson Galbraith moved to approve the Resolution, read by title only, and seconded by Councilperson Andrews. On roll call vote, the motion passed by unanimous consent, 6-0. Resolution No. 4224 passed*

E. Approval of December Claims

** *Councilperson Andrews moved to approve the December claims, seconded by Councilperson Erlenbusch and passed unanimously.*

ADJOURNMENT

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

The meeting was adjourned at 6:58 p.m.

John Hollowell, Mayor

Lorrie Pearce, City Clerk

Bids Received to be Awarded

- (1) **Four Wheel Drive Loader** – Three bids received:
Titan Machinery- \$160,226.07 with a buyback of \$38,630- Case
RDO Equipment- \$195,850.00 with a buyback of \$47,000- JD
Tractor & Equipment- \$186,245.00 with a buyback of \$35,000-Cat

- (2) **Four Wheel Drive Extendable Stick Backhoe Loader:** Three bids received:
Titan Machinery- \$117,274.00 with a buyback of \$48,200- Case
RDO Equipment- \$125,250.00 with a buyback of \$43,000- JD
Tractor & Equipment- \$134,549.00 with a buyback of \$47,500-Cat

- (3) **Combination Sewer Vacuum Truck-** Two bids received
Titan Machinery- \$387,368
Kois Brothers- \$374,300

STAFF REPORT

Department: Public Utilities / Public Works

Contact: Tom Speelmon / Scott Gray 234-3493

Agenda Item #: 8,9 & 10

Action: Recommendation for equipment bid awards.

RECOMMENDATION

Recommend accepting bids for 4 wheel drive loader and 4 wheel drive backhoe from RDO Equipment for the following amounts:

Loader \$195,850.00 with buy back of \$47,000. Total \$148,850.00

Backhoe \$125,250.00 with buy back of \$43,000. Total \$82,250.00

Recommend accepting bid for Combination Sewer Truck from Titan Machinery in the amount of \$387,368.00.

BACKGROUND / ANALYSIS

Titan Machinery submitted the low bid for both the loader and the backhoe. As indicated in the bid specs, the loader that they offered does not meet many of our minimum specifications. The loader offered by RDO meets all of our specifications and was the second lowest bid.

The backhoe offered by Titan Machinery was the lowest bid but does not meet the minimum bid specifications as it was a size smaller machine than what we had asked for. The backhoe offered by RDO was the second lowest bid and meets all specifications.

The low bid for the combination sewer truck was submitted by Kois Brothers. The truck they offered only partially meets the specifications for the vacuum boom. The Titan Machinery offer meets the boom specifications. According to Titan Machinery the cost of the specified boom option is \$15,680.00. The boom that was specified in the bid packed will decrease set up/take down time by 15 to 20 minutes every time the crew needs to move to a new position or go empty the truck. While flushing sewer/storm sewer lines the crew can be required to move 6 to 10 times a day. This boom also has an increased safety factor as the crew members are not wrestling with 5 in aluminum tubes 5 to 6 feet long and the associated band clamps that hold them together.

FISCAL IMPACT

The breakdown of budgeted funds verses cost of recommended bids is as follows:

Budgeted funds:

Cost of Recommended Bids:

Public Works: \$254,000.00

Public Works: \$244,672.68

Public Utilities: \$375,000.00

Public Utilities: \$373,795.32

Public Hearing
&
Unfinished Business

RESOLUTION NO. 4221

A RESOLUTION PURSUANT TO §7-6-4006 OF THE MONTANA CODE ANNOTATED, AUTHORIZING AMENDMENT OF FINAL BUDGET FOR FY 2018-2019 TO INCREASE THE BUDGETED AMOUNT IN VARIOUS FUNDS FOR VARIOUS UNBUDGETED REVENUES AND EXPENDITURES.

WHEREAS, the City of Miles City wishes to amend the budget for Fiscal Year 2018-2019 to increased appropriations as a result of several unanticipated revenues and expenditures related to the Miles City Fire Hall, 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 multiple funds,

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 2018-2019 shall be increased in the following amount:

1. An increase of \$80,000 in revenue in fund no.1000-365040 (101001) as the result of unanticipated grant funding from TransCanada for the purchase of temporary housing units for the Fire Department;
2. An increase of \$30,468.24 in revenue in fund no. 1000-382020 (101001) as a result of unanticipated insurance proceeds as the result of damage to the roof of the Miles City Fire Hall;
3. Increased appropriations in the amount of \$24,000 in fund No. 1000-007-420460-350 (101001) to fund the unanticipated expense of completing a PAR to determine options for repair and/or replacement of the Miles City Fire Hall; and
4. Increased appropriations in the amount of \$80,000 in fund No. 1000-007-420460-940(101001) to fund the unanticipated expense of purchasing temporary housing units for the Fire Department.

BE IT FURTHER RESOLVED that a public hearing shall be held on the above proposed amendment to the Final Budget for Fiscal Year 2018-2019 on the 22nd day of January, 2019, at 6:00 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
8TH DAY OF JANUARY, 2019.

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 JANUARY, 2019.

JOHN HOLLOWELL, Mayor

ATTEST:

Lorrie Pearce, City Clerk

RESOLUTION NO. 4225

**A RESOLUTION ADOPTING FINDINGS OF FACTS, AND DENYING A
CONDITIONAL USE PERMIT FOR A MEDICAL MARIJUANA DISPENSARY AT
2317 AND 2319 MELROSE AVENUE.**

WHEREAS, Misty Carey on behalf of Lee James, LLC, has made application for a conditional use permit to operate a medical marijuana dispensary and associated medical clinic at 2317 and 2319 Melrose Avenue, Miles City, Montana;

AND WHEREAS, a Staff Report has been prepared by the City Planning department, evaluating the criteria for granting a conditional use permit for a medical marijuana dispensary;

AND WHEREAS, a public hearing was held on the 22nd day of January, 2019, and comments from the public hearing were considered by the City Council;

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

1. The City Council adopts Staff Report MCCUP-2018-01 as findings of fact; and

2. The City Council hereby **DENIES** the application submitted by Lee James, LLC, for a conditional use permit to operate a medical marijuana dispensary at 2317 and 2319 Melrose Avenue, Miles City, Montana, for the reason that the proposed location falls within 1,000 feet of a religious institution, namely the Break Forth Bible Church, which is prohibited by City Code Section 24-71(b), as set forth more fully in Staff Report MCCUP-2018-01.

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED
QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT
A REGULAR MEETING THIS 22nd DAY OF JANUARY, 2019.**

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

**Miles City Planning
Conditional Use Permit
Staff Report MCCUP-2018-01
Misty Carey, Lee James, LLC
Meeting Date: January 22, 2019**

Staff Recommendation: Deny

Recommended Conditional Use Permit Motion: Having reviewed and considered the staff report, application materials and information presents. O herby adopt the findings presented in the staff report for application 2018-01 and move that the Miles City, City Council deny the 2317 and 2319 Melrose Avenue, Conditional Use Permit.

Background Information:

Misty Carey, on behalf of Lee James LLC, has submitted a Conditional Use Application to operate a medical marijuana dispensary and associated medical clinic on one existing lot totaling approximately 0.29 acres / 12,458 square feet. The property in question is zoned Highway Commercial where medical marijuana providers are a conditional use.

A. Applicant

Misty Carey, Lee James, LLC
508 West Arnold Street
Bozeman, MT 59715

B. Owner

Lee James, LLC
508 West Arnold Street
Bozeman, MT 59715

C. Location and Legal Description of Property

The property is located northeast of the intersection of Valley Drive East and North Strevell Avenue and addressed as 2317 and 2319 Melrose Avenue, Miles City, MT 59301 – see vicinity map below. The legal description of the property is Lot F, of Tract No. 2, of the Dyba Addition located in Section 27, Township 8 North, Range 47 East, P.M.M., City of Miles City, Custer County, Montana.



D. Land Use(s) and Zoning

The property is currently occupied by two vacant buildings and zoned Highway Commercial. The proposed land use is a medical marijuana dispensary and associated medical clinic. Adjacent Zoning and Land Uses are shown below

North: Zoning – County C-1 Commercial. Land Uses – Commercial business (Lennox Heating and Cooling).

East: Zoning – General Commercial. Land Uses – Vacant land.

South: Zoning – General Commercial. Land Uses – Parking lot of Omni Center.

West: Zoning – General Commercial. Land Uses – Commercial business (Regan Plumbing and Heating).

E. General Land Use Characteristics

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

Evaluation Criteria

The following is an evaluation of the conditional use permit application in light of the criteria outlined in in section 24-91(d) of Miles City’s Zoning Regulations.

1. The proposed use complies with the applicable standards and the requirements of the zoning district in which the project is proposed.

No. Medical Marijuana dispensaries are considered a conditional use in the Highway Commercial district, which triggered the need for this Conditional Use Permit application. In terms of the Highway Commercial district specifications outlined in Table II.18 of Miles City’s Zoning Regulations, the proposed use conforms to the district’s lot, setback, and height

specifications. As a result the proposed use conforms to the Highway Commercial District's standards. However, the proposed use must also comply with requirements for medical marijuana outlined in Section 24-71 of Miles City's zoning regulations. Subsection (b) states that "medical marijuana providers shall not be located within 1,000 feet of a public or private school, park, playground or a religious institution." As can be seen in Figure 1 below, the Break Forth Bible Church (614 N Earling Avenue) lies within 1,000 feet of the proposed medical marijuana dispensary – as measured from building to building. As a result the proposed use does comply with all applicable standards in Miles City's Zoning Regulations.

Figure 1: Buffer Map



- 2. The proposed use, including mitigation measures, shall have no more adverse effects on the health, safety, or welfare of persons living or working in the neighborhood, or shall be no more injurious to property or improvements in the neighborhood than would any other permitted or conditional uses in the same district. In making such determination, consideration shall be given to the location, type, height, scale, layout, and the type and extent of landscaping and screening on the site, as well as measures proposed by the applicant to minimize impacts to neighborhood.**

Yes. The proposed land use will have no more adverse effects on the health, safety, or welfare of persons living or working in the neighborhood, or shall be no more injurious to property or improvements in the neighborhood than would any other permitted or conditional uses in the same district.

- 3. Adequate facilities and services are, or will be, through the application of these regulations and the adoption of conditions, made available to serve the proposed use including police, fire, parks, sewer, water, streets, motorized and non-motorized transportation, drainage, solid waste, schools and other facilities and services as appropriate;**

Yes. The subject property is served by Miles City water and sewer, Miles City Fire and Rescue and the Miles City Police Department. Adequate access to the property is provided from Valley Drive East to the west. School facilities and bus services are available to the property if necessary. However, it is unlikely that the proposed use would impact Miles City schools as it is not a residential use. No parks are immediately adjacent to the property. Mail delivery and utilities are available to the property. Based on the above information, adequate facilities and services are available to serve the proposed use.

- 4. Adequate measures shall be taken as necessary to provide ingress and egress so designed as to minimize traffic hazards and to minimize traffic congestion on the public roads.**

Yes. Both buildings face the internal parking lot of the Omni Center with access being provided off of Valley Drive East (a principal arterial) which provides emergency vehicle access. It is not anticipated that the proposed use will generate enough traffic to negatively impact traffic congestion or create hazards on Valley Drive East or adjacent public roads.

- 5. No use shall be constructed or operated so as to cause excessive noise, vibrations, smoke, dust or other particulate matter, toxic or noxious matter, humidity, heat or glare into a residential district. "Excessive" is defined for these purposes as a degree that could be observed by the administrator and city council to be injurious to the public health, safety or welfare.**

Yes. The proposed use is not anticipated to generate excessive noise, vibrations, smoke, dust or other particulate matter, toxic or noxious matter, humidity, heat or glare excessive noise, vibrations, smoke, dust or other particulate matter, toxic or noxious matter, humidity, heat or glare onto residential districts. In the application, the applicant stated that dispensary will operate during normal business hours while the clinic will only be used a few days per month.

Conditions

In the event the City Council decides to approve Conditional Use permit Application for the applicant to operate a medical marijuana dispensary and 2317 and 2319 Melrose Avenue, staff recommend the following conditions

1. All site development and use of the property shall be in accordance with the Miles City Zoning Regulations, the approved application and plans, and as discussed in Staff Report MCCUP-2018-01. Any modifications shall require additional review by the City of Miles City.
2. The owner, applicant, or their assignees shall not display, in an open or visible manner to the general public, any medical marijuana plant, marijuana infused product, or any depictions, caricatures, or other artistic renditions of a marijuana plant, leaf, bud or parts in a manner visible from the exterior of the establishment, structure or building in which the provider does business.
3. The owner or authorized representative shall obtain a Building Permit prior to start of construction. A permit is required for construction, additions, alterations, repairs, relocation, demolition, change of occupancy, or electrical, gas, mechanical or plumbing system projects.
4. The owner shall maintain adequate parking spaces for employees and patients at a minimum of one space per 500 square feet of floor area as required by Miles City's Zoning Regulations.
- 5.

This staff report has been prepared by Ally Capps, City Planner for the City of Miles City. I have reviewed the applications for the conditional use permit submitted by Misty Cary, on behalf of Lee James, LLC. I have reviewed pertinent city code provisions, zoning maps and other information and applied the same to the conditional use provisions of the City Code. I have prepared this report so that analysis of the conditional use permit criteria as applied to this application can be reviewed by the City Council, and adopted by the City Council, and adopted by the Council as finding of fact upon which they base their decision as to the approval or denial of the dispensary, I recommend that the City Council deny the issuance of a conditional use permit, as proposed location falls within 1,0000 feet of a religious institution, as prohibited by Section 24-71(b) of the Code of Ordinances of the City of Miles City.



CONDITIONAL USE PERMIT APPLICATION

Community Services & Planning

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

THIS SECTION FOR OFFICIAL USE ONLY

Revenue Code: 10000-341014

File No. _____

Conditional Use Permit Application - MILES CITY

Date Received: 12.18.18 AC

Purpose: Conditional uses require public review for activities that may have a significant impact on the landscape setting, public facilities, or neighboring land uses. Conditional uses may be compatible with the permitted uses in a zoning district, but require individual review of their location, scale, design, and configuration, and may include the imposition of special conditions or mitigations in order to ensure the appropriateness of the use at a particular location within a given zoning district.

Applicability: The conditional uses for each district are listed in the permitted and conditional use tables in the various districts sections in Article II. When a proposed use is listed as a conditional use in the site's zoning district, the following require review under this Section:

1. Any new conditional uses;
2. Any non-minor changes of occupancy resulting in a different conditional use, as determined by the Administrator;
3. Any expansion to an existing use listed as a conditional use involving addition to buildings or outdoor areas directly associated with the conditional use that is greater than 25 percent of the existing square footage or 5,000 square feet, whichever is less; and
4. Changes in use where the parking requirements will exceed 25 percent of the existing use.

Application Date: 12/18/18

Fee: \$300.

Name of Project: KANNAKARE RETAIL STORE & CLINIC

Location of Project/Legal Description: 2317 & 2319 MELROSE BLVD - TRACT 2, SECTION 27, TOWNSHIP 8N RANGE 47E

Contacts

Property/Business Owner Name: LEE JAMES LLC
Please print

Contact Name: MISTY CAREY
Please print

Address: 508 W. ARNOLD
BOZEMAN, MT 59713

Phone: 406-582-0970 Cell Phone: 406-581-4915 Email: MISTY@KANNAKARE.COM

Applicant Name: N/A
(If different from owner)

Circle One Architect/Builder/Engineer/Other

Address: _____

Phone: _____ Cell Phone: _____ Email: _____

Descriptive Data

Total area in acres or square feet: 12,500

Existing Zoning: HIGHWAY COMMERCIAL

Existing and Proposed Use:

EXISTING: VACANT
PROPOSED: MEDICAL CANNABIS RETAIL STORE + CLINIC

If Residential Number of Units and type of Proposed Units: N/A

If Commercial/Industrial Number of Buildings together with Square Footage and Stories/Height of each:
2317 MELROSE BLVD: 1800 SQ FT, 1-STORY, 14 FT HT
2319 MELROSE BLVD: 448 SQ FT, 1-STORY, 12 FT HT

24-83: Materials/Information to be submitted with this application:

The application submittal shall include the information listed in this section of this application form. If an item is not included, the applicant should explain why. Please be advised that the Administrator, contract reviewers, or the Town Council may request additional information during the review process. Additional copies of the application and all submittal requirements, and/or a digital or PDF version of the same may be required by the Administrator for distribution to various parties for the required review process.

1. Application form and review fee
2. Vicinity Map showing location of proposed project (8 1/2 x 11)
3. One each paper and digital legible copy of the Site Plan at a suitable scale (example: 1 inch = 10 feet) with the following information:
 - Property boundaries/lot lines with dimensions and a north arrow indicator
 - Geographic features such as slopes, water bodies, floodplains, wetlands, trees and other vegetation
 - Topographic contours at a minimum interval of two feet or as determined by the Administrator
 - Onsite and adjacent offsite streets, roads, alleys and easements to a distance of 150 feet from the subject property, including existing and proposed improvements such as:
 - curbs
 - gutters
 - sidewalks
 - bike paths
 - Parking facilities, including:
 - bicycle racks

- landscaping
 - grading
 - lighting
 - handicap-accessible parking
 - typical dimensions of parking spaces (including labeling angles for angled parking)
 - traffic flow on-site
 - E7 ingress and egress points
 - driveways
 - paving details
 - F Existing and proposed wells, septic tanks and drainfields
 - G Existing and proposed utilities and municipal facilities, such as water lines and sewer lines
 - H Existing and proposed buildings with dimensions, including all above grade projections and lot coverage
 - I Location of fire hydrants, fire lanes and turnarounds
 - J Exterior refuse collection areas
 - K Setback distances as required by the zoning district regulations
 - L Existing and proposed utility easements
4. Storm water management plan, if required by Section 24-46, which includes all information required by that section
 5. Landscaping plan, if required by Section 24-49, which includes all information required by that section (the landscaping plan may be included on the overall project site plan, but to demonstrate compliance with Section 24-49, please refer to that section for additional site plan and other submittal requirements)
 6. Elevation plans or side profiles for structures with dimensions for building heights, demonstrating the building height as defined by Article V
 7. For any application that involves buildings for lease or rent, the applicant shall submit an assessment of potential significant impacts on the surrounding physical environment and human population in the area to be affected, including any proposed measures, if any, to avoid or minimize potential significant impacts identified
 8. Montana Department of Environmental Quality (DEQ) Certificate of Subdivision Approval (COSA)
 9. All other maps, plans, drawings, tabulations, calculations, and text needed to demonstrate compliance with the zoning regulations
 10. Any additional information required by any section of the zoning regulations

Property Owner Signature: Misty Carey Date: 12/18/18

Applicant Signature: _____ Date: _____
 (If different from owner)

It is understood the filing of an application for a permit constitutes permission for the Administrator and appropriate personnel to conduct inspections of the site during their consideration of the application, and to subsequently monitor compliance with any conditions of approval during the life of the permit.

CONDITIONAL USE QUESTIONNAIRE:

Describe how your project will address the following criteria:

-attach extra sheets as necessary, or include an analysis of the following criteria as an attachment to pages 1 – 3 of the CUP application form (attachment preferred)

1. Does the proposed use comply with the applicable standards and the requirements of the zoning district in which the project is proposed (please explain)?

2. Describe how the proposed use, including mitigation measures, will have no more adverse effects on the health, safety, or welfare of persons living or working in the neighborhood, and will be no more injurious to property or improvements in the neighborhood than would any other permitted or conditional uses in the same district. Describe how the location, type, height, scale, layout, and the type and extent of landscaping and screening on the site, and other measures proposed by the applicant, minimize impacts to the neighborhood.

3. Describe the facilities and services that are, or will be, through the application of the zoning regulations and the adoption of conditions, made available to serve the proposed use including police, fire, parks, sewer, water, streets, motorized and non-motorized transportation, drainage, solid waste, schools and other facilities and services as appropriate.

4. Describe any measures to be taken to provide ingress and egress in a manner that are designed to minimize traffic hazards and to minimize traffic congestion on the public roads.

5. Explain how the proposed project will not cause excessive noise, vibrations, smoke, dust or other particulate matter, toxic or noxious matter, humidity, heat or glare into a residential district. "Excessive" is defined for these purposes as a degree that could be observed by the Administrator and City Council to be injurious to the public health, safety or welfare.

Questionnaire

1. Medical marijuana (cannabis) providers are allowed in the Highway Commercial (HWC) zoning district in Miles City as a Conditional Use.

2. The proposed use of this location will have no more adverse effects on the health, safety, or welfare of persons living or working in the neighborhood and will not be more injurious to property or improvements in the neighborhood than any other permitted or conditional uses in the neighborhood.

The recent building improvements of a new roof and fresh paint have added much needed curb appeal, thus enhancing the visual appeal of the neighborhood.

KannaKare has served our patients in the Omni Center for over ten years and, according to city officials, has been "grandfathered in" at our current location. Given that our cannabis company already operates across the parking lot, little change on the traffic or number of people visiting the neighborhood is to be expected from our move to this new building.

The move to this new building will have little to no adverse impact on the neighborhood.

KannaKare is dedicated to ensuring that medical cannabis is dispensed in a way that promotes safety for patients and the community. All merchandise leaves the building in opaque child proof packaging. The use of security cameras on the property adds to public safety, not only for local businesses, but for the neighborhood as well.

The small building at 2319 Melrose will be used for monthly clinics to see new patients and renew patient cards. The doctors at medical cannabis clinics do not diagnose conditions, but may recommend medical cannabis based on diagnostic records from other physicians. They do not administer, prescribe, or distribute pharmaceutical drugs or cannabis products. Clinics are generally well-scheduled by administrative staff, avoiding parking congestion or patients loitering outside.

3. Cannabis and cannabis-infused products sold at the KannaKare retail store are grown and/or manufactured in Gallatin and Madison Counties. Our retail operations in Miles City have little to no impact on local services such as water and sewer.

4. Given that our cannabis company already operates across the parking lot, little change on traffic congestion or number of people visiting the neighborhood is to be expected from our move to this new building. The property abuts a very large parking lot, providing ample parking and multiple routes of ingress and egress. There are two entrances to Valley Drive East (Montana Highway 94) very near the property and three other routes that may be used to access the parking lot and the property. (See Traffic Flow Map pg. 5)

5. The proposed use as a Medical Marijuana Provider will not cause excessive noise, vibrations, smoke, dust, or other particulate matter, toxic or noxious matter, humidity, heat or glare. The KannaKare shop is a regular retail business that will operate during business hours. The clinic building will be used a few days per month and then only for paperwork and Doctor's consults.

Conditional Use Questionnaire

1. Medical marijuana providers are allowed in the Highway Commercial (HWC) zoning district in Miles City as a Conditional Use. Section 24-71 of the zoning regulations lists two requirements:

a) No marijuana depiction be visible from the building exterior. KannaKare's logo include three leaves, clearly not marijuana.



b) Providers shall not be located within 1,000 feet of a school, park, playground or church. No nearby parks, playgrounds or schools exist within 1,000 feet. The Break Forth Bible Church currently occupies a building at 614 N. Earling Ave. KannaKare had been a long-time occupant of this neighborhood when Break Forth moved in and the store's presence did not dissuade them from their location choice. Their service times are listed as 10:30 a.m. on Sunday morning and 7:00 p.m. on Wednesday evening, both times when KannaKare is closed for business. Forgiveness of this requirement regarding our proximity to this religious institution ought also be "grandfathered in" and not cause for application denial.

2. The proposed use of this location will have no more adverse effects on the people or property than any other permitted or conditional uses in the neighborhood. Our use is much safer for public health than emissions from utility installations or wireless communication facilities and fumes from a gas station. Our business is a retail store with a limited number of customers, having far less impact on the neighborhood than a casino, bar, RV park or animal rescue center. Our patient base, the people who frequent our shop, come from all walks of life. These are not kids; our average patient age is 58-years-old.

3. Cannabis and cannabis-infused products sold at the KannaKare retail store are grown and/or manufactured in Gallatin and Madison Counties. Our retail operations in Miles City have little to no impact on local services such as water and sewer.

4. Given that our company currently operates across the parking lot, little to no change on traffic congestion or number of people visiting the neighborhood is to be expected from our move to this new building. The property abuts a very large parking lot, providing ample parking and multiple routes of ingress and egress. There are two entrances to Valley Drive East (Montana Highway 94) near the property and three other routes that may be used to access the parking lot and the property. (See Traffic Flow Map pg. 5 Figure 3B)

5. The proposed use as a Medical Marijuana Provider will not cause excessive noise, vibrations, smoke, dust, or other particulate matter, toxic or noxious matter, humidity, heat or glare. The KannaKare shop is a retail business that operates during normal business hours. The clinic building will be used a few days per month for paperwork and doctor consults.

#2 Vicinity Map #1

2317/2319 Melrose Blvd.

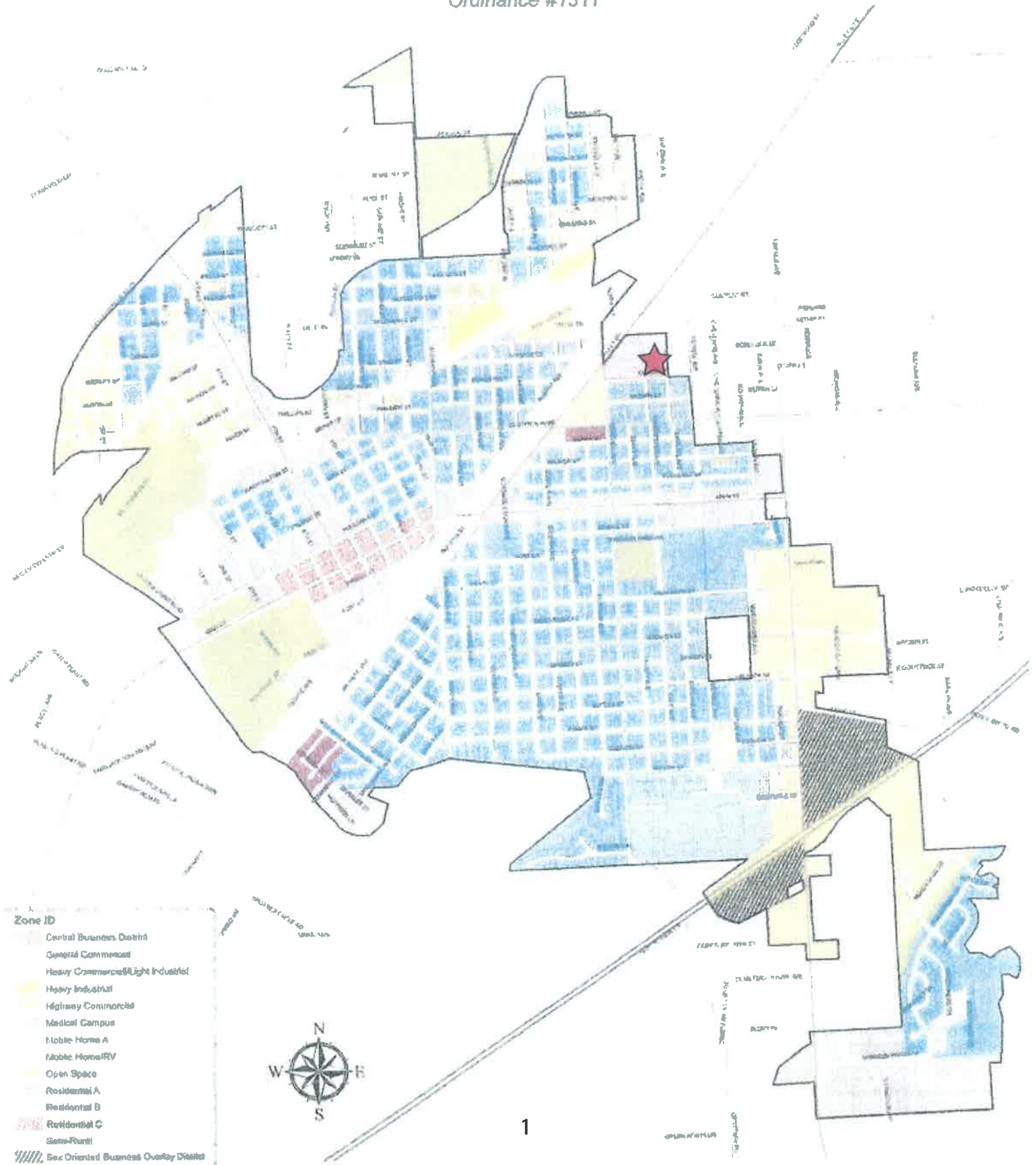
Lee James LLC

Misty Carey

Miles City Zoning Map

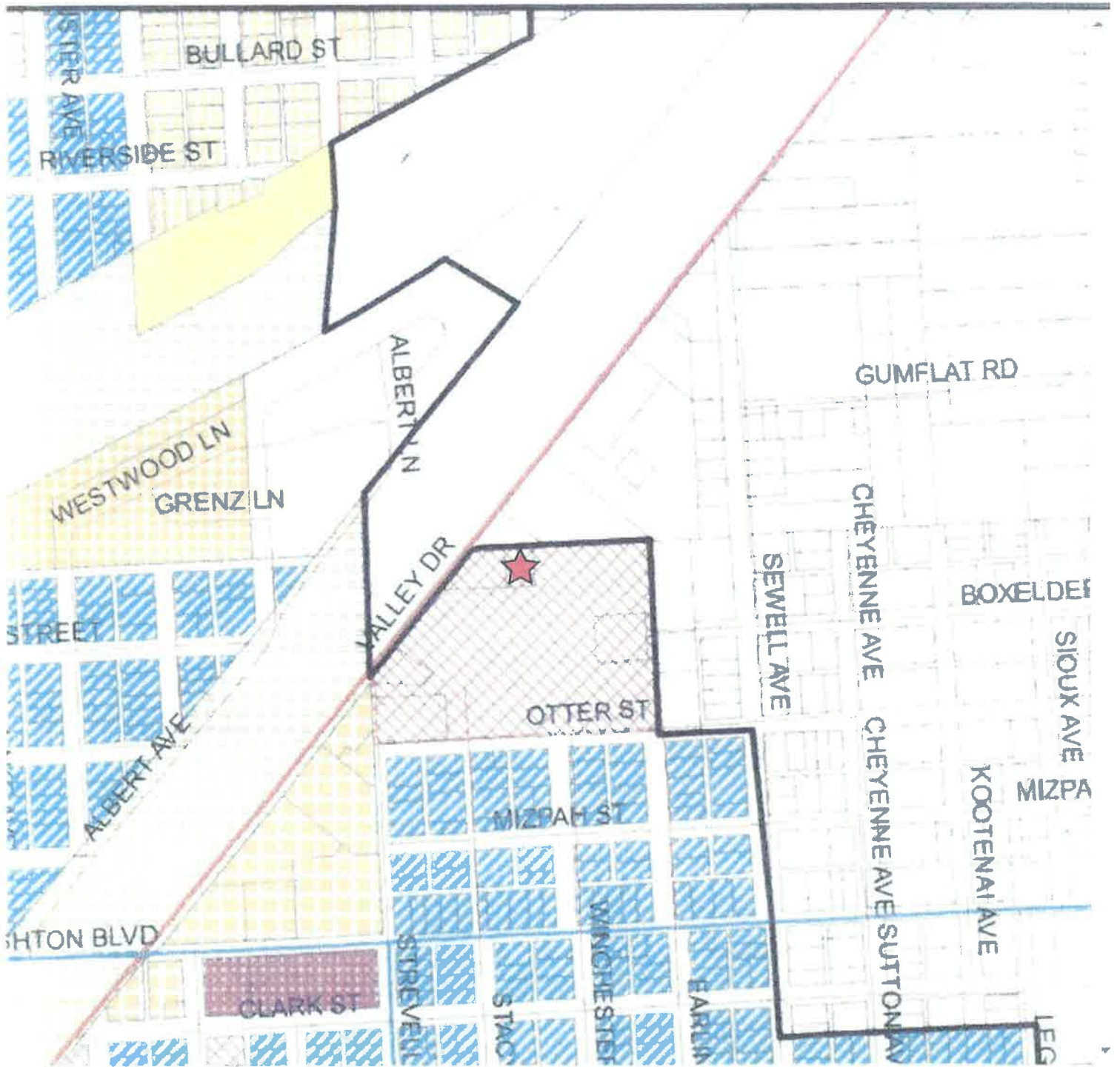
Effective Date: 4/17/2017

Ordinance #1311



#2 Vicinity Map #2

2317/2319 Melrose Blvd.
Lee James LLC
Misty Carey



1 inch = 500 ft

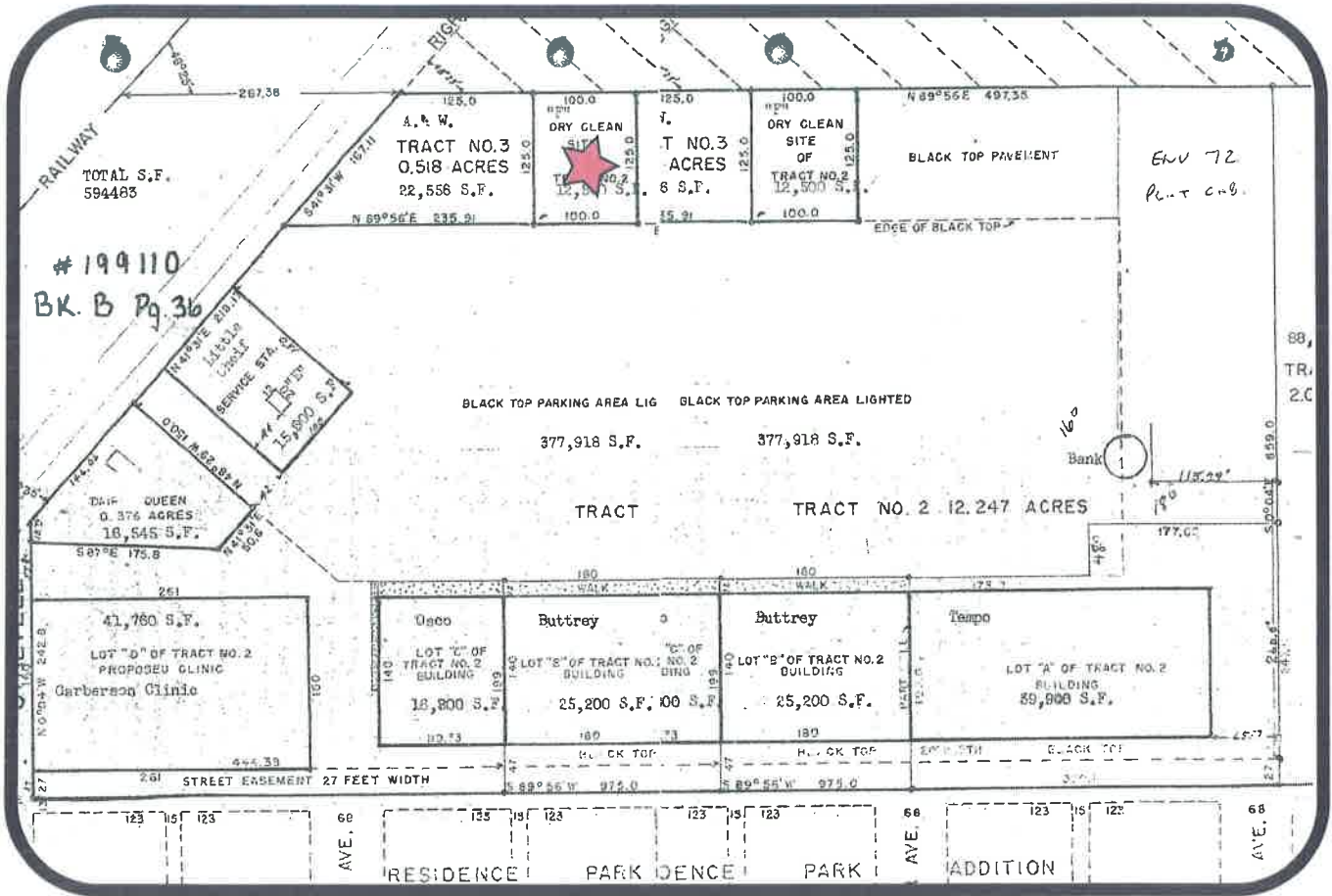


#2 Vicinity Map #3

2317/2319 Melrose Blvd.

Lee James LLC

Misty Carey



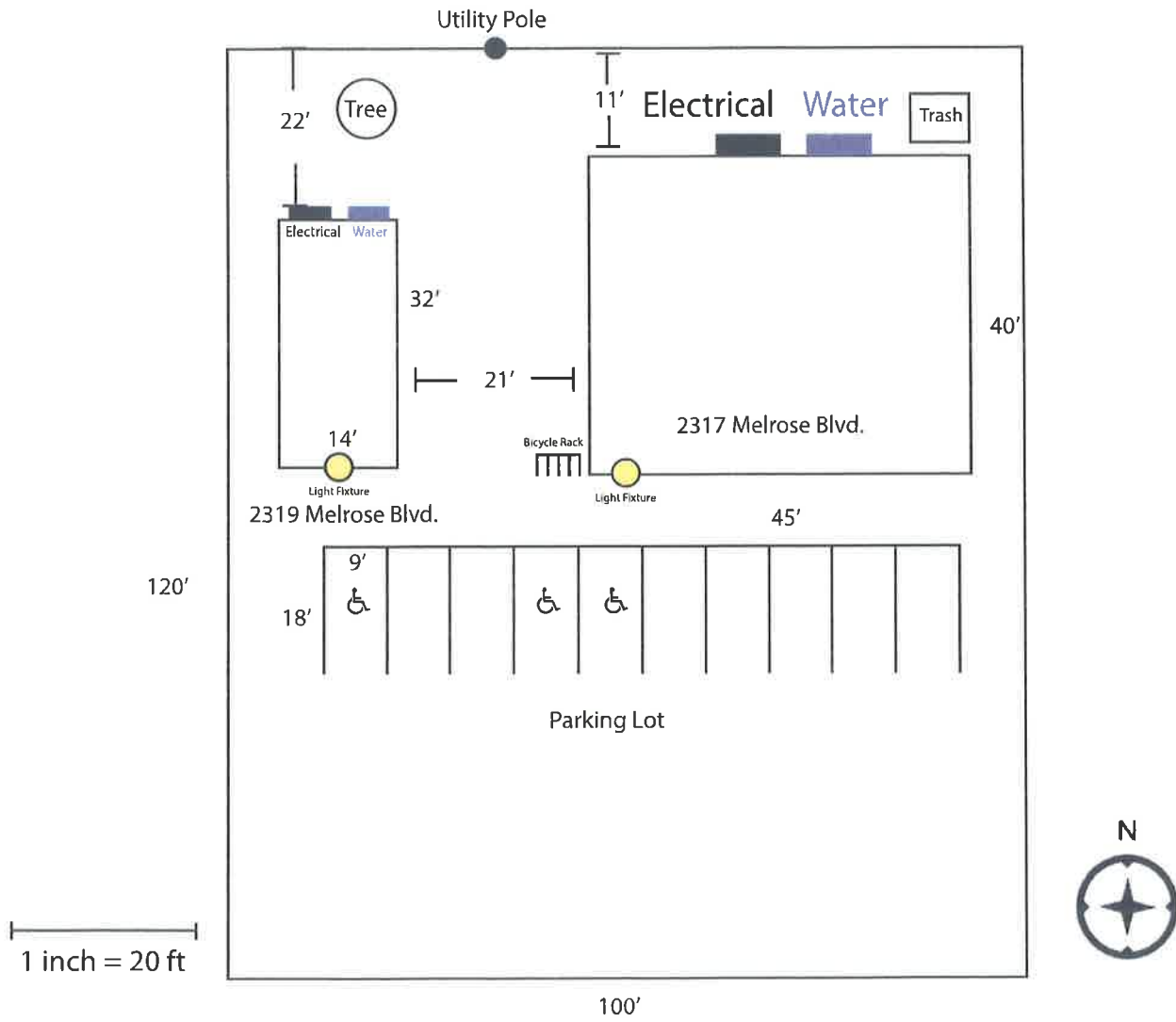
1 IN" = 200 FT



#3

FIGURE NO. 3

3a) Property Boundaries



SEE FIGURE NO. 3

#3

- 3b) Geographic features: None
- 3c) Topographical Contours: Not applicable. Flat parking lot. Flat land.
- 3d) Onsite and adjacent offsite streets to a distance of 150 feet
 - no curbs, gutters, sidewalks or bike paths within 150 feet.
 - no known gutters
 - no sidewalks
 - no nearby bike paths
- 3e1) A bicycle rack will be installed on-site for bike parking.
- 3e2) No existing landscaping.
- 3e3) The lot is flat.
- 3e4) Exterior lighting. The buildings will have motion-sensor exterior lights mounted on both the front and back of the buildings. These lights will be focused down and alongside the buildings to maximize effectiveness of our camera and security systems. These motion-sensor lights will pose no light pollution problem for adjacent properties.
- 3e5) Three handicap accessible parking spots will be designated in spring, 2019.
- 3e6) Typical dimensions of parking spaces = 9 ft x 18 ft
- 3e7) Ingress and egress points below (Figure No. 3B)

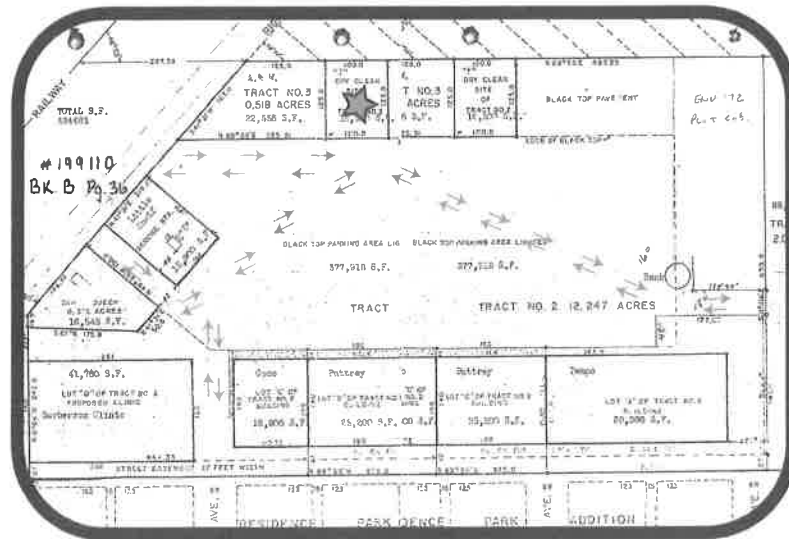
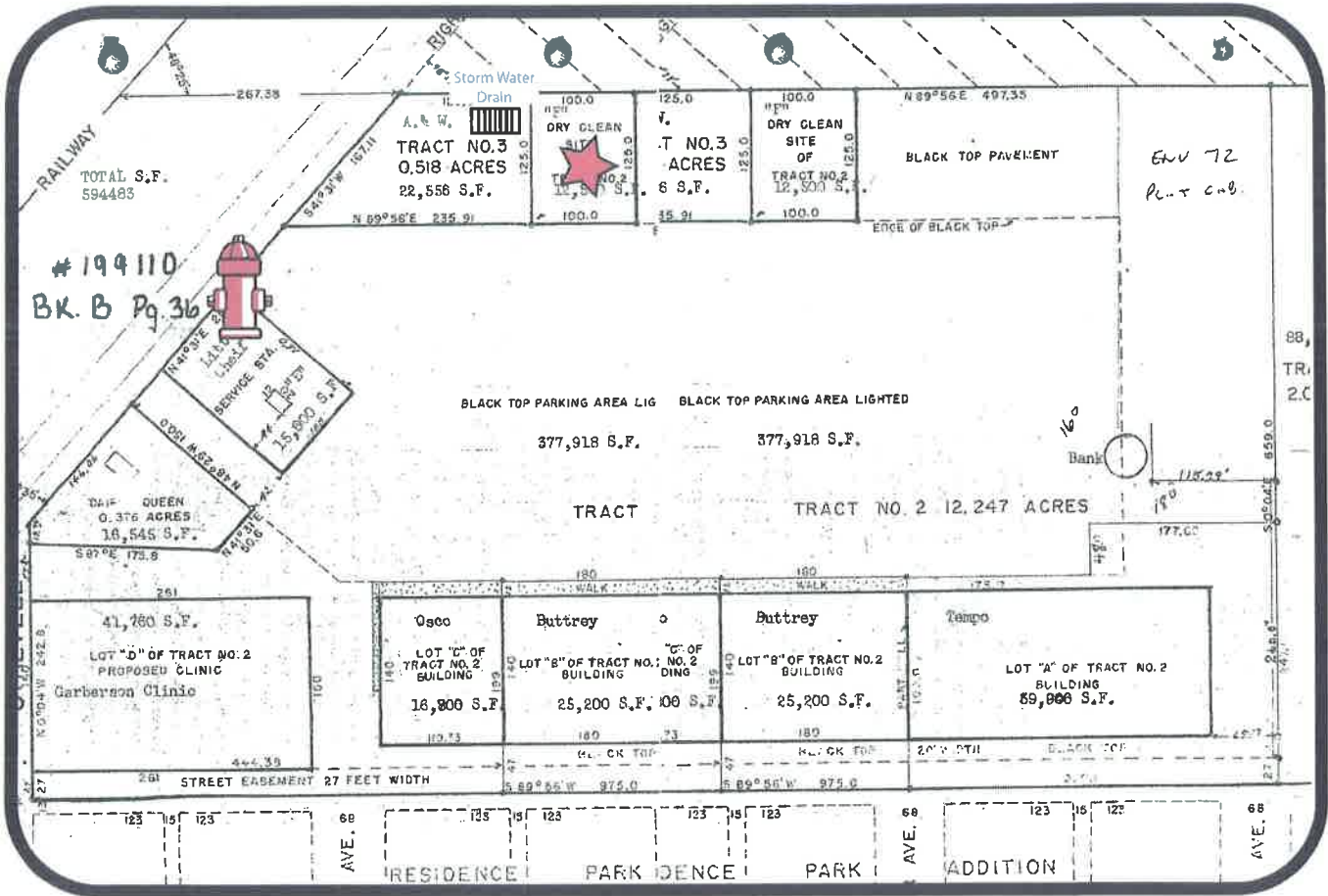


FIGURE NO. 3B - INGRESS AND EGRESS POINTS

- 3e8) No driveways exist on the property
- 3e9) Paving details - Parking lot is paved with blacktop
- 3f) No wells, septic tanks or drain fields on this property.
- 3g) Both buildings are served by municipal utilities including city water and city sewer. Electrical service is provided by Montana-Dakota Utilities.
- 3h) Two buildings currently exist on the lot.
 - 2317 Melrose Blvd. - 40'x45'=1800 sq ft
 - 2319 Melrose Blvd. - 32'x14'=448 sq ft
 - Total Building sq ft= 2248 sq ft
 - Lot Size = 12,500 sq ft
 - Coverage= 17%

#3 Fire Hydrant Location

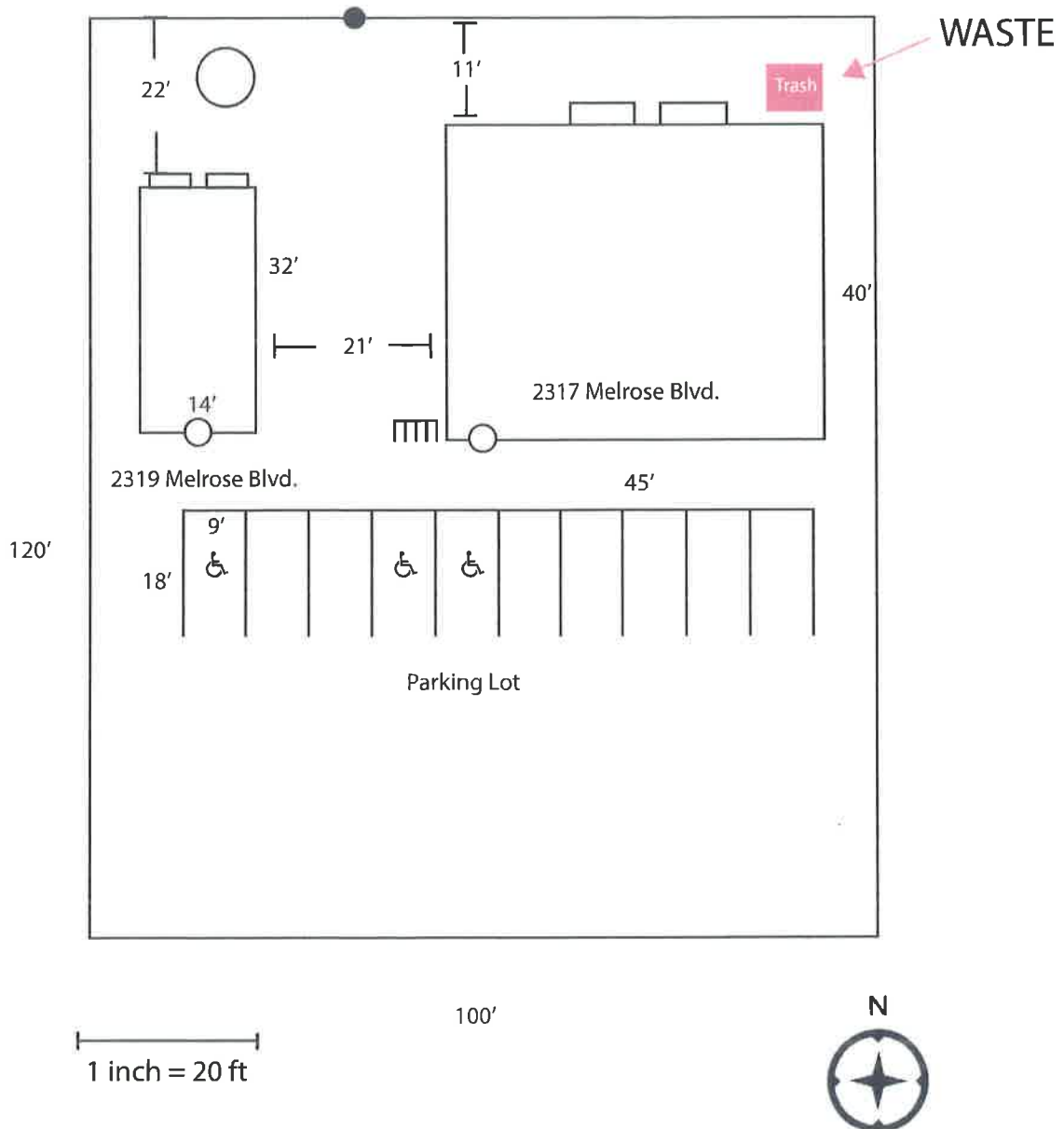


1 IN" = 200 FT



3i) The nearest fire hydrant is located next to the vintage Plaza sign, approximately 250 feet from the property line. The parking lot provides ample space as fire lanes and turnarounds.

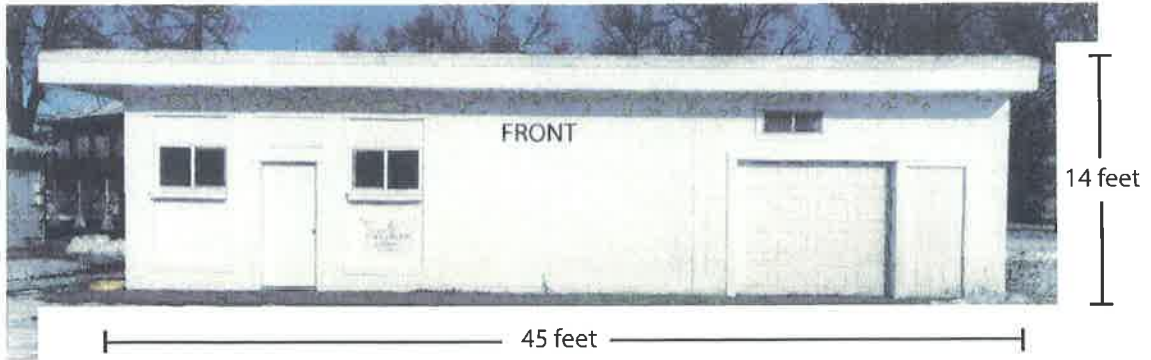
#3 Waste Removal



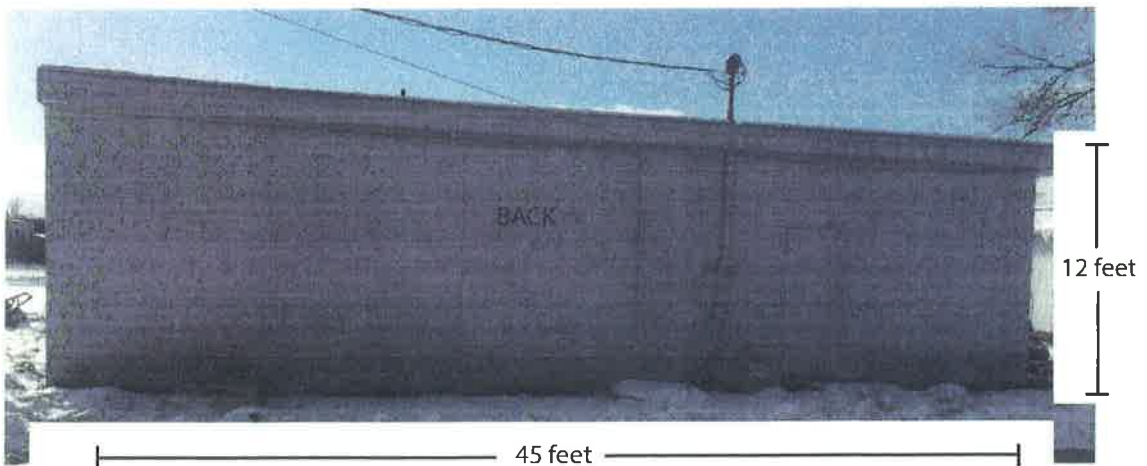
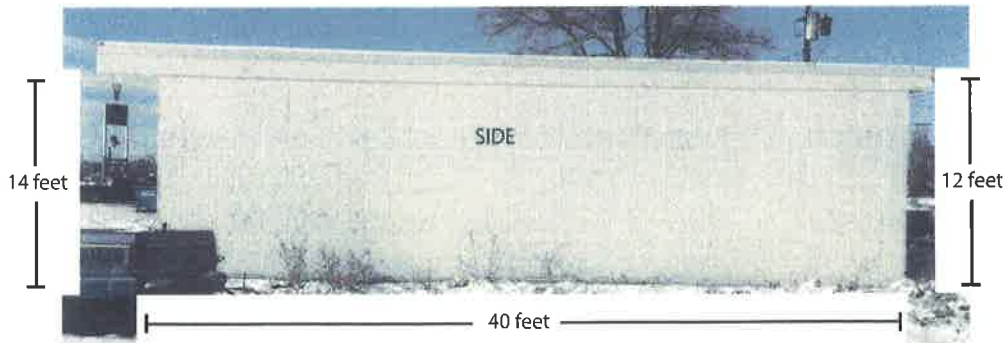
- 3j) City services will collect normal trash. All cannabis waste is shredded and mixed 50/50 with dirt or sand to make it unusable.
- 3k) Meets Setback Requirements for HWC zoning (side yard - 0 ft, rear yard - 0 ft, maximum lot coverage - 80%, primary building max height - 40 ft, accessory buildings - 18 ft)
- 3l) Utility Easements: no existing, no new proposed.
- 4) Storm Water Management plan - N/A
- 5) No proposed landscaping changes. Seasonal potted decorative plants only.

#6-1
Elevation/Side Profile Dimensions
2317 Melrose Blvd.

2317/2319 Melrose Blvd.
Lee James LLC
Misty Carey

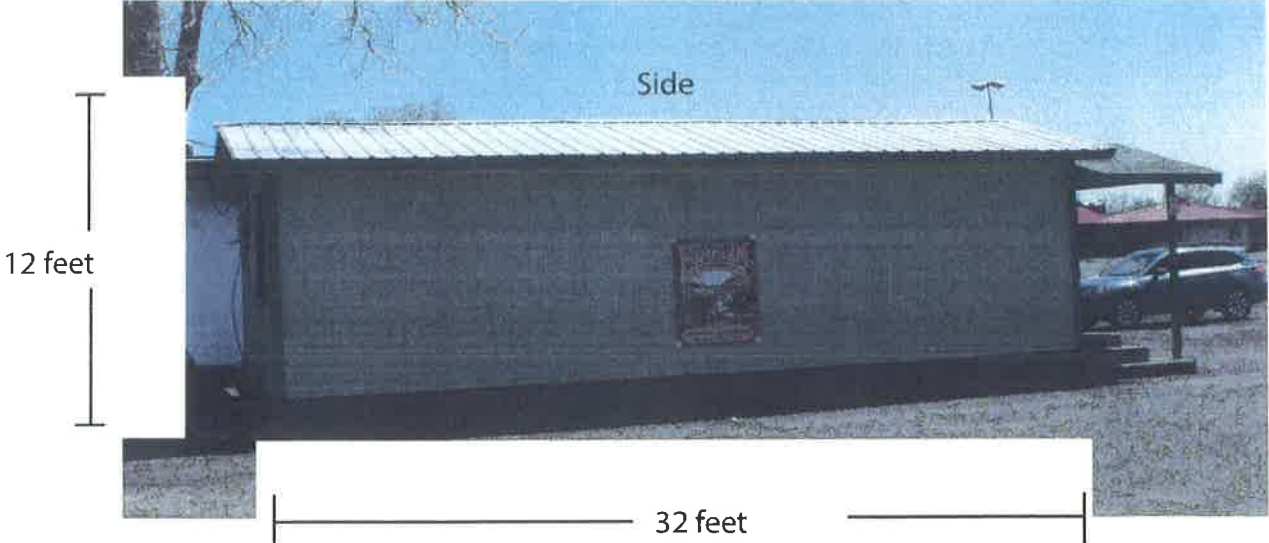


DIMENSIONS : 40' X 45'=1800 sq ft MAX HEIGHT: 14'



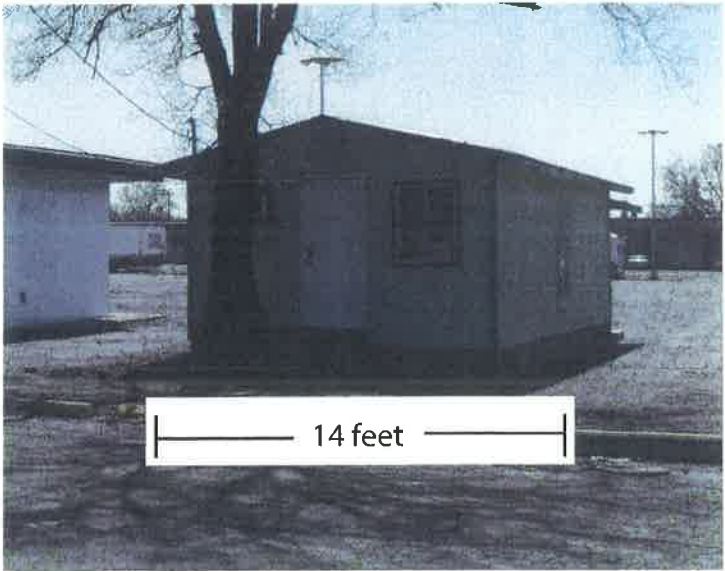
#6-2
Elevation/Side Profile Dimensions
2319 Melrose Blvd.

2317/2319 Melrose Blvd.
Lee James LLC
Misty Carey



FRONT

BACK



BUILDING DIMENSIONS : 32' X 14' = 448 sq ft MAX HEIGHT: 12'

#7 Renter Impacts

Lee James LLC, a partnership between Bernie Buelow and Misty Carey, purchased this property in February, 2018. Lee James intends to rent the buildings to KannaKare Health Services LLC, a business that Carey owns 100%.

Lee James currently owns five properties and KannaKare leases an additional four facilities across both western and eastern Montana. We are experienced, responsible and conscientious property owners and renters. We like things neat and tidy.

The old Plaza Shopping Center (now called the Omni Center) and most of its surrounding buildings suffer from lack of regular maintenance. The area is run-down. When Lee James purchased the old C&R Cleaners at 2317 Melrose, it had gaping holes in the roof and was used only for storage. Our recent improvements of a new roof and fresh paint enhanced the visual appeal of the neighborhood. We also transformed the interior of the building into a nice work environment and plan to give the small green building a similar facelift. The "before" and "after" pictures of the transformation of the old building show what a positive impact our company can have on the physical appearance of this business neighborhood.

Before (2017)



After (2018)



#7 Renter Impacts

Businesses in Highway Commercial (HWC) zoning thrive on vehicle traffic. As increased traffic is good for other business in the area, it is desirable to bring people into the neighborhood. The traffic of our staff and patients on Valley Drive East and in the Omni Center is traffic that can help sustain the vicinity. Our people stop by Reynold's Market. Any potential new retail businesses would also benefit from our traffic. KannaKare is a successful, woman-owned small business. Our operations substantially add to the local economy. We employ local staff and pay both state and local taxes. We shop at local businesses for fuel, lodging, food, and supplies for the store. We give advertising dollars to local media venues. Rural people drive in from surrounding areas to visit our store, giving an additional boost to local business.

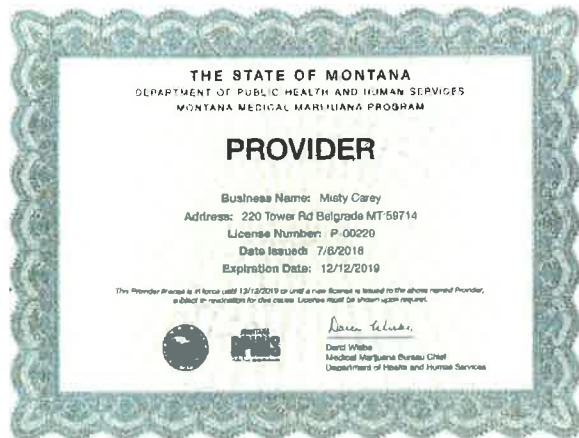
As KannaKare has served our patients in the Omni Center for 10 years, our presence is firmly established in the neighborhood. No dramatic impacts on the human population are to be expected from the move of operations from our current location to the Melrose Boulevard buildings across the parking lot.

KannaKare has always been dedicated to ensuring that medical cannabis is dispensed in a way that promotes safety for patients and the community. Carey has multiple Montana state licenses to operate and the company complies with Montana state law. All merchandise leaves the building in opaque child-proof packaging. Products are laboratory tested for both safety and potency.

The small building at 2319 Melrose will be used a few days per month for medical cannabis clinics where doctors see new patients and renew patient cards. The doctors at these clinics do not administer, prescribe, or distribute pharmaceutical drugs or cannabis products. Clinics are generally well-scheduled by administrative staff, avoiding parking congestion or patients loitering outside.

All cannabis products are locked in a large security safe each night. Security cameras have already been installed at 2317 Melrose and we will utilize an alarm system to be centrally-alarmed to local law enforcement. The use of security cameras on the property adds to public safety, not only for local businesses, but for the neighborhood as well.

This business is legal under Montana state law. Carey is licensed by the DPHHS as a Provider. She is also licensed to operate a retail location at the current location in Miles City.



KannaKare is a professional, responsible, science-oriented company that provides superior quality products for effective treatment of a variety of ailments. Unlike other providers who sell only plant material, KannaKare offers a wide variety of cannabis-based and CBD-only dosing options. We manufacture products such as concentrates, vape pens, tinctures, edibles, capsules and symptom-specific pain creams and salves. The Miles City shop is supported by a skilled, knowledgeable team at company headquarters in Bozeman.

KannaKare has served its patients in the Omni Center for over ten years and, according to city officials, its operations are "grandfathered in" at our current location. KannaKare will continue to serve its patients. Approval of the request for the Conditional Use Permit just allows us to move into the building that we already own.

- 8) DEQ certification not required.
- 9) The zoning on this property was changed from General Commercial to Highway Commercial by the Miles City City Council on Tuesday, November 13, 2018. See attached article from the Miles City Star.



- 10) Other information provided upon request

New Business

RESOLUTION NO. 4226

A RESOLUTION APPROVING A CHANGE ORDER TO THE AGREEMENT WITH MONTANA CIVIL, LLC FOR THE ADDITION OF IRRIGATION RESTORATION, IMPORTED TRENCH BACKFILL MATERIAL, CURB AND GUTTER REPLACEMENT AND OTHER MISCELLANEOUS QUANTITY CHANGES RELATED TO THE DARLING ADDITION STREET AND UTILITIES REHABILITATION PROJECT.

WHEREAS, The City of Miles City and Montana Civil, LLC have entered into an agreement for certain street and utilities improvements known as the Darling Addition Street and Utilities Rehabilitation Project PHASE-1;

AND WHEREAS, the parties desire to approve a change order to said project to add irrigation restoration, imported trench backfill material, curb and gutter replacement and other miscellaneous quantity changes to the project;

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

1. The “Change Order No. Two (2)” between the City and Montana Civil, LLC attached hereto as Exhibit “A”, and made a part hereof, is hereby approved and adopted by this Council.

2. The Mayor of the City of Miles City is hereby empowered and authorized to execute said document on behalf of the City of Miles City and bind the City of Miles City thereto.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT A DULY CALLED MEETING THIS 22TH DAY OF JANUARY, 2019.

John Hollowell, Mayor

ATTEST:

Lorrie Pearce, City Clerk

Change Order No. 2

Date of Issuance: _____

Effective Date: _____

Project: Darling Addition Street and Utilities Rehabilitation – Phase 1	Owner: City of Miles City	Owner's Contract No.: n/a
Contract: Total Combined Bid of Schedules 1-3	Date of Contract: 9/11/18	
Contractor: Montana Civil, LLC	Engineer's Project No.: 2416112	

The Contract Documents are modified as follows upon execution of this Change Order:

Description:

1) Add irrigation restoration to scope of Work; 2) Adjust final Contract quantities to match those installed and accepted as per Payment Application No. 3; 3) Deduct from Contract Price the costs associated with material and labor provided by Owner.

Attachments (list documents supporting change):

Memorandum summarizing Change Order No. 2 dated 1/9/2019, Summary of Owner Supplied Parts and Labor, Payment Application 3

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:

\$ 906,884.00

Increase from previously approved Change Order No. 1

\$58,753.00

Contract Price prior to this Change Order:

\$965,637.00

Increase of this Change Order:

\$151,997.51

Contract Price incorporating this Change Order:

\$1,117,634.51

Original Contract Times:

Working days Calendar days

Substantial completion (days or date): 60

Ready for final payment (days or date): 75 (following Sub. Comp.)

Increase from previously approved Change Order No. 1 to No.:

Substantial completion (days): 4

Ready for final payment (days): 0

Contract Times prior to this Change Order:

Substantial completion (days or date): 64

Ready for final payment (days or date): 75 (following Sub. Comp.)

Increase of this Change Order:

Substantial completion (days or date): 0

Ready for final payment (days or date): 0

Contract Times with all approved Change Orders:

Substantial completion (days or date): 64

Ready for final payment (days or date): 75 (following Sub. Comp.)

RECOMMENDED:

By: 
Engineer (Authorized Signature)

Date: 1/15/2019

ACCEPTED:

By: _____
Owner (Authorized Signature)


Date: _____

ACCEPTED:

By: _____
Contractor (Authorized Signature)

Date: _____

Memorandum

Date: 1/9/2019
To: City of Miles City & Montana Civil, LLC
Copy to: File
From: Carl Jackson, PE 
RE: Change Order 2 for Darling Addition Street and Utilities Rehabilitation – Phase 1

Remarks

The purpose of this memorandum is to reconcile the final Contract Price with changes that occurred over the progress of construction for the above referenced project. All changes in quantities and costs not addressed in prior Change Order 1 are described below and addressed in Change Order 2.

1. Irrigation Restoration – Work Change Directive 1 (effective 10/24/2018)
 - General Description: This involved repairing and replacing portions of landscape irrigation systems that were disturbed by construction. This was due to conflicts with excavation that was required to complete the work. The conflicts were unavoidable due to the proximity of the irrigation lines with curb and other proposed improvements. Most of the conflicts could not be observed prior to excavation and were not identified in the bid documents.
 - Change in Contract Price: \$16,094.25 increase
2. Owner supplied parts and labor (deduct)
 - General Description: Owner provided Contractor parts and labor on several occasions during construction, including vacuum truck and sweeper truck services. Most of the parts provided were for the water system. See attached “Summary of Owner (City) Supplied Parts and Labor” (2 pp.) for detail.
 - Change in Contract Price: (\$13,456.74) decrease
3. Imported trench backfill material
 - General Description: Unsuitable saturated sandy clay material was found throughout a large portion of the project. Contractor provided substantial effort to re-use and compact these materials as trench backfill but was not able to due to the saturated condition. Materials had to be exported and replaced with Type II Pipe Bedding material.
 - Change in Contract Price: (increase)

Bid Item	Description	Increase in Quantity	Unit	Unit Price	Value
130	Type II Pipe Bedding	2262	CY	\$52.00	\$117,624.00

4. Addition of two blocks of curb and gutter replacement (Custer-Jordan and Merriam-Strevell)

- General Description:

Two blocks of curb and gutter on the north side of Stower Street, not planned for replacement in the original Bidding Documents, were added to the Work due to their poor condition and inadequacy to tie to with the new pavement. The quantities in the table below only reflect work associated with these two blocks.

- Change in Contract Price:

Bid Item	Description	Increase in Quantity	Unit	Unit Price	Value
305	Concrete Pavement Removal	99	SY	\$12.00	\$1,188
309	Unclassified Excavation	60	CY	\$24.00	\$1,440
311	Crushed Road Base	60	CY	\$28.00	\$1,680
314	Combined Curb and Gutter	444	LF	\$26.00	\$11,544
Total Increase					\$15,852.00

5. Other miscellaneous changes in quantities

- General Description:

As a unit price bid Contract, it is common that the final quantity of some pay items differs from the original bid quantity. There were miscellaneous increases and decreases in quantities during construction due to conditions encountered for various parts of the Work, which are not specifically addressed with items 1-4 mentioned in this memorandum. Final quantities depicting these other miscellaneous changes are represented in Payment Application No. 3.

- Change in Contract Price: \$15,884.00 Increase

Summary

The total of items 1-5 above results in a \$151,997.51 increase in Contract Price, which is reflected in Change Order No. 2 and Payment Application No. 3. Final Contract quantities agreed-upon by Owner and Contractor are represented in the attached Payment Application No. 3, Column D.

Attachment to Change Order No. 2
 Summary of Owner (City of Miles City) Supplied Parts and Labor
 Darling Addition Street and Utilities Rehabilitation – Phase I

CITY PARTS ITEM DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
8" Macro coupler	2	\$318.00	\$636.00
6" Tap Saddle	1	\$157.20	\$157.20
1" Corp	2	\$73.25	\$146.50
20' C900 pipe, 6"	2	\$119.80	\$239.60
10" grip rings & gland packs	6	\$86.21	\$517.26
10" 45 degree elbow	2	\$238.60	\$477.20
10" gate valve	1	\$1,390.60	\$1,390.60
10" romac quantum	2	\$377.65	\$755.30
Bell	1	\$54.73	\$54.73
8" clay to 8" plastic Fernco	4	\$22.08	\$88.32
1 1/4" to 1" reducer	1	\$69.50	\$69.50
1" union	2	\$24.03	\$48.06
1" curbstop	1	\$121.64	\$121.64
1 1/2" to 1" reducer	1	\$89.06	\$89.06
4" end cap and grip ring	1	\$48.74	\$48.74
4" alpha end cap	1	\$142.08	\$142.08
6" Alpha end cap	1	\$182.30	\$182.30
1 length C900, 4"	1	\$53.00	\$53.00
4" Hymax restraint coupler	1	\$172.11	\$172.11
6" 45 degree elbow	2	\$62.30	\$124.60
1 1/2" tap saddle	1	\$132.75	\$132.75
20' copper pipe, 1 1/2"	1	\$173.60	\$173.60
2" curbstop box	1	\$53.09	\$53.09
Valve box	2	\$149.00	\$298.00
Detectable Warning devices	5	\$158.10	\$790.50
SUBTOTAL PARTS			\$6,961.74

Attachment to Change Order No. 2
 Summary of Owner (City of Miles City) Supplied Parts and Labor
 Darling Addition Street and Utilities Rehabilitation – Phase I

CITY LABOR DESCRIPTION	# of Men	Hrs	Rate	Total
9/18/18 Utility excavation				
Vac Truck		5	\$180.00	NC
Labor	2	5	\$40.00	NC
9/19/18 Parts delivery (call out)				
Labor	1	2	\$60.00	\$120.00
9/21/18 Temp water repair (call out) 607 S Strevell				
Labor	1	2	\$60.00	\$120.00
9/21/18 Private sewer repair 517 S Jordan				
labor	4	5	\$40.00	NC
9/23/18 Parts delivery (call out x 2)				
labor	1	4	\$60.00	\$240.00
9/26/18 Clean Stower sewer				
Vac Truck		3	\$180.00	\$540.00
Labor	3	3	\$40.00	\$360.00
9/27/18 Clean Stower sewer				
Vac Truck		3	\$180.00	\$540.00
Labor	4	3	\$40.00	\$480.00
9/29/18 Parts delivery (call out x 3)				
Labor	1	6	\$60.00	\$360.00
10/3/18 Excavated gas line				
Vac Truck		0.5	\$180.00	NC
Labor	2	0.5	\$40.00	NC
10/12/18 Installed hydrant extension				
Labor	2	1	\$40.00	NC
10/12/18 Saw cut concrete				
Labor	2	6	\$40.00	\$480.00
10/31/18 Replace barricades, put up caution tape				
Labor	3	1	\$40.00	\$120.00
11-2-18 Sweep street, clean gutters				
Sweeper		3	\$110.00	\$330.00
Dump Truck		3	\$95.00	\$285.00
Labor	3	3	\$40.00	\$360.00
11/14/2018 Sweep street, clean gutters				
Sweeper #43		4	\$110.00	\$440.00
Sweeper #44		4	\$110.00	\$440.00
Dump Truck		4	\$95.00	\$380.00
Labor	4	4	\$40.00	\$640.00
11-14-2018 Clean concrete out of manhole				
Vactor		1	\$180.00	\$180.00
Labor	2	1	\$40.00	\$80.00
SUBTOTAL LABOR				\$6,495.00

Grand Total Owner (City) Parts and Labor \$13,456.74

Contractor's Application for Payment No. 3

To (Owner): City of Miles City	Application Period: 11/1 - 12/5	Application Date: 12/29/2018
Project: Darling Street Improvements	From (Contractor): Montana Civil LLC	Via (Engineer): K.L.J. Engineering
Owner's Contract No.	Contractor's Project No.: 2416112	Engineer's Project No.:

Application For Payment Change Order Summary

Approved Change Orders Number	Additions	Deductions
Change Order #1	\$58,753.00	
Change Order #2	\$42,997.31	
	\$ 151,997.51	
TOTALS	\$42,997.31	
NET CHANGE BY CHANGE ORDERS	\$ 210,750.51	

- ORIGINAL CONTRACT PRICE: \$ 5906,884.00
- Net change by Change Orders: \$ -8211848.51
- Current Contract Price (Line 1 + 2): \$ 2,0750.51
- TOTAL COMPLETED AND STORED TO DATE (Column G on Progress Estimate): \$ 1,117,634.51
- RETAINAGE: \$ 1,117,634.51
 - 5% X ~~55,881.73~~ Work Completed: \$ 55,881.73
 - 5% X Stored Material: \$
 - Total Retainage (Line 5a + Line 5b): \$ 55,881.73
- AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c): \$ 55,881.73
- LESS PREVIOUS PAYMENTS (Line 6 from prior Application): \$ 1,061,752.17
- LESS 1% MONTANA TAX: \$ 51,052.619.35
- AMOUNT DUE THIS APPLICATION: \$ 81.33
- BALANCE TO FINISH, PLUS RETAINAGE (Column H on Progress Estimate - Line 5 above): \$ 55,881.73

Payment of: \$ ~~58,332.37~~ 8,052.16

is recommended by: (Engineer) (Date)

Payment of: \$ ~~58,332.37~~ 8,052.16

is approved by: (Owner) (Date)

Approved by: (Funding Agency (if applicable)) (Date)

Contractor's Certification

The undersigned Contractor certifies that to the best of its knowledge: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By: *[Signature]* Date: 12/21/18

Progress Estimate

Contractor's Application

For (insert):		2/16/12 Schedule 1		Application Period: 1/17/2018 TO 12/5/2018		Application Number: 12902018		Application Date: 12/9/2018									
Item		A		B		C		D		E		F		G		H	
Item No.	Description	Bid Quantity	Unit	Unit Price	Bid Value	Current Qty Quantities	Estimated Quantity Installed	Value	Material Premium Stored (not in C or D)	Total Completed and Stored to Date (C, F)	% (D) / (G) / (R)	Balance to Finish (B - G)					
101	Schedule 1																
101	10" Mob	1	LS	\$21,000.00	\$21,000.00		1	\$21,000.00		\$21,000.00	100.0%						
102	tees/br/cond	1	LS	\$8,000.00	\$8,000.00		1	\$8,000.00		\$8,000.00	100.0%						
103	TRIP control	1	LS	\$12,000.00	\$12,000.00		1	\$12,000.00		\$12,000.00	100.0%						
104	remove existing gbs valve	5	EA	\$700.00	\$3,500.00		5	\$3,500.00		\$3,500.00	100.0%						
105	remove existing water riser hole	2	EA	\$1,500.00	\$3,000.00		2	\$3,000.00		\$3,000.00	100.0%						
106	remove existing fire hydrant	2	EA	\$1,500.00	\$3,000.00		2	\$3,000.00		\$3,000.00	100.0%						
107	remove existing fire hydrant	2	EA	\$1,500.00	\$3,000.00		2	\$3,000.00		\$3,000.00	100.0%						
108	temporary water services	1263	LF	\$4.00	\$5,052.00		1263	\$5,052.00		\$5,052.00	100.0%						
109	temporary water services	1	LS	\$12,000.00	\$12,000.00		1	\$12,000.00		\$12,000.00	100.0%						
110	explosive excavator	10	HRS	\$1,500.00	\$15,000.00		10	\$15,000.00		\$15,000.00	100.0%						
111	6" gbs valve	8	EA	\$850.00	\$6,800.00		8	\$6,800.00		\$6,800.00	100.0%						
112	10" gbs valve	1	EA	\$12,500.00	\$12,500.00		1	\$12,500.00		\$12,500.00	100.0%						
113	fire hydrant assembly	3	EA	\$4,500.00	\$13,500.00		3	\$13,500.00		\$13,500.00	100.0%						
114	1/2" hydrant	1	EA	\$600.00	\$600.00		1	\$600.00		\$600.00	100.0%						
115	6" hydrant tee	3	EA	\$450.00	\$1,350.00		3	\$1,350.00		\$1,350.00	100.0%						
116	6" cross	2	EA	\$600.00	\$1,200.00		2	\$1,200.00		\$1,200.00	100.0%						
117	6" 45 degree	2	EA	\$400.00	\$800.00		2	\$800.00		\$800.00	100.0%						
118	6" 72.5 degree	2	EA	\$400.00	\$800.00		2	\$800.00		\$800.00	100.0%						
119	6" 112.5 degree	2	EA	\$400.00	\$800.00		2	\$800.00		\$800.00	100.0%						
120	10" 45 degree	2	EA	\$550.00	\$1,100.00		2	\$1,100.00		\$1,100.00	100.0%						
121	10" 45 reducer	1	EA	\$750.00	\$750.00		1	\$750.00		\$750.00	100.0%						
122	8" 45" reducer	2	EA	\$550.00	\$1,100.00		2	\$1,100.00		\$1,100.00	100.0%						
123	6" 45" reducer	3	EA	\$450.00	\$1,350.00		3	\$1,350.00		\$1,350.00	100.0%						
124	connect to existing water main	12	EA	\$1,100.00	\$13,200.00		12	\$13,200.00		\$13,200.00	100.0%						
125	6" water main	1249	LF	\$48.00	\$60,000.00		1249	\$60,000.00		\$60,000.00	100.0%						
126	8" water main	13	LF	\$61.20	\$795.60		13	\$795.60		\$795.60	100.0%						
127	10" water main	100	LF	\$15.00	\$1,500.00		100	\$1,500.00		\$1,500.00	100.0%						
128	remove and replace existing water service	9	EA	\$700.00	\$6,300.00		9	\$6,300.00		\$6,300.00	100.0%						
129	fireable fill	20	CY	\$150.00	\$3,000.00		20	\$3,000.00		\$3,000.00	100.0%						
130	Type 1 pipe bedding	233	CY	\$52.00	\$12,116.00		233	\$12,116.00		\$12,116.00	100.0%						
131	Trench Flag	18	EA	\$350.00	\$6,300.00		18	\$6,300.00		\$6,300.00	100.0%						
132	UTILITY CROWN	6	EA	\$800.00	\$4,800.00		6	\$4,800.00		\$4,800.00	100.0%						
Totals					\$529,026.00			\$529,026.00		\$529,026.00		\$529,026.00					

Progress Estimate

Contractor's Application

Application Period: 11/2018 TO 12/2018 Application Number: 12292018 Application Date: 12/29/2018

Item No.	Item Description	A			B			C		D		E	F	G		H
		Bid Quantity	Unit	Unit Price	Bid Value	Correct Qty	Quantities	Estimate Quantity	Installed	Value	Materials Properly Stored			(net on C or D)	Total Completed and Stored to Date (E-F)	
201	16x24x12 in. curb	1	LS	\$12,000.00	\$12,000.00			1				\$12,000.00		\$12,000.00	100.0%	
202	Traffic Control	1	LS	\$6,000.00	\$6,000.00			1				\$6,000.00		\$6,000.00	100.0%	
203	Remove existing storm drain inlet	1	LS	\$7,500.00	\$7,500.00			1				\$7,500.00		\$7,500.00	100.0%	
204	Remove existing storm drain inlet	30	EA	\$1,500.00	\$45,000.00			30				\$45,000.00		\$45,000.00	100.0%	
205	Remove existing storm drain pipe	4	EA	\$1,500.00	\$6,000.00			4				\$6,000.00		\$6,000.00	100.0%	
206	Remove existing storm drain pipe	1046	LF	\$1.00	\$1,046.00			1046				\$1,046.00		\$1,046.00	100.0%	
207	48" storm drain manhole over existing storm drain	2	EA	\$3,500.00	\$7,000.00			2				\$7,000.00		\$7,000.00	100.0%	
208	48" storm drain manhole	6	EA	\$1,000.00	\$6,000.00			6				\$6,000.00		\$6,000.00	100.0%	
209	Reconnect to existing storm drain inlet	2	EA	\$1,000.00	\$2,000.00			2				\$2,000.00		\$2,000.00	100.0%	
210	Storm drain inlet	14	EA	\$400.00	\$5,600.00			14				\$5,600.00		\$5,600.00	100.0%	
211	18" storm drain pipe	335	LF	\$20.00	\$6,700.00			335				\$6,700.00		\$6,700.00	100.0%	
212	18" storm drain pipe	71	LF	\$400.00	\$28,400.00			71				\$28,400.00		\$28,400.00	100.0%	
213	12" storm drain pipe	348	LF	\$75.00	\$26,100.00			348				\$26,100.00		\$26,100.00	100.0%	
	Total				\$140,316.00							\$140,316.00		\$140,316.00		(\$0.00)

Progress Estimate

Contractor's Application

Item		A			B		C		D		E		F		G		H	
Item No.	Description	Unit	Unit Price	Qty	Unit Price	Did Value	Current Qty	Current Qty	Estimate Qty	Value	Material Priority	Total Completed	Total Completed	%	%	Balance in	Balance in	
												(F+G)	(F+G)	(F+G)	(F+G)	(F+G)	(F+G)	
301	Mech	LS	\$21,000.00	1		\$21,000.00			1	\$21,000.00		\$21,000.00	\$21,000.00	100.0%	100.0%			
302	12mm/1/2" Sand	LS	\$11,000.00	1		\$11,000.00			1	\$11,000.00		\$11,000.00	\$11,000.00	100.0%	100.0%			
303	Trench cement	LS	\$4,000.00	1		\$4,000.00			1	\$4,000.00		\$4,000.00	\$4,000.00	100.0%	100.0%			
304	50mm water management and erosion control	LS	\$16,000.00	1		\$16,000.00			1	\$16,000.00		\$16,000.00	\$16,000.00	100.0%	100.0%			
305	Concrete pavement removal	SY	\$12.00	3444		\$41,328.00			3444	\$41,328.00		\$41,328.00	\$41,328.00	100.0%	100.0%			
306	concrete sidewalk and pedestrian ramp removal	SY	\$12.00	477		\$5,724.00			477	\$5,724.00		\$5,724.00	\$5,724.00	100.0%	100.0%			
307	adjust existing mobile rim to finish grade (new section)	EA	\$800.00	2		\$1,600.00			2	\$1,600.00		\$1,600.00	\$1,600.00	100.0%	100.0%			
308	offset existing mobile rim to finish grade (used existing)	EA	\$350.00	2		\$700.00			2	\$700.00		\$700.00	\$700.00	100.0%	100.0%			
309	Underdrain Installation	LF	\$24.00	877		\$21,048.00			877	\$21,048.00		\$21,048.00	\$21,048.00	100.0%	100.0%			
310	Subgrade Stabilization	SY	\$24.00	1400		\$33,600.00			1400	\$33,600.00		\$33,600.00	\$33,600.00	100.0%	100.0%			
311	Crushed Road Base	SY	\$24.00	877		\$21,048.00			877	\$21,048.00		\$21,048.00	\$21,048.00	100.0%	100.0%			
312	Concrete Pavement	SY	\$55.00	2782		\$153,110.00			2782	\$153,110.00		\$153,110.00	\$153,110.00	100.0%	100.0%			
313	Temporary Pavement Patch	SY	\$35.00	173		\$6,025.00			173	\$6,025.00		\$6,025.00	\$6,025.00	100.0%	100.0%			
314	Combined Curb And Gutter	LF	\$14.00	321		\$4,494.00			321	\$4,494.00		\$4,494.00	\$4,494.00	100.0%	100.0%			
315	Monolithic curb returns	LF	\$24.00	243		\$5,832.00			243	\$5,832.00		\$5,832.00	\$5,832.00	100.0%	100.0%			
316	Concrete sidewalks (6" thick)	SY	\$12.00	873		\$10,476.00			873	\$10,476.00		\$10,476.00	\$10,476.00	100.0%	100.0%			
317	Concrete sidewalk ramp	SY	\$12.00	2807		\$33,684.00			2807	\$33,684.00		\$33,684.00	\$33,684.00	100.0%	100.0%			
318	Detachable warning patch	SY	\$31.00	260		\$8,060.00			260	\$8,060.00		\$8,060.00	\$8,060.00	100.0%	100.0%			
319	12" wide pavement strip	LF	\$12.00	262		\$3,144.00			262	\$3,144.00		\$3,144.00	\$3,144.00	100.0%	100.0%			
320	24" wide pavement strip	LF	\$16.00	64		\$1,024.00			64	\$1,024.00		\$1,024.00	\$1,024.00	100.0%	100.0%			
CO2-1	City Supplies/Labor Deduct	LS	(\$13,456.74)	1		(\$13,456.74)			1	(\$13,456.74)		(\$13,456.74)	(\$13,456.74)	100.0%	100.0%			
CO2-2	Erosion Repairs	LS	\$16,094.23	1		\$16,094.23			1	\$16,094.23		\$16,094.23	\$16,094.23	100.0%	100.0%			
Totals																		

City deduct should be \$ - 13,456.74

\$ 551,306.51

Stored Material Summary

Contractor's Application

For (contract):		2416112		Application Number:		10 25 2018					
Application Period:		10/1/2018 through 10/31/2018		Application Date:							
A	B	C		D		E		F		G	
Invoice No.	Shop Drawing Transmittal No.	Materials Description		Stored Previously Date (Month/Year)	Stored Previously Amount (\$)	Stored this Month Amount (\$)	Incorporated in Work Date (Month/Year)	Incorporated in Work Amount (\$)	Materials Remaining in Storage (\$) (D + E - F)		
Totals											

RECORDS DESTRUCTION DOCUMENT (RM88)

NO. 2019-01

PAGE 1 OF 3 PAGES

1. AGENCY NAME AND DIVISION/PROGRAM:
CITY OF MILES CITY
FINANCE DEPARTMENT

2. AGENCY CONTACT:
NAME: Becky Hart
PHONE #: 406-874-8620 EMAIL: bhart@milescity-mt.org

3. NOTICE OF INTENTION: The schedule records listed in Item 5 are to be disposed of in the manner checked below (specify only one).

- Delete
 Incinerate
 Shred as Classified
 Toss without Restriction
 Other: Explain RECYCLE

4. SUBMITTED BY: I hereby certify that the records to be disposed of are correctly represented below, that any audit requirements or **Offer to the State Historical Society Archives** has been fully justified, and that further retention is not required for any litigation pending or imminent. Documentation attached from Historical Society.

SIGNATURE:
NAME AND TITLE: Becky Hart, General Office Clerk
DATE:

5. LIST OF RECORD SERIES

NOTE: Attach any inventories or Excel spreadsheets to this form to help validate records destroyed.

a. Retention Schedule Number	b. Item number listed on Retention Schedule	c. Record Series Title	d. Retention in months/years	e. Inclusive Dates	f. Volume in Cubic Feet	g. Disposition Action and Date completed after Authorization
8	3-page 125	Customer Payment Coupons	1 year	July-Dec 2017	293	
8	6-page 7	Proclamations	2y after mayor's term	12/73-4/15	[Handwritten bracket spanning rows 2-9]	
8	1-page 49	Application for Business License	2y after exp	9/10-4/15		
8	10-page 76	Liability & Property Claims	2y after final settlement	June-Dec 2016		
8	19-page 77	Time Records	3 years	12/12-10/15		
8	1-page 58	Affidavits of Publication: b.)all others	3 years	6/17-12/17		
8	2-page 125	Customer Ledgers	3 years	July-Dec 2017		~143
8	3-page 28	Contractor Bonds	4y after exp	11/13-6/14		

6. DISPOSAL AUTHORIZATION: Disposal for the above listed records is authorized. Any deletions or modifications are indicated.

Custodian/Records Manager
Name: Lorrie Pearce, City Clerk Date:
Signature:

7. DISPOSAL CERTIFICATE: The above listed records have been disposed of in the manner and on the date shown in column g.

Name and Title: Robert Hutchings, Meter Reader
Signature:

see page 2

RECORDS DESTRUCTION DOCUMENT (RM88)

NO. 2019-01

PAGE 2 OF 3 PAGES

1. AGENCY NAME AND DIVISION/PROGRAM:
 CITY OF MILES CITY
 FINANCE DEPARTMENT

2. AGENCY CONTACT:
 NAME: Becky Hart
 PHONE #: 406-874-8620 EMAIL: bhart@milescity-mt.org

3. NOTICE OF INTENTION: The schedule records listed in Item 5 are to be disposed of in the manner checked below (specify only one).

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SIGNATURE:
 NAME AND TITLE: Becky Hart, General Office Clerk
 DATE:

5. LIST OF RECORD SERIES

NOTE: Attach any inventories or Excel spreadsheets to this form to help validate records destroyed.

a. Retention Schedule Number	b. Item number listed on Retention Schedule	c. Record Series Title	d. Retention in months/years	e. Inclusive Dates	f. Volume in Cubic Feet	g. Disposition Action and Date completed after Authorization
8	2-page 45	Canceled Vendor Checks	5y after FY	Jan-Dec, 2013		
8	1-page 51	Canceled Payroll Checks	5y after FY	Jan-Dec, 2013		
8	5-page 59	Budget Working Papers	5y after FY	7/12-6/13		
8	7-page 76	Insurance Policies	5y after FY	7/10-6/13		
8	20-page 78	Worker's Compensation: b.)log and summary info	5y after reported	2009-2013		
8	1-page 44	Account Reconciliation Records	5y after FY	Jan-Dec 2013		
8	5-page 17	Service Agency Agreements	8y after exp	May 2010		
8	3-page 58	Bid & Proposals: c.)successful award over \$25,000	8y after final payment	November 2009		

6. DISPOSAL AUTHORIZATION: Disposal for the above listed records is authorized. Any deletions or modifications are indicated.

Custodian/Records Manager
 Name: Lorrie Pearce, City Clerk Date:
 Signature:

7. DISPOSAL CERTIFICATE: The above listed records have been disposed of in the manner and on the date shown in column g.

Name and Title: Robert Hutchings, Meter Reader
 Signature:

1. AGENCY NAME AND DIVISION/PROGRAM: CITY OF MILES CITY FINANCE DEPARTMENT	2. AGENCY CONTACT: NAME: Becky Hart PHONE #: 406-874-8620 EMAIL: bhart@milescity-mt.org
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3. NOTICE OF INTENTION: The schedule records listed in Item 5 are to be disposed of in the manner checked below (specify only one).

Delete
 Incinerate
 Shred as Classified
 Toss without Restriction

 Other: Explain

4. SUBMITTED BY: I hereby certify that the records to be disposed of are correctly represented below, that any audit requirements or **Offer to the State Historical Society Archives** has been fully justified, and that further retention is not required for any litigation pending or imminent. *Documentation attached from Historical Society.*

SIGNATURE:
 NAME AND TITLE: Becky Hart, General Office Clerk
 DATE:

5. LIST OF RECORD SERIES

NOTE: Attach any inventories or Excel spreadsheets to this form to help validate records destroyed.

a. Retention Schedule Number	b. Item number listed on Retention Schedule	c. Record Series Title	d. Retention in months/years	e. Inclusive Dates	f. Volume in Cubic Feet	g. Disposition Action and Date completed after Authorization
8	3-page 51	1099 Forms	4 years	2013-2014	<i>~ 1/2 ft³</i>	
8	8-page 80	W-2 Forms	4 years after FY	2008, 2009, 2012		
					<i>≈ 4 1/2 ft³</i>	

3 total records

6. DISPOSAL AUTHORIZATION: Disposal for the above listed records is authorized. Any deletions or modifications are indicated.

Custodian/Records Manager

Name: Lorrie Pearce, City Clerk Date:

Signature:

7. DISPOSAL CERTIFICATE: The above listed records have been disposed of in the manner and on the date shown in column g.

Name and Title:

Signature:

