



# CITY OF MILES CITY AGENDA

*Regular Council Meeting  
City Council Chambers*

*August 27, 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 8/13/2019
  - B. Public Safety Committee Meeting 8/15/2019
2. SCHEDULE MEETINGS
3. REQUEST OF CITIZENS & PUBLIC COMMENT
4. APPOINTMENTS
5. PROCLAMATIONS
6. STAFF REPORTS
7. CITY COUNCIL COMMENTS
8. MAYOR COMMENTS
9. COMMITTEE RECOMMENDATIONS
10. BID OPENINGS
11. BID AWARDS
12. PUBLIC HEARINGS
  - A. **RESOLUTION NO. 4268 - A Resolution Pursuant to 2-9-212 of The Montana Code Annotated, Authorizing A Permissive Medical Levy for FY 2019-2020 to Fund Group Health Insurance Premium Contributions by The City and Providing For Hearing Thereon**
  - B. **RESOLUTION NO. 4269 - A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 165 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2019-2020**
  - C. **RESOLUTION NO. 4270 - A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 167 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2019-2020**
  - D. **RESOLUTION NO. 4271 -A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 171 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement**

**Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2019-2020**

- E. RESOLUTION NO. 4272- A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 172 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2019-2020**
- F. RESOLUTION NO. 4273 - A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 195 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2019-2020**
- G. RESOLUTION NO. 4274 - A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 202 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2019-2020**
- H. RESOLUTION NO. 4275 - A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 173 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2019-2020**
- I. RESOLUTION NO. 4276 - A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 204 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 204 for the Fiscal Year 2019-2020**
- J. RESOLUTION NO. 4277 - A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 205 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 205 for the Fiscal Year 2019-2020**
- K. RESOLUTION NO. 4278 - A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 207 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 207 for the Fiscal Year 2019-2020**
- L. PUBLIC HEARING on FY 2019/2020 Preliminary Budget**
- M. RESOLUTION NO. 4282- 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 Funds for Library and Parks Unbudgeted Revenues and Expenditures**

13. UNFINISHED BUSINESS

- A. OFFER OF AMENDMENTS TO FY 19/20 PRELIMINARY BUDGET
- B. RESOLUTION NO. 4282- *(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 Funds for Library and Parks Unbudgeted Revenues and Expenditures

14. CONSENT AGENDA

- A. RESOLUTION NO. 4268 - *(Second Reading)* A Resolution Pursuant to 2-9-212 of The Montana Code Annotated, Authorizing A Permissive Medical Levy for FY 2019-2020 to Fund Group Health Insurance Premium Contributions by The City and Providing For Hearing Thereon
- B. RESOLUTION NO. 4269- *(Second Reading)* A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 165 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2019-2020
- C. RESOLUTION NO. 4270 - *(Second Reading)* A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 167 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2019-2020
- D. RESOLUTION NO. 4271 -*(Second Reading)* A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 171 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2019-2020
- E. RESOLUTION NO. 4272- *(Second Reading)* A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 172 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2019-2020
- F. RESOLUTION NO. 4273 - *(Second Reading)* A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 195 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2019-2020
- G. RESOLUTION NO. 4274- *(Second Reading)* A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 202 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment

Therefore, For the Fiscal Year 2019-2020

- H. **RESOLUTION NO. 4275 - (Second Reading) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 173 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2019-2020**
- I. **RESOLUTION NO. 4276 - (Second Reading) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 204 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 204 for the Fiscal Year 2019-2020**
- J. **RESOLUTION NO. 4277 - (Second Reading) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 205 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 205 for the Fiscal Year 2019-2020**
- K. **RESOLUTION NO. 4278- (Second Reading) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 207 To Defray The Cost of Maintaining The Improvements in The Said Maintenance District No. 207 for the Fiscal Year 2019-2020**

15. **NEW BUSINESS**

- A. **RESOLUTION NO. 4279- A Resolution Approving and Adopting a Final Budget for the City of Miles City for FY 2019-2020; Authorizing Procedure for Adjustments to Appropriations for Certain Fee Based Budgets; Authorizing Procedure for Transferring Appropriations Between Items Within the Same Fund**
- B. **RESOLUTION NO. 4280 - A Resolution Electing to Operate Under the All-Purpose Mill Levy and Fixing the Tax Levy for the General Fund, Ambulance Fund and Airport Fund to be Levied and Assessed on all the Taxable Property in the City of Miles City for Fiscal Year 2019-2020**
- C. **RESOLUTION NO. 4283- A Resolution Revising City of Miles City Police Department Policy Manual**
- D. **RESOLUTION NO. 4284- A Resolution Approving a Grant Agreement With the U.S. Department of Transportation Federal Aviation Administration for Runway Reconstruction**

16. **ADJOURNMENT**

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

# Minutes

**Public Safety Committee Meeting**  
**August 15, 2019**

The Public Safety Committee met Thursday, August 15, 2019, at 6:00 pm in the City Hall Conference Room, 17 S. 8th. Present were Committee Members John Uden, Kathy Wilcox, Ken Gardner and Austin Lott. Also present were: Police Chief Doug Colombik and Human Resources Officer/Recorder Linda Wilkins.

Chairperson Uden called the meeting to order.

**1. Request of Citizens**

None

**2. Committee Member Comments**

*\*\*Committee Member Wilcox moved to remove item 3.B under New Business from the agenda, seconded by Committee Member Gardner and passed unanimously 4-0.*

**3. New Business**

A. Review and recommendation MCPD Active Shooter Policy

Chief Colombik and the committee discussed the importance of having an active shooter policy especially with these types of incidents happening repeatedly throughout the United States. Chief Colombik stated that the policy was based off a sample policy obtained from the International Association of Chiefs of Police (IACP). The committee asked Recorder Wilkins to also have MMIA review the policy. Recorder Wilkins stated that City Attorney Rice reviewed the policy and made no revisions. She will send it to MMIA for their review. The committee further discussed the importance of having training at various public facilities throughout the community on how to protect themselves during an active shooter situation.

*\*\*Committee Member Wilcox moved to recommend to Council the acceptance of the Police Department Active Shooter Policy, seconded by Committee Member Gardner. On roll call vote the motion passed 4-0.*

B. Review Grants for MCPD – COPS Grant

Removed from Agenda

**4. Adjournment**

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

The meeting was adjourned at 6:32 p.m.

Respectfully Submitted:

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John Uden, Chairperson

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Linda Wilkins, Recorder

**REGULAR COUNCIL MEETING August 13, 2019**  
**6:00 p.m.**

**CALL TO ORDER**

The Regular Council meeting was held Tuesday, August 13, 2019, in the City Hall Conference Room at City Hall, 17 S. 8<sup>th</sup> Street, Miles City, Montana. Mayor John Hollowell called the meeting to order. Council Members present were Brant Kassner, Ken Gardner, John Uden, Rick Huber, Kathy Wilcox and Susanne Galbraith. Council member Dwayne Andrews was excused.

Also present were City Attorney Dan Rice, Public Utilities Director Tom Speelmon, Public Works Director Scott Gray, Police Chief Doug Colombik, Fire Chief Branden Stevens, Dispatch Supervisor Lyne Anderson, City Clerk Lorrie Pearce, Deputy City Clerk and Recorder Mary Rowe.

**PLEDGE OF ALLEGIANCE**

Mayor Hollowell led the Council in the Pledge of Allegiance.

**APPROVAL OF COUNCIL & COMMITTEE MINUTES**

**City Council Minutes: 7/23/2019**

\*\* *Councilperson Uden moved to approve the minutes of the Regular Council Meeting of July 23, 2019, subject to any corrections, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 6-0.*

**Human Resource Committee Minutes: 7/18/2019**

\*\* *Councilperson Wilcox moved to approve the minutes of the Human Resource Meeting July 18, 2019, and seconded by Councilperson Gardner. The motion passed by unanimous consent, 6-0.*

**Finance Committee Minutes: 7/18/2019**

\*\* *Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting July 18, 2019, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 6-0.*

**Finance Committee Minutes: 7/31/2019**

\*\* *Councilperson Galbraith moved to approve the minutes of the Finance Committee Meeting July 31, 2019, and seconded by Councilperson Kassner. The motion passed by unanimous consent, 6-0.*

**SCHEDULE MEETINGS**

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

- Public Safety Committee Meeting 08/15/2019 at 6p.m.

## **REQUEST OF CITIZENS & PUBLIC COMMENT**

- Bonnie Smith of 403 Orr Street, Miles City, MT stated that she owns property on North 4<sup>th</sup> Street that she had sold two weeks prior until the buyer found out that they cannot replace the trailers because of a zoning issue. She said that she had been zoned in the county for as long as she had owned the trailer park and had received no notice that zoning had changed and put her within city limits. Bonnie had said that she spoke with the City Planner already and was granted no relief. She wanted to know what she can do or if she is stuck with valueless property.
  - Mayor Hollowell advised Bonnie that she needed to speak with the City Planner in Training, Ally Capps about re-zoning. He also stated that he would look into the matter and give her a call with the findings.
  - Public Works Director Gray informed her that the property is surrounded by residential and that spot zoning may be required.
  - City Attorney Rice stated that she may fall under a grandfather clause regarding replacement of mobile homes, but he could not be certain without looking into it. He would get ahold of City Planner in Training about the matter.
- Austin Lott of 13 North Lake, Miles City, MT gave a report on how well the event went at the Oasis. He said there were approximately thirty to forty kids that attended and it was a hit! He thanked everyone for making the event possible.

## **APPOINTMENTS**

None

## **PROCLAMATIONS**

None

## **STAFF REPORTS**

- Fire Chief Stevens supplied the council with a handout showing Fire Department call volume and various issues they are having. He then introduced Lieutenant Tanner Harbaugh.
- Lieutenant Tanner Harbaugh accompanied by Firemen Justin and Austin to show the council what the new MSA-G1's looked like compared to the old ones and they went over the specs of the new self-contained breathing apparatus (SCBA) equipment the Fire Department had just received. He



explained that the SCBA's that they had been using were not up to safety standards, and they have not been since 2014. With the new SCBA's the firefighters will have better visibility, mobility, and overall personal safety. Some of the features that he presented included adjustable waist belt to fit all sizes, an oxygen share valve on the side of the unit that fits all other SCBA's old and new, 30% early alert system that calculates breathing rates and remaining oxygen in minutes, heat sensors monitoring body temperature, the tank sits lower in the back which prevents the SCBA from knocking off safety helmets, and they are considerably lighter.

- Public Works Director Gray updated the council on Strevell Street project. The sewer is complete. He said that they had a couple water breaks and had a twenty inch water line down, but everything is coming along as scheduled. They are going to move into working on the storm sewer process, ADA curbs, and sidewalks. He also stated that they were going to be removing some trees from Wibaux Park so the frog pool would have to be shut down Thursday, along with the Oasis on Sunday.

### **CITY COUNCIL COMMENTS**

- Councilperson Uden said that he believes the city street crew is pretty much caught up with the frost heaves and potholes. He thanked them for their hard work and congratulated them on a job well done.

### **MAYOR COMMENTS**

### **COMMITTEE RECOMMENDATIONS**

None

### **BID OPENINGS**

### **BID AWARDS**

None

### **PUBLIC HEARINGS**

- A. **RESOLUTION NO. 4263- A Resolution Approving the Work Plan and Budget for Fiscal Year 2019-2020 For Business Improvement District No. 101, and Providing for Hearing Thereon**

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

- B. **RESOLUTION NO. 4265- A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY2018-2019 to Increase the Budgeted Amount in Fund # 5510-**

**010-420730-810 and 6040-910-430220-346**

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

- C. **RESOLUTION NO. 4267- A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2018-2019 for State of Montana Payments on Behalf of Retirement Accounts and Providing for Hearing Thereon**

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

- D. **PUBLIC HEARING on Preliminary Budget for Fiscal Year 2019-2020**

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

### **UNFINISHED BUSINESS**

- A. **RESOLUTION NO. 4263-(Second Reading) A Resolution Approving the Work Plan and Budget for Fiscal Year 2019-2020 For Business Improvement District No. 101, and Providing for Hearing Thereon**

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

- B. **RESOLUTION NO. 4265- (Second Reading) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY2018-2019 to Increase the Budgeted Amount in Fund # 5510-010-420730-810 and 6040-910-430220-346**

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

Councilperson Uden questioned what the \$25,000 contractual allowances are for.

Fire Chief Stevens explained that the contractual allowance is the difference between what is billed to Medicare/Medicaid and what Medicare/Medicaid actually pays. They budget high to cover that difference.

\*\* *On roll call vote, the motion passed by unanimous consent, 6-0.*

- C. **RESOLUTION NO. 4267- (*Second Reading*) A Resolution Pursuant to §7-6-4006 of the Montana Code Annotated, Authorizing Amendment of Final Budget for FY 2018-2019 for State of Montana Payments on Behalf of Retirement Accounts and Providing for Hearing Thereon**

\*\* *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, 6-0.*

#### CONSENT AGENDA

- A. **RESOLUTION NO. 4268- (*First Reading*) A Resolution Pursuant to 2-9-212 of The Montana Code Annotated, Authorizing A Permissive Medical Levy for FY 2019-2020 to Fund Group Health Insurance Premium Contributions by The City and Providing For Hearing Thereon**
- B. **RESOLUTION NO. 4269- (*First Reading*) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 165 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing And Directing Payment Therefore, For the Fiscal Year 2019-2020**
- C. **RESOLUTION NO. 4270- (*First Reading*) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 167 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing and Directing Payment Therefore, For the Fiscal Year 2019-2020**
- D. **RESOLUTION NO. 4271- (*First Reading*) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 171 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing and Directing Payment Therefore, For the Fiscal Year 2019-2020**
- E. **RESOLUTION NO. 4272- (*First Reading*) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 172 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing and Directing Payment Therefore, For the Fiscal Year 2019-2020**
- F. **RESOLUTION NO. 4273- (*First Reading*) A Resolution Levying and**

**Assessing A Tax Upon All Property in Special Improvement Lighting District No. 195 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing and Directing Payment Therefore, For the Fiscal Year 2019-2020**

- G. **RESOLUTION NO. 4274- (*First Reading*) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 202 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing and Directing Payment Therefore, For the Fiscal Year 2019-2020**
- H. **RESOLUTION NO. 4275- (*First Reading*) A Resolution Levying and Assessing A Tax Upon All Property in Special Improvement Lighting District No. 173 to Defray the Cost of Leasing, Maintenance and Electrical Current in Said Special Improvement Lighting District and Authorizing and Directing Payment Therefore, For the Fiscal Year 2019-2020**
- I. **RESOLUTION NO. 4276- (*First Reading*) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 204 To Defray the Cost of Maintaining the Improvements in The Said Maintenance District No. 204 for the Fiscal Year 2019-2020**
- J. **RESOLUTION NO. 4277 - (*First Reading*) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 205 To Defray the Cost of Maintaining the Improvements in The Said Maintenance District No. 205 for the Fiscal Year 2019-2020**
- K. **RESOLUTION NO. 4278- (*First Reading*) A Resolution Levying and Assessing A Tax Upon All of the Property Within Maintenance District No. 207 To Defray the Cost of Maintaining the Improvements in The Said Maintenance District No. 207 for the Fiscal Year 2019-2020**
- \*\* *Councilperson Uden moved to approve items A-K under the Consent Agenda, seconded by Councilperson Wilcox. On roll call vote, the motion passed by unanimous consent, 6-0.*

#### **REGULAR NEW BUSINESS**

- A. **Approval on Miles Community College Building a Locker Room on Field #3 at Bender Park**

Public Works Director Gray informed the Council that Miles Community College was still working on some other details along with their proposal at

this time. He noted that they will not be near prevailing wages, but with all the donations added together they are at twenty-one thousand. He did not want it to be struck from the council, just rescheduled until they have completed their proposal and have someone there to speak for them.

**\*\*** *Councilperson Uden moved to postpone the approval of Miles Community College Building a Locker Room at Bender Park until a more appropriate time and seconded by Councilperson Gardner. By unanimous consent, the motion passed 6-0.*

**B. Approval on Horse Sculpture and Prairie Landscape Project presented by Keep Miles City Beautiful**

**\*\*** *Councilperson Wilcox moved to approve the budget and design plans of the horse sculpture and prairie landscape project presented by Keep Miles City Beautiful and seconded by Councilperson Huber.*

City Attorney Rice stated that the concept had already been approved at a previous meeting. He and the Mayor looked over the budgeted amounts and found them to be satisfactory.

Public Works Director Gray stated that Keep Miles City Beautiful had submitted a budget proposal and design plans to be approved by council per the donation policy.

**\*\*** *By unanimous consent the motion passed 6-0.*

**C. Approval on Walleyes Unlimited, Moving and Building Structures at Spotted Eagle**

**\*\*** *Councilperson Uden moved to approve the concept of Walleyes Unlimited moving and building structures at Spotted Eagle and seconded by Councilperson Gardner.*

Dale Marcel of Walleyes Unlimited gave an overview of the plan to move one structure and rebuild a new structure in its place. He provided handouts showing the size and specs of the picnic shelter, and of a storage shed they hope to build to store equipment and such. The shelter will have a concrete wall, tin roof, possibly electricity, and tables (preferably concrete, but wood would work too). He said along with the structures themselves they want to pour a concrete pad for the picnic area to sit on, eliminate the weeds in the surrounding area and bring in sand to make it a beach area. He stated that since the improvements have been made, Spotted Eagle has been getting more use and the cameras that they had previously installed are helping

immensely to cut down on vandalism and other crimes. Securing the access gates are helping too.

Councilperson Huber thanked Walleyes Unlimited for all they have done and are doing out at Spotted Eagle.

**\*\*** *By unanimous consent the motion passed 6-0.*

**D. RESOLUTION NO. 4281- A Resolution Approving an Application for Irrevocable Standby Letter of Credit With Federal Home Bank of Des Moines Through Stockman Bank of Miles City, Montana for Holding of City Funds**

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

Councilperson Huber questioned City Clerk Pearce on whether or not this was discussed with the auditor, to which she replied yes.

Mayor Hollowell inquired about interest rate negotiation.

Councilperson Galbraith and Public Utilities Director Speelmon explained that they are at their maximum interest rate already. Councilperson Galbraith explained her safety concern and was assured that there are bonds backing the money, so the auditor said not to worry.

**\*\*** *On roll call vote, the motion passed by unanimous consent, 6-0.*

**E. RESOLUTION NO. 4282- (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 Funds for Library and Parks Unbudgeted Revenues and Expenditures**

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

**F. Council Vacancy Interviews**

**▪ One write-in ~ Austin Lott**

**\*\*** *Councilperson Wilcox nominated Austin Lott to fill the Ward 4 Council seat until the next election and seconded by Councilperson Huber.*

One interview question was asked, "Are you sure you want to do this"? There was a bit of laughter to follow, and there were no other questions asked.

**\*\*** *On a roll call vote, the motion **passed** by unanimous consent, 6-0.*

**G. Approval on the Police Department proceeding With Applying for the COPS Hiring Grant**

**\*\*** *Councilperson Uden moved to approve the Police Department proceeding with applying for the COPS Hiring Grant and seconded by Councilperson Wilcox.*

Police Chief Colombik explained that this grant is finally opening up in a few weeks, he presumes sometime in September. It is a grant to hire an officer with an annual grant match of 25% in year one, 50% in year two, and 75% in year three. The fourth year Miles City would be responsible for paying full wages and benefits for the new employee. This will give the Miles City Police Department a chance to get back their 17<sup>th</sup> position that was lost years ago. Ultimately it will give some relief to the city and other officers by eliminating a large amount of overtime. The crew that they have now is a great one, where everyone is getting along and turnover is way down from the previous year(s). He said that he had been researching the grant for weeks and is currently writing the grant with the help of City Planner in training Ally Capps.

Elizabeth Patten of 612 South Merriam, Miles City, MT shared that anything we can do as a city for our officers is much appreciated. She is in full favor of the grant.

**H. Discuss the results from Survey Monkey**

Councilperson Wilcox opened the discussion by saying that the City asked and the residents responded. She inquired about how they should utilize this information. She stated that there were several good comments posted on different ways to save the city money and ways to earn the city money. She pointed out that the most important departments according to the results are the Fire Department, Police Department, and the Parks Department. She wanted to know what other Council members and Committees were doing, or planning to do to avoid this financial "fiasco" again next year; she requested that the Finance Committee keep the Council posted on the steps they are taking. She was pleased by the end of the discussion to hear that there were already two options being investigated and acted upon.

Mayor Hollowell stated that a huge part of the results showed that a public safety mill levy and annexation were among the most important. Dispatch would be hugely affected by, and need to grow with, both of these options. He disclosed that the finance committee had met the prior week and were beginning discussions on annexation, mill levy increases, tossed around the idea of a public safety levy or park levy like in Billings, Montana. The Mayor mentioned that he had been speaking with Elizabeth Patten about getting a better face on the internet by using the city's website as a main hub for city information. He also informed the council that City Planner in Training Capps has been looking into and gathering information regarding annexation. He also pointed out that annexation is an intricate process and there are specific legalities that need to be addressed prior to moving forward. Mayor Hollowell also made it very clear that there cannot be too much requested at once. He did not want to put a burden on the community.

Councilperson Galbraith believed that perhaps the most relevant path currently is to discuss and take action on a mill levy increase. She also stated that there is no department that deserves to be cut more than another. Every department is doing their job to the best of their ability.

City Clerk Pearce wanted to point out that there had been a few comments about people taking the survey more than once, and she assured the council that there were regulations put on the survey. She had tried to take the survey twice and was unable.

**I. Approval for July Claims**

**\*\*** *Councilperson Uden moved to approve the July claims and seconded by Councilperson Kassner. By unanimous consent the motion passed 6-0.*

**ADJOURNMENT**

**\*\*** *Councilperson Uden moved to adjourn the meeting, seconded by Councilperson Huber and passed unanimously, 6-0.*

The meeting adjourned at 7:32 p.m.

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**John Hollowell, Mayor**

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**Mary Rowe, Deputy Clerk**



# Public Hearing

**RESOLUTION NO. 4268**

**A RESOLUTION PURSUANT TO §2-9-212 OF THE MONTANA CODE ANNOTATED, AUTHORIZING A PERMISSIVE MEDICAL LEVY FOR FY 2019-2020 TO FUND GROUP HEALTH INSURANCE PREMIUM CONTRIBUTIONS BY THE CITY AND PROVIDING FOR HEARING THEREON**

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

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

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

*AND WHEREAS*, the City of Miles City desires to levy such property tax for Fiscal Year 2019-2020;

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

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

That a property tax levy of 27.29 mills be imposed, pursuant to §2-9-212 MCA, for the purposes of funding the premium for group health insurance for Fiscal Year 2019-2020.

**BE IT FURTHER RESOLVED** that a public hearing shall be held on the above proposed levy on the 27<sup>th</sup> day of August, 2019, at 6:00 p.m. in the City Hall Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4127 MCA, at least 2 times with at least 6 days separating each publication.

**SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 13<sup>th</sup> DAY OF AUGUST, 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 27<sup>th</sup> DAY OF AUGUST, 2019.**

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

## RESOLUTION NO. 4269

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 165 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2019-2020.**

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

**WHEREAS**, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2019-2020 is estimated by the City Council at the sum of \$175,342 and,

**WHEREAS**, the property in said Special Improvement Lighting District No. 165 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2019-2020 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 165.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 165, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 165 amounting to 0.005857 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 27<sup>th</sup> day of August, 2019, at 6:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

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

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

PASSED BY THE CITY COUNCIL THIS 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**WHEREAS**, the above-entitled Resolution was filed in the Office of the City Clerk on the 13<sup>th</sup> day of August, 2019, and has ever since been on file in said office subject to public inspection.

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

**WHEREAS**, a hearing on objections was conducted by the City Council on August 27<sup>th</sup>, 2019, pursuant to published notice;

**WHEREAS**, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2019-2020 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

**THEREFORE, BE IT RESOLVED** that the Resolution 4269 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2019-2020 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

## RESOLUTION NO. 4270

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 167 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2019-2020.**

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

**WHEREAS**, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2019-2020 is estimated by the City Council at the sum of \$26,100 and,

**WHEREAS**, the property in said Special Improvement Lighting District No. 167 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2019-2020 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 167.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 167, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 167 amounting to 0.010500 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 27<sup>th</sup> day of August, 2019, at 6:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

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

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

PASSED BY THE CITY COUNCIL THIS 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**WHEREAS**, the above-entitled Resolution was filed in the Office of the City Clerk on the 13<sup>th</sup> day of August, 2019, and has ever since been on file in said office subject to public inspection.

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

**WHEREAS**, a hearing on objections was conducted by the City Council on August 27<sup>th</sup>, 2019, pursuant to published notice;

**WHEREAS**, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2019-2020 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

**THEREFORE, BE IT RESOLVED** that the Resolution 4270 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2019-2020 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

## RESOLUTION NO. 4271

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 171 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2019-2020**

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

**WHEREAS**, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2019-2020 is estimated by the City Council at the sum of \$5,716 and,

**WHEREAS**, the property in said Special Improvement Lighting District No. 171 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2019-2020 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 171.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 171, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 171 amounting to 0.007210 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 27<sup>th</sup> day of August, 2019, at 6:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

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

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

PASSED BY THE CITY COUNCIL THIS 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**WHEREAS**, the above-entitled Resolution was filed in the Office of the City Clerk on the 13<sup>th</sup> day of August, 2019, and has ever since been on file in said office subject to public inspection.

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

**WHEREAS**, a hearing on objections was conducted by the City Council on August 27, 2019, pursuant to published notice;

**WHEREAS**, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2019-2020 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

**THEREFORE, BE IT RESOLVED** that the Resolution 4271 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2019-2020 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk



## RESOLUTION NO. 4272

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 172 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2019-2020**

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

**WHEREAS**, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2019-2020 is estimated by the City Council at the sum of \$33,451 and,

**WHEREAS**, the property in said Special Improvement Lighting District No. 172 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2019-2020 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 172.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 172, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 172 amounting to 0.043877 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 27<sup>th</sup> day of August, 2019, at 6:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

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

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

PASSED BY THE CITY COUNCIL THIS 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**WHEREAS**, the above-entitled Resolution was filed in the Office of the City Clerk on the 13<sup>th</sup> day of August, 2019, and has ever since been on file in said office subject to public inspection.

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

**WHEREAS**, a hearing on objections was conducted by the City Council on August 27<sup>th</sup>, 2019, pursuant to published notice;

**WHEREAS**, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2019-2020 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

**THEREFORE, BE IT RESOLVED** that the Resolution 4272 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2019-2020 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

## RESOLUTION NO. 4273

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 195 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2019-2020.**

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

**WHEREAS**, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2019-2020 is estimated by the City Council at the sum of \$5,897 and,

**WHEREAS**, the property in said Special Improvement Lighting District No. 195 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2019-2020 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 195.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 195, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 195 amounting to 0.008026 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 27<sup>th</sup> day of August, 2019, at 6:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

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

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

PASSED BY THE CITY COUNCIL THIS 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**WHEREAS**, the above-entitled Resolution was filed in the Office of the City Clerk on the 13<sup>th</sup> day of August, 2019, and has ever since been on file in said office subject to public inspection.

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

**WHEREAS**, a hearing on objections was conducted by the City Council on August 27<sup>th</sup>, 2019, pursuant to published notice;

**WHEREAS**, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2019-2020 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

**THEREFORE, BE IT RESOLVED** that the Resolution 4273 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2019-2020 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

## RESOLUTION NO. 4274

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 202 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2019-2020**

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

**WHEREAS**, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2019-2020 is estimated by the City Council at the sum of \$9,308 and,

**WHEREAS**, the property in said Special Improvement Lighting District No. 202 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2019-2020 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 202.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 202, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 202 amounting to 0.010883 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 27<sup>th</sup> day of August, 2019, at 6:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

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

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

PASSED BY THE CITY COUNCIL THIS 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**WHEREAS**, the above-entitled Resolution was filed in the Office of the City Clerk on the 13<sup>th</sup> day of August, 2019, and has ever since been on file in said office subject to public inspection.

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

**WHEREAS**, a hearing on objections was conducted by the City Council on August 27<sup>th</sup>, 2019, pursuant to published notice;

**WHEREAS**, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2019-2020 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

**THEREFORE, BE IT RESOLVED** that the Resolution 4274 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2019-2020 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

## RESOLUTION NO. 4275

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 173 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2019-2020**

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

**WHEREAS**, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2019-2020 is estimated by the City Council at the sum of \$2,874 and,

**WHEREAS**, the property in said Special Improvement Lighting District No. 173 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2019-2020 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 173.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 173, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 173 amounting to 0.005986 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 27<sup>th</sup> day of August, 2019, at 6:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

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

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

PASSED BY THE CITY COUNCIL THIS 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**WHEREAS**, the above-entitled Resolution was filed in the Office of the City Clerk on the 13<sup>th</sup> day of August, 2019, and has ever since been on file in said office subject to public inspection.

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

**WHEREAS**, a hearing on objections was conducted by the City Council on August 27<sup>th</sup>, 2019, pursuant to published notice;

**WHEREAS**, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2019-2020 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

**THEREFORE, BE IT RESOLVED** that the Resolution 4275 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2019-2020 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk



## RESOLUTION NO. 4276

### **A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL OF THE PROPERTY WITHIN MAINTENANCE DISTRICT NO. 204 TO DEFRAY THE COST OF MAINTAINING THE IMPROVEMENTS IN THE SAID MAINTENANCE DISTRICT NO. 204 FOR THE FISCAL YEAR 2019-2020**

**WHEREAS**, on the 15th day of May, 1984, the City Council of the City of Miles City, Montana, passed Ordinance No. 933 and Resolution No. 2274 creating Maintenance District No. 204 includes, but is not limited to, sprinkling, chip sealing, seal coating, overlaying, treating, pothole repair, general cleaning, sweeping, flushing, snow removal, leaf and debris removal and the operation, maintenance and repair of traffic signal systems, the repair of traffic and street signs, the placement and maintenance of pavement markings, curb and gutter repair, and minor sidewalk repair that includes cracking, chipping, sinking, and the replacement of not more than 6 feet of sidewalk in any 100-foot portion of sidewalk, and

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

**WHEREAS**, pursuant to 7-12-4425, MCA the City Council of the City of Miles City, Montana, is mandated to pass and finally adopt a resolution assessing all of the property within Maintenance District No. 204 in an amount equal to not less than seventy-five percent (75%) of the entire cost of the said work and the estimated cost of maintenance in said district for fiscal year 2019-2020 is \$1,704,326

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

Section 1: That to defray the costs of maintaining Maintenance District No. 204 for the fiscal year 2019-2020 there is hereby levied and assessed a tax upon all property in said district as follows:

MAINTENANCE DISTRICT NO. 204: 0.054662 per  
square foot assessment

FOR EXAMPLE: A typical lot within the district of approximately 7,000 square feet shall have an annual assessment of \$382.63

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

Section 3: That the City Clerk of the City of Miles City, Montana, shall sign a notice stating that this resolution levying a special assessment to defray the cost of Maintenance District No. 204, is on file in his or her office and is subject to inspection and said notice shall be published in the Miles City Star as provided in 7-1-4127 MCA. The notice shall also state that the City Council of the City of Miles City, Montana, shall on the 27<sup>th</sup> day of August, 2019 at 6:00 PM in the City Council Chambers at City Hall, Miles City, Montana, hear objections to the final adoption of this resolution. This Notice shall contain a statement setting out the method of assessment being proposed for adoption. The final date of publication of such Notice shall be at least 5 days prior to the date of such hearing.

PASSED BY THE CITY COUNCIL this 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED THIS 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

## RESOLUTION NO. 4277

### **A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL OF THE PROPERTY WITHIN MAINTENANCE DISTRICT NO. 205 TO DEFRAY THE COST OF MAINTAINING THE IMPROVEMENTS IN THE SAID MAINTENANCE DISTRICT NO. 205 FOR THE FISCAL YEAR 2019-2020**

**WHEREAS**, on the 15th day of May, 1984, the City Council of the City of Miles City, Montana, passed Ordinance No. 933 and Resolution No. 2275 creating Maintenance District No. 205 includes, but is not limited to, sprinkling, chip sealing, seal coating, overlaying, treating, pothole repair, general cleaning, sweeping, flushing, snow removal, leaf and debris removal and the operation, maintenance and repair of traffic signal systems, the repair of traffic and street signs, the placement and maintenance of pavement markings, curb and gutter repair, and minor sidewalk repair that includes cracking, chipping, sinking, and the replacement of not more than 6 feet of sidewalk in any 100-foot portion of sidewalk, and

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

**WHEREAS**, pursuant to 7-12-4425, MCA the City Council of the City of Miles City, Montana, is mandated to pass and finally adopt a resolution assessing all of the property within Maintenance District No. 205 in an amount equal to not less than seventy-five percent (75%) of the entire cost of the said work and the estimated cost of maintenance in said district for fiscal year 2019-2020 is \$134,977

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

Section 1: That to defray the costs of maintaining Maintenance District No. 205 for the fiscal year 2019-2020 there is hereby levied and assessed a tax upon all property in said district as follows:

MAINTENANCE DISTRICT NO. 205: 0.016197 per  
square foot assessment

FOR EXAMPLE: A typical lot within the district of approximately 7,000 square feet shall have an annual assessment of \$113.38

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

Section 3: That the City Clerk of the City of Miles City, Montana, shall sign a notice stating that this resolution levying a special assessment to defray the cost of Maintenance District No. 205, is on file in his or her office and is subject to inspection and said notice shall be published in the Miles City Star as provided in 7-1-4127 MCA. The notice shall also state that the City Council of the City of Miles City, Montana, shall on the 27<sup>th</sup> day of August, 2019, at 6:00 PM in the City Council Chambers at City Hall, Miles City, Montana, hear objections to the final adoption of this resolution. This Notice shall contain a statement setting out the method of assessment being proposed for adoption. The final date of publication of such Notice shall be at least 5 days prior to the date of such hearing.

PASSED BY THE CITY COUNCIL this 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED THIS 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

## RESOLUTION NO. 4278

### **A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL OF THE PROPERTY WITHIN MAINTENANCE DISTRICT NO. 207 TO DEFRAY THE COST OF MAINTAINING THE IMPROVEMENTS IN THE SAID MAINTENANCE DISTRICT NO. 207 FOR THE FISCAL YEAR 2019-2020**

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

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

WHEREAS, pursuant to 7-12-4425, MCA the City Council of the City of Miles City, Montana, is mandated to pass and finally adopt a resolution assessing all of the property within Maintenance District No. 207 in an amount equal to not less than seventy-five percent (75%) of the entire cost of the said work and the estimated cost of maintenance in said district for fiscal year 2019-2020 is \$6,512.

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

Section 1: That to defray the costs of maintaining Maintenance District No. 207 for the fiscal year 2019-2020 there is hereby levied and assessed a tax upon all property in said district as follows:

MAINTENANCE DISTRICT NO. 207: 0.012807 per  
square foot assessment

FOR EXAMPLE: A typical lot within the district of approximately 7,000 square feet shall have an annual assessment of \$89.65.

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

Section 3: That the City Clerk of the City of Miles City, Montana, shall sign a notice stating that this resolution levying a special assessment to defray the cost of Maintenance District No. 207, is on file in his or her office and is subject to inspection and said notice shall be published in the Miles City Star as provided in 7-1-4127 MCA. The notice shall also state that the City Council of the City of Miles City, Montana, shall on the 27<sup>th</sup> day of August, 2019, at 6:00 PM in the City Council Chambers at City Hall, Miles City, Montana, hear objections to the final adoption of this resolution. This Notice shall contain a statement setting out the method of assessment being proposed for adoption. The final date of publication of such Notice shall be at least 5 days prior to the date of such hearing.

PASSED BY THE CITY COUNCIL this 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED THIS 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**RESOLUTION NO. 4282**

**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 THE FUNDS FOR LIBRARY AND PARKS 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. Increased appropriations in the amount of \$119,560.93 in unanticipated expense of repairing Bender Park building in fund No. 4000-501-460433-350 (101000) as a result of transferring MMIA reimbursement cash from General Fund
2. Increased appropriations in the amount of \$16,100 in unanticipated expense in the Library Service fund No. 2220-016-521000-820 (101000) as a result of transferring revenues received into fund 2220, which should have gone into Library Grants fund 2880

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 27<sup>th</sup> day of August, 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  
13<sup>TH</sup> DAY OF AUGUST, 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 27<sup>TH</sup> DAY OF AUGUST, 2019.

\_\_\_\_\_  
JOHN HOLLOWELL, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk



# Unfinished Business

Offer of Amendments to FY 19/20 Preliminary Budget

REVENUE				
FUND	ACCOUNT	AMOUNT AMENDED	TOTAL AMOUNT	
			DESCRIPTION	
2392	311010	\$ 7,038.00	\$ 259,722.00	Real Property Taxes
1000	311010	\$ (46,874.00)	\$ 1,777,792.00	Real Property Taxes
1000	311020	\$ 1,838.00	\$ 44,326.00	Personal Property Taxes
1000	383000	\$ 1,537.00	\$ 610,038.00	Interfund Operating- Permissive Levy
5510	311010	\$ 284.00	\$ 9,284.00	Real Property Taxes
5510	311020	\$ 11.00	\$ 231.00	Personal Property Taxes
5610	311010	\$ 215.00	\$ 13,926.00	Real Property Taxes
5610	311020	\$ 12.00	\$ 347.00	Personal Property Taxes
1000	334000	\$ 3,000.00	\$ 3,000.00	State Grants
1000	334121	\$ 2,500.00	\$ 2,500.00	DNRC Grants
1000	334144	\$ 7,600.00	\$ 7,600.00	State Energy Grant
1000	337000	\$ 3,000.00	\$ 3,000.00	Private Grants
1000	367000	\$ 4,100.00	\$ 4,100.00	Sale of Junk Vehicles
2310	311010	\$ 34,817	\$ 77,817.00	Real Property Taxes
2310	311020	\$ 10,000	\$ 10,000.00	Personal Property Taxes
1000	362020	\$ 300	\$ 3,300.00	Miscellaneous Revenue
1000	371010	\$ 2,000	\$ 11,000.00	Investment Earnings
2270	383000	\$ -1,500	\$ 11,500.00	Transfer to Health Fund
4000	383000	\$ -17,458	\$ -	Transfer to CIP Fund
EXPENDITURES				
2470	072-430263-341	\$ (2,000.00)	\$ 2,300.00	Decrease Electric Utility Service
2470	072-430263-533	\$ 2,000.00	\$ 6,000.00	Increase Machinery & Equipment
1000	003-411101-350	\$ 7,000.00	\$ 13,400.00	Professional Services- Legal Services
1000	008-411230-344	\$ (1,000.00)	\$ 2,500.00	Gas Utility Services
1000	005-420140-111	\$ 15,288.00	\$ 668,624.00	Salaries and Wages
1000	005-420140-141	\$ 23.00	\$ 1,226.00	Unemployment Insurance
1000	005-420140-142	\$ 6,625.00	\$ 38,997.00	Workman Comp

Offer of Amendments to FY 19/20 Preliminary Budget

1000 005-420140-143	\$	6,294.00	\$	143,046.00	Health Insurance
1000 005-420140-144	\$	222.00	\$	11,848.00	FICA
1000 005-420140-146	\$	2,202.00	\$	108,619.00	Police Pension
1000 005-420140-230	\$	(1,000.00)	\$	9,000.00	Gas, Oil, Diesel, etc
1000 005-420140-330	\$	(200.00)	\$	-	Publicity, Subscriptions
1000 005-420140-350	\$	(5,000.00)	\$	16,260.00	Professional Services
1000 005-420140-366	\$	(5,000.00)	\$	16,980.00	R&M Vehicles
1000 005-420140-370	\$	(1,000.00)	\$	4,500.00	Travel
1000 005-420140-380	\$	(2,000.00)	\$	6,600.00	Training
1000 005-420160-210	\$	(1,500.00)	\$	2,000.00	Office Supplies
1000 005-420160-214	\$	(1,000.00)	\$	1,500.00	Small Items of Equipment
1000 005-420160-220	\$	(1,000.00)	\$	1,000.00	Operating Expenses
1000 005-420160-350	\$	(2,500.00)	\$	1,500.00	Professional Services
1000 005-420160-370	\$	(2,000.00)	\$	1,000.00	Travel
1000 005-420160-380	\$	(2,000.00)	\$	1,000.00	Training Services
1000 006-410300-111	\$	5,784.00	\$	87,276.00	Salaries and Wages
1000 006-410300-141	\$	39.00	\$	140.00	Unemployment Insurance
1000 006-410300-142	\$	73.00	\$	1,009.00	Workman Comp
1000 006-410300-143	\$	6,294.00	\$	19,073.00	Health Insurance
1000 006-410300-144	\$	442.00	\$	7,250.00	FICA
1000 006-410300-145	\$	501.00	\$	8,217.00	PERS
1000 007-420460-111	\$	16,892.00	\$	460,572.00	Salaries and Wages
1000 007-420460-121	\$	(11,088.00)	\$	40,712.00	OT
1000 007-420460-141	\$	40.00	\$	832.00	Unemployment Insurance
1000 007-420460-142	\$	1,711.00	\$	31,061.00	Workman Comp
1000 007-420460-143	\$	6,389.00	\$	89,447.00	Health Insurance
1000 007-420460-144	\$	386.00	\$	8,598.00	FICA
1000 007-420460-147	\$	3,824.00	\$	84,145.00	Firemen's Pension
1000 007-420460-210	\$	(1,500.00)	\$	11,500.00	Office Supplies
1000 007-420460-214	\$	(500.00)	\$	14,500.00	Small Items of Equipment
1000 007-420460-350	\$	(25,290.00)	\$	28,710.00	Professional Services
1000 007-420460-360	\$	(3,000.00)	\$	13,500.00	Contr R&M
1000 007-420460-370	\$	(500.00)	\$	6,500.00	Travel
1000 007-420460-380	\$	(1,500.00)	\$	10,500.00	Training Services

Offer of Amendments to FY 19/20 Preliminary Budget

1000 013-460432-230	\$	(500.00)	\$	-	Repair/Maintenance to Lion Shelter
1000 013-460433-111	\$	23,064.00	\$	183,328.00	Salaries and Wages
1000 013-460433-121	\$	(2,000.00)	\$	7,300.00	OT
1000 013-460433-141	\$	35.00	\$	331.00	Unemployment Insurance
1000 013-460433-142	\$	1,322.00	\$	11,790.00	Workman Comp
1000 013-460433-143	\$	6,295.00	\$	39,958.00	Health Insurance
1000 013-460433-144	\$	1,765.00	\$	16,859.00	FICA
1000 013-460433-145	\$	2,498.00	\$	19,107.00	PERS
1000 013-460433-214	\$	(3,000.00)	\$	-	Small Items of Equipment
1000 013-460433-231	\$	(1,000.00)	\$	6,500.00	Gas, Oil, Diesel, etc
1000 013-460433-350	\$	(2,000.00)	\$	8,000.00	Professional Services
1000 013-460433-363	\$	(1,000.00)	\$	7,000.00	R&M Vehicles
1000 013-460435-210	\$	(1,000.00)	\$	-	Office Supplies
1000 013-460435-350	\$	(25,000.00)	\$	-	Professional Services
5210 023-430550-214	\$	2,000.00	\$	37,000.00	Small Items of Equipment
5210 023-430550-940	\$	25,000.00	\$	1,875,000.00	Machinery & Equipment
5310 031-430630-940	\$	25,000.00	\$	510,000.00	Machinery & Equipment
5510 010-420730-111	\$	8,316.00	\$	207,984.00	Salaries and Wages
5510 010-420730-141	\$	20.00	\$	462.00	Unemployment Insurance
5510 010-420730-142	\$	843.00	\$	15,300.00	Workman Comp
5510 010-420730-143	\$	3,147.00	\$	44,054.00	Health Insurance
5510 010-420730-144	\$	190.00	\$	5,019.00	FICA
5510 010-420730-147	\$	1,833.00	\$	49,174.00	Firemen's Pension
4000 501-410100-940	\$	40,640.00	\$	57,640.00	CIP- Fire/Police PAR
2372 020-521000-820	\$	1,537.00	\$	259,721.00	Permissive Levy Increase
1000 036-411020-311	\$	(1,000.00)	\$	3,000.00	Postage
1000 036-411020-320	\$	(1,000.00)	\$	1,000.00	Printing
1000 036-411020-331	\$	(1,000.00)	\$	1,000.00	Publication
1000 036-411020-334	\$	(1,000.00)	\$	1,200.00	Membership
1000 002-521000-820	\$	(17,458.00)	\$	-	Transfer to CIP
1000 037-521000-820	\$	(1,500.00)	\$	11,500.00	Transfer to Health Fund
1000 004-411100-350	\$	(1,000.00)	\$	4,000.00	Professional Services

**RESOLUTION NO. 4282**

**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 THE FUNDS FOR LIBRARY AND PARKS 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 expenditures related to the Capital Improvement Fund and Library Fund, 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. Increased appropriations in the amount of \$119,560.93 in unanticipated expense of repairing Bender Park building in fund No. 4000-501-460433-350 (101000) as a result of transferring MMIA reimbursement cash from General Fund
2. Increased appropriations in the amount of \$16,100 in unanticipated expense in the Library Service fund No. 2220-016-521000-820 (101000) as a result of transferring revenues received into fund 2220, which should have gone into Library Grants fund 2880

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 27<sup>th</sup> day of August, 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  
13<sup>TH</sup> DAY OF AUGUST, 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 27<sup>TH</sup> DAY OF AUGUST, 2019.

\_\_\_\_\_  
JOHN HOLLOWELL, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

# Consent Agenda

**RESOLUTION NO. 4268**

**A RESOLUTION PURSUANT TO §2-9-212 OF THE MONTANA CODE ANNOTATED, AUTHORIZING A PERMISSIVE MEDICAL LEVY FOR FY 2019-2020 TO FUND GROUP HEALTH INSURANCE PREMIUM CONTRIBUTIONS BY THE CITY AND PROVIDING FOR HEARING THEREON**

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

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

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

*AND WHEREAS*, the City of Miles City desires to levy such property tax for Fiscal Year 2019-2020;

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

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

That a property tax levy of 27.29 mills be imposed, pursuant to §2-9-212 MCA, for the purposes of funding the premium for group health insurance for Fiscal Year 2019-2020.

**BE IT FURTHER RESOLVED** that a public hearing shall be held on the above proposed levy on the 27<sup>th</sup> day of August, 2019, at 6:00 p.m. in the City Hall Chambers at City Hall, 17 S. Eighth Street, Miles City, Montana. The City Clerk shall cause notice of such hearing to be published in the Miles City Star, in accordance with §7-1-4127 MCA, at least 2 times with at least 6 days separating each publication.

**SAID RESOLUTION READ AND PUT UPON ITS FINAL PASSAGE THIS 13<sup>th</sup> DAY OF AUGUST, 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 27<sup>th</sup> DAY OF AUGUST, 2019.**

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk



## RESOLUTION NO. 4269

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 165 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2019-2020.**

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

**WHEREAS**, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2019-2020 is estimated by the City Council at the sum of \$175,342 and,

**WHEREAS**, the property in said Special Improvement Lighting District No. 165 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2019-2020 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 165.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 165, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 165 amounting to 0.005857 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 27<sup>th</sup> day of August, 2019, at 6:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

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

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

PASSED BY THE CITY COUNCIL THIS 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**WHEREAS**, the above-entitled Resolution was filed in the Office of the City Clerk on the 13<sup>th</sup> day of August, 2019, and has ever since been on file in said office subject to public inspection.

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

**WHEREAS**, a hearing on objections was conducted by the City Council on August 27<sup>th</sup>, 2019, pursuant to published notice;

**WHEREAS**, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2019-2020 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

**THEREFORE, BE IT RESOLVED** that the Resolution 4269 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2019-2020 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

Exhibit A

City of Miles City

NON-LEVIED FUNDS - SUMMARY SCHEDULE

Fiscal Year: 20

Page No. 20

Fund #	Fund Name	(1) Appropriation	(2) Budgeted Cash Reserve	(3)=(1)+(2) Total Requirements	(4) Cash Available (Less current liabilities)	(5) Total Non-Tax Revenues	(6)=(4)+(5) Total Resources	Estimated Ending Cash Balance
2400	SID # 165 33%	171,000	56,430	227,430	72,603	154,827	227,430	56,430
	SID # 165 25%	171,000	42,750	213,750	72,603	0	213,750	42,750
	SID # 165 20%	171,000	34,200	205,200	72,603	141,147	205,200	34,200
	SID # 165 37%	171,000	63,270	234,270	72,603	132,597	234,270	63,270
	SID # 165 40%	171,000	68,400	239,400	72,603	166,797	239,400	68,400
	SID # 165 45%	171,000	76,950	247,950	72,603	175,347	247,950	76,950
	Last Year 42,552,000 33%							
TOTAL		1,026,000	342,000	1,368,000	435,618	932,382	1,368,000	342,000

Revision June 2012  
 Total Revenues compared to Total Appropriations:  
 Total Requirements compared to Total Resources

0  
 \*If negative appropriations exceed revenues  
 \*If other than zero budget is not balanced

154,827 ÷  
 30,190,695 =  
 0.005128\*

0.005128\*  
 6,000 =

33%

30,768,000\*

42,552,000 ÷  
 30,768,000 -  
 = 11,784,000\*

141,147 ÷  
 30,190,695.34 =  
 0.004675\*

25%

0.004675\*  
 6,000 =  
 28,050,000\*

42,552,000 ÷  
 28,050,000 -  
 = 14,502,000\*

166,797 ÷  
 30,190,695.34 =  
 0.005524\*

40%

0.005524\*  
 6,000 =  
 33,144,000\*

42,552,000 ÷  
 33,144,000 -  
 = 9,408,000\*

175,347 ÷  
 30,190,695.34 =  
 0.005807\*

45%

0.005807\*  
 6,000 =  
 34,842,000\*

42,552,000 ÷  
 34,842,000 -  
 = 7,710,000\*

## RESOLUTION NO. 4270

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 167 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2019-2020.**

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

**WHEREAS**, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2019-2020 is estimated by the City Council at the sum of \$26,100 and,

**WHEREAS**, the property in said Special Improvement Lighting District No. 167 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2019-2020 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 167.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 167, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 167 amounting to 0.010500 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 27<sup>th</sup> day of August, 2019, at 6:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

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

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

PASSED BY THE CITY COUNCIL THIS 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**WHEREAS**, the above-entitled Resolution was filed in the Office of the City Clerk on the 13<sup>th</sup> day of August, 2019, and has ever since been on file in said office subject to public inspection.

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

**WHEREAS**, a hearing on objections was conducted by the City Council on August 27<sup>th</sup>, 2019, pursuant to published notice;

**WHEREAS**, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2019-2020 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

**THEREFORE, BE IT RESOLVED** that the Resolution 4270 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2019-2020 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

NON-LEVIED FUNDS - SUMMARY SCHEDULE

Fiscal Year: 20

Page No. 20

Fund #	Fund Name	(1) Appropriation	(2) Budgeted Cash Reserve	(3)=(1)+(2) Total Requirements	(4) Cash Available (Less current liabilities)	(5) Total Non-Tax Revenues	(6)=(4)+(5) Total Resources	Estimated Ending Cash Balance
2420	SID 167 33%	26,000	8,580	34,580	16,800	17,780	34,580	8,580
	SID 167 25%	26,000	0	26,000	16,800	0	26,000	0
	SID 167 37%	26,000	0	26,000	16,800	18,820	35,620	9,620
	SID 167 40%	26,000	0	26,000	16,800	19,600	36,400	10,400
	SID 167 45%	26,000	0	26,000	16,800	20,900	37,700	11,700
	SID 167 50%	26,000	0	26,000	16,800	22,200	39,000	13,000
	60%	26,000	15,600	41,600	16,800	24,800	41,600	15,600
	70%	26,000	16,900	42,900	16,800	26,100	42,900	16,900
	Last Year 76,944,000	26,000	18,200	44,200	16,800	27,400	44,200	18,200
	25%	0	0	0	0	0	0	0
	TOTAL	234,000	110,500	344,500	151,200	193,300	344,500	110,500

Revision June 2012

\*Total Revenues compared to Total Appropriations:  
Total Requirements compared to Total Resources

0

\* If negative appropriations exceed revenues  
\* If other than zero budget is not balanced

24,800.÷  
2,485,579.75=  
0.009977\*

60%

0.009977×  
6,000.=  
59.862000\*  
76.944000÷  
59.862000-  
17.082000\*

26,100.÷  
2,485,579.75=  
0.010500\*

65%

0.010500×  
6,000.=  
63.000000\*  
76.944000÷  
63.000000-  
13.944000\*

18,820.÷  
2,485,579.75=  
0.007571\*

37%

0.007571×  
6,000.=  
45.426000\*  
76.944000÷  
45.426000-  
31.518000\*

19,600.÷  
2,485,579.75=  
0.007885\*

40%

0.007885×  
6,000.=  
47.310000\*  
76.944000÷  
47.310000-  
29.634000\*

50%  
76.944000÷  
53.586000-  
23.358000\*

50%  
22,200.÷  
2,485,579.75=  
0.008931\*  
6,000.=  
53.586000\*

45%  
26,490.00÷  
76.944000÷  
50.448000-  
26.490000\*

20,900.÷  
2,485,579.75=  
0.008408\*

45%  
0.008408×  
6,000.=  
50.448000\*

## RESOLUTION NO. 4271

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 171 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2019-2020**

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

**WHEREAS**, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2019-2020 is estimated by the City Council at the sum of \$5,716 and,

**WHEREAS**, the property in said Special Improvement Lighting District No. 171 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2019-2020 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 171.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 171, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 171 amounting to 0.007210 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 27<sup>th</sup> day of August, 2019, at 6:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

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

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

PASSED BY THE CITY COUNCIL THIS 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**WHEREAS**, the above-entitled Resolution was filed in the Office of the City Clerk on the 13<sup>th</sup> day of August, 2019, and has ever since been on file in said office subject to public inspection.

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

**WHEREAS**, a hearing on objections was conducted by the City Council on August 27, 2019, pursuant to published notice;

**WHEREAS**, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2019-2020 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

**THEREFORE, BE IT RESOLVED** that the Resolution 4271 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2019-2020 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk



NON-LEVIED FUNDS - SUMMARY SCHEDULE

Fiscal Year: 20  
Balram est 20

Fund #	Fund Name	(1) Appropriation	(2) Budgeted Cash Reserve	(3)=(1)+(2) Total Requirements	(4) Cash Available (Less current liabilities)	(5) Total Non-Tax Revenues	(6)=(4)+(5) Total Resources	Estimated Ending Cash Balance
2430	LITG Dist # 171 33%	5,750	1,898	7,648	2,909	4,739	7,648	1,898
	LITG Dist # 171 25	5,750	0	0	2,909	0	0	0
	LITG Dist # 171 40%	5,750	1,438	7,188	2,909	4,279	7,188	1,438
	LITG Dist # 171 45%	5,750	2,300	8,050	2,909	5,141	8,050	2,300
	LITG Dist # 171 50%	5,750	2,588	8,338	2,909	5,429	8,338	2,588
	Last Year 38,118,000 40%		2,875	8,525	2,909	5,716	8,525	2,875
	TOTAL	28,750	11,098	39,848	14,545	25,303	39,848	11,098

\*Total Revenues compared to Total Appropriations:

Revision: June 2012  
Total Requirements compared to Total Resources

0

\*If negative appropriations exceed revenues  
\*If other than zero budget is not balanced

4,739.0 ÷  
792,760.00 =  
0.005977\*

0.005977\*  
6,000.0 =  
35,862,000\*

38,118,000 +  
35,862,000 -  
2,256,000\*

33%

4,279.0 ÷  
792,760.00 =  
0.005397\*

0.005397\*  
6,000.0 =  
32,382,000\*

38,118,000 +  
32,382,000 -  
5,736,000\*

25%

5,141.0 ÷  
792,760.00 =  
0.006484\*

0.006484\*  
6,000.0 =  
38,904,000\*

38,118,000 +  
38,904,000 -  
0.786,000\*

40%

5,429.0 ÷  
792,760.00 =  
0.006848\*

0.006848\*  
6,000.0 =  
41,088,000\*

38,118,000 +  
41,088,000 -  
2,970,000\*

45%

5,716.0 ÷  
792,760.00 =  
0.007210\*

0.007210\*  
6,000.0 =  
43,260,000\*

38,118,000 +  
43,260,000 -  
5,142,000\*

50%

5,716.0 ÷  
792,760.00 =  
0.007210\*

0.007210\*  
6,000.0 =  
43,260,000\*

38,118,000 +  
43,260,000 -  
5,142,000\*

## RESOLUTION NO. 4272

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 172 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2019-2020**

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

**WHEREAS**, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2019-2020 is estimated by the City Council at the sum of \$33,451 and,

**WHEREAS**, the property in said Special Improvement Lighting District No. 172 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2019-2020 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 172.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 172, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 172 amounting to 0.043877 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 27<sup>th</sup> day of August, 2019, at 6:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

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

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

PASSED BY THE CITY COUNCIL THIS 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**WHEREAS**, the above-entitled Resolution was filed in the Office of the City Clerk on the 13<sup>th</sup> day of August, 2019, and has ever since been on file in said office subject to public inspection.

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

**WHEREAS**, a hearing on objections was conducted by the City Council on August 27<sup>th</sup>, 2019, pursuant to published notice;

**WHEREAS**, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2019-2020 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

**THEREFORE, BE IT RESOLVED** that the Resolution 4272 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2019-2020 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

NON-LEVIED FUNDS - SUMMARY SCHEDULE

Fiscal Year: 20  
Main Street 20

Fund #	Fund Name	(1) Appropriation	(2) Budgeted Cash Reserve	(3)=(1)+(2) Total Requirements	(4) Cash Available (Less current liabilities)	(5) Total Non-Tax Revenues	(6)=(4)+(5) Total Resources	Estimated Ending Cash Balance
2440	LTG # 172 20%	32,000	6,400	38,400	3,349	35,051	38,400	6,400
	LTG # 172 15%	32,000	4,800	36,800	3,349	33,451	36,800	4,800
	LTG # 172 33%	32,000	0	32,000	3,349	39,211	42,560	10,560
	LTG # 172 10%	32,000	3,200	35,200	3,349	31,851	35,200	3,200
	LTG # 172 5%	32,000	1,600	33,600	3,349	30,251	33,600	1,600
	Last Year 176,070,000 15%							
TOTAL		160,000	26,560	186,560	16,745	169,815	186,560	26,560

Revision June 2012

Total Revenues compared to Total Appropriations:  
Total Requirements compared to Total Resources

0

\*If negative appropriations exceed revenues  
\*If other than zero budget is not balanced

35,051.00  
762,358.31  
0.045977\*  
0.045977x  
6,000.00  
275,862,000\*  
20%  
176,070,000+  
275,862,000-  
+ 99,792,000\*  
33,451.00  
762,358.31  
0.043878\*  
0.043878x  
6,000.00  
263,268,000\*  
15%  
176,070,000+  
263,268,000-  
+ 87,198,000\*  
39,211.00  
762,358.31  
0.051433\*  
0.051433x  
6,000.00  
308,598,000\*  
33%  
176,070,000+  
308,598,000-  
+ 132,528,000\*

31,851.00  
762,358.31  
0.041779\*  
6,000.00  
250,674,000\*  
176,070,000+  
250,674,000-  
+ 74,604,000\*  
30,251.00  
762,358.31  
0.039680\*  
6,000.00  
238,080,000\*  
176,070,000+  
238,080,000-  
+ 62,010,000\*  
590  
0.039680x  
6,000.00  
238,080,000\*  
176,070,000+  
238,080,000-  
+ 62,010,000\*

## RESOLUTION NO. 4273

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 195 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2019-2020.**

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

**WHEREAS**, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2019-2020 is estimated by the City Council at the sum of \$5,897 and,

**WHEREAS**, the property in said Special Improvement Lighting District No. 195 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2019-2020 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 195.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 195, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 195 amounting to 0.008026 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 27<sup>th</sup> day of August, 2019, at 6:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

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

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

PASSED BY THE CITY COUNCIL THIS 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**WHEREAS**, the above-entitled Resolution was filed in the Office of the City Clerk on the 13<sup>th</sup> day of August, 2019, and has ever since been on file in said office subject to public inspection.

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

**WHEREAS**, a hearing on objections was conducted by the City Council on August 27<sup>th</sup>, 2019, pursuant to published notice;

**WHEREAS**, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2019-2020 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

**THEREFORE, BE IT RESOLVED** that the Resolution 4273 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2019-2020 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk



## RESOLUTION NO. 4274

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 202 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2019-2020**

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

**WHEREAS**, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2019-2020 is estimated by the City Council at the sum of \$9,308 and,

**WHEREAS**, the property in said Special Improvement Lighting District No. 202 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2019-2020 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 202.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 202, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 202 amounting to 0.010883 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 27<sup>th</sup> day of August, 2019, at 6:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

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



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

PASSED BY THE CITY COUNCIL THIS 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**WHEREAS**, the above-entitled Resolution was filed in the Office of the City Clerk on the 13<sup>th</sup> day of August, 2019, and has ever since been on file in said office subject to public inspection.

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

**WHEREAS**, a hearing on objections was conducted by the City Council on August 27<sup>th</sup>, 2019, pursuant to published notice;

**WHEREAS**, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2019-2020 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

**THEREFORE, BE IT RESOLVED** that the Resolution 4274 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2019-2020 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk



## RESOLUTION NO. 4275

**A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL PROPERTY IN SPECIAL IMPROVEMENT LIGHTING DISTRICT NO. 173 TO DEFRAY THE COST OF LEASING, MAINTENANCE AND ELECTRICAL CURRENT IN SAID SPECIAL IMPROVEMENT LIGHTING DISTRICT AND AUTHORIZING AND DIRECTING PAYMENT THEREFORE, FOR THE FISCAL YEAR 2019-2020**

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

**WHEREAS**, the whole cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for the fiscal year of 2019-2020 is estimated by the City Council at the sum of \$2,874 and,

**WHEREAS**, the property in said Special Improvement Lighting District No. 173 is to be assessed one hundred percent (100%) of the cost during the fiscal year 2019-2020 for LEASING, MAINTENANCE AND ELECTRICAL CURRENT for each lot or parcel of land within Special Improvement Lighting District No. 173.

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

Section 1: To defray one hundred percent (100%) of the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT in Special Improvement Lighting District No. 173, there shall be levied and assessed a tax upon all property in Special Improvement Lighting District No. 173 amounting to 0.005986 per square foot;

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

Section 3: The City Council of Miles City, Montana, will be in session at the City Council Chambers on the 27<sup>th</sup> day of August, 2019, at 6:00 P.M., at which time and place the said Council will hear objections to the final adoption of this resolution.

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

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

PASSED BY THE CITY COUNCIL THIS 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**WHEREAS**, the above-entitled Resolution was filed in the Office of the City Clerk on the 13<sup>th</sup> day of August, 2019, and has ever since been on file in said office subject to public inspection.

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

**WHEREAS**, a hearing on objections was conducted by the City Council on August 27<sup>th</sup>, 2019, pursuant to published notice;

**WHEREAS**, the cost of LEASING, MAINTENANCE AND ELECTRICAL CURRENT for fiscal year 2019-2020 appears to the satisfaction of the City Council as suitable and proper and, therefore, the cost shall be assessed against the property in said District.

**THEREFORE, BE IT RESOLVED** that the Resolution 4275 is hereby adopted, that the special assessment therein provided is hereby levied and assessed accordingly, and that the said assessments are now due and payable and will appear on the fiscal year 2019-2020 Tax Statement. A copy of this resolution, as adopted, certified by the City Clerk, must be delivered to the City Treasurer within 2 days after its passage.

FINALLY PASSED AND ADOPTED by the City Council this 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk



## RESOLUTION NO. 4276

### **A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL OF THE PROPERTY WITHIN MAINTENANCE DISTRICT NO. 204 TO DEFRAY THE COST OF MAINTAINING THE IMPROVEMENTS IN THE SAID MAINTENANCE DISTRICT NO. 204 FOR THE FISCAL YEAR 2019-2020**

**WHEREAS**, on the 15th day of May, 1984, the City Council of the City of Miles City, Montana, passed Ordinance No. 933 and Resolution No. 2274 creating Maintenance District No. 204 includes, but is not limited to, sprinkling, chip sealing, seal coating, overlaying, treating, pothole repair, general cleaning, sweeping, flushing, snow removal, leaf and debris removal and the operation, maintenance and repair of traffic signal systems, the repair of traffic and street signs, the placement and maintenance of pavement markings, curb and gutter repair, and minor sidewalk repair that includes cracking, chipping, sinking, and the replacement of not more than 6 feet of sidewalk in any 100-foot portion of sidewalk, and

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

**WHEREAS**, pursuant to 7-12-4425, MCA the City Council of the City of Miles City, Montana, is mandated to pass and finally adopt a resolution assessing all of the property within Maintenance District No. 204 in an amount equal to not less than seventy-five percent (75%) of the entire cost of the said work and the estimated cost of maintenance in said district for fiscal year 2019-2020 is \$1,704,326

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

Section 1: That to defray the costs of maintaining Maintenance District No. 204 for the fiscal year 2019-2020 there is hereby levied and assessed a tax upon all property in said district as follows:

MAINTENANCE DISTRICT NO. 204: 0.054662 per square foot assessment

FOR EXAMPLE: A typical lot within the district of approximately 7,000 square feet shall have an annual assessment of \$382.63

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

Section 3: That the City Clerk of the City of Miles City, Montana, shall sign a notice stating that this resolution levying a special assessment to defray the cost of Maintenance District No. 204, is on file in his or her office and is subject to inspection and said notice shall be published in the Miles City Star as provided in 7-1-4127 MCA. The notice shall also state that the City Council of the City of Miles City, Montana, shall on the 27<sup>th</sup> day of August, 2019 at 6:00 PM in the City Council Chambers at City Hall, Miles City, Montana, hear objections to the final adoption of this resolution. This Notice shall contain a statement setting out the method of assessment being proposed for adoption. The final date of publication of such Notice shall be at least 5 days prior to the date of such hearing.

PASSED BY THE CITY COUNCIL this 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED THIS 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

City of Miles City

NON-LEVIED FUNDS - SUMMARY SCHEDULE

Fiscal Year 20  
South side of City 20

Fund #	Fund Name	(1) Appropriation	(2) Budgeted Cash Reserve	(3)=(1)+(2) Total Requirements	(4) Cash Available (Less current liabilities)	(5) Total Non-Tax Revenues	(6)=(4)+(5) Total Resources	Estimated Ending Cash Balance
2510	St Main # 204 32%	1906225	609,992	2,516,217	811,896	1,704,321	2,516,217	609,992
107	St Main # 204 34%	1906225	648,117	2,554,342	811,896	1,742,446	2,554,342	648,117
	St Main # 204 30%	1906225	762,900	2,668,715	811,896	1,856,819	2,668,715	762,900
	St Main # 204 20%	1906225	571,868	2,478,093	811,896	1,666,197	2,478,093	571,868
	St Main # 204 18%	1906225	381,245	2,287,470	811,896	1,475,574	2,287,470	381,245
	St Main # 204 29%	1906225	343,121	2,449,346	811,896	1,637,450	2,449,346	343,121
	St Main # 204 15%	1906225	552,805	2,459,030	811,896	1,647,134	2,459,030	552,805
	St Main # 204 33%	1906225	285,934	2,192,159	811,896	1,380,263	2,192,159	285,934
	St Main # 204 10%	1906225	190,623	2,096,848	811,896	1,284,952	2,096,848	190,623
	St Main # 204 9%	1906225	171,560	2,077,785	811,896	1,265,889	2,077,785	171,560
	St Main # 204 5%	1906225	95,311	2,001,536	811,896	1,189,640	2,001,536	95,311
	Last year 350,903,000 32%		0	0	0	0	0	0
			0	0	0	0	0	0
			0	0	0	0	0	0
			0	0	0	0	0	0
			0	0	0	0	0	0
			0	0	0	0	0	0
			0	0	0	0	0	0
			0	0	0	0	0	0
			0	0	0	0	0	0
			0	0	0	0	0	0
			0	0	0	0	0	0
			0	0	0	0	0	0
			0	0	0	0	0	0
TOTAL		22,874,700	5,242,119	28,116,819	9,742,752	18,374,067	28,116,819	5,242,119

\*Total Revenues compared to Total Appropriations: (4,500,633)  
Total Requirements compared to Total Resources: 0  
\*If negative appropriations exceed revenues  
\*If other than zero budget is not balanced

1,704,321.0  
 31,178,945.91 =  
 0.054662 \*  
 0.054662 x  
 7,000.0 =  
 382.634000 \*  
 350.903000 +  
 382.634000 -  
 + 31.731000 \*  
 1,647,134.0  
 31,178,945.91 =  
 0.052828 \*  
 0.052828 x  
 7,000.0 =  
 369.796000 \*  
 350.903000 +  
 369.796000 -  
 + 18.893000 \*  
 1,437,450.0  
 31,178,945.91 =  
 0.046103 \*  
 0.046103 x  
 7,000.0 =  
 322.721000 \*  
 350.903000 +  
 322.721000 -  
 - 28.182000 \*

32%

29%

18%

1,445,574.0  
 31,178,945.91 =  
 0.047325 \*  
 0.047325 x  
 7,000.0 =  
 331.275000 \*  
 350.903000 +  
 331.275000 -  
 - 19.628000 \*



## RESOLUTION NO. 4277

### **A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL OF THE PROPERTY WITHIN MAINTENANCE DISTRICT NO. 205 TO DEFRAY THE COST OF MAINTAINING THE IMPROVEMENTS IN THE SAID MAINTENANCE DISTRICT NO. 205 FOR THE FISCAL YEAR 2019-2020**

**WHEREAS**, on the 15th day of May, 1984, the City Council of the City of Miles City, Montana, passed Ordinance No. 933 and Resolution No. 2275 creating Maintenance District No. 205 includes, but is not limited to, sprinkling, chip sealing, seal coating, overlaying, treating, pothole repair, general cleaning, sweeping, flushing, snow removal, leaf and debris removal and the operation, maintenance and repair of traffic signal systems, the repair of traffic and street signs, the placement and maintenance of pavement markings, curb and gutter repair, and minor sidewalk repair that includes cracking, chipping, sinking, and the replacement of not more than 6 feet of sidewalk in any 100-foot portion of sidewalk, and

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

**WHEREAS**, pursuant to 7-12-4425, MCA the City Council of the City of Miles City, Montana, is mandated to pass and finally adopt a resolution assessing all of the property within Maintenance District No. 205 in an amount equal to not less than seventy-five percent (75%) of the entire cost of the said work and the estimated cost of maintenance in said district for fiscal year 2019-2020 is \$134,977

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

Section 1: That to defray the costs of maintaining Maintenance District No. 205 for the fiscal year 2019-2020 there is hereby levied and assessed a tax upon all property in said district as follows:

MAINTENANCE DISTRICT NO. 205: 0.016197 per  
square foot assessment

FOR EXAMPLE: A typical lot within the district of approximately 7,000 square feet shall have an annual assessment of \$113.38

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

Section 3: That the City Clerk of the City of Miles City, Montana, shall sign a notice stating that this resolution levying a special assessment to defray the cost of Maintenance District No. 205, is on file in his or her office and is subject to inspection and said notice shall be published in the Miles City Star as provided in 7-1-4127 MCA. The notice shall also state that the City Council of the City of Miles City, Montana, shall on the 27<sup>th</sup> day of August, 2019, at 6:00 PM in the City Council Chambers at City Hall, Miles City, Montana, hear objections to the final adoption of this resolution. This Notice shall contain a statement setting out the method of assessment being proposed for adoption. The final date of publication of such Notice shall be at least 5 days prior to the date of such hearing.

PASSED BY THE CITY COUNCIL this 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED THIS 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

*Change  
amount in FJ  
868,313*

City of Miles City

NON-LEVIED FUNDS - SUMMARY SCHEDULE

Fiscal Year: 20  
NE side of City

Fund #	Fund Name	(1) Appropriation	(2) Budgeted Cash Reserve	(3)=(1)+(2) Total Requirements	(4) Cash Available (Less current liabilities)	(5) Total Non-Tax Revenues	(6)=(4)+(5) Total Resources	Estimated Ending Cash Balance
2320	Sr Main # 205 32%	262,860	84,115	346,975	285,597	61,378	346,975	84,115
108	Sr Main # 205 33%	262,860	86,744	349,604	285,597	64,007	349,604	86,744
	Sr Main # 205 20%	262,860	0	262,860	285,597	0	262,860	0
	Sr Main # 205 15%	262,860	0	262,860	285,597	0	262,860	0
	Sr Main # 205 55%	262,860	0	262,860	285,597	0	262,860	0
	Sr Main # 205 60%	262,860	0	262,860	285,597	0	262,860	0
	Sr Main # 205 50%	262,860	0	262,860	285,597	0	262,860	0
	Sr Main # 205 45%	262,860	0	262,860	285,597	0	262,860	0
	Sr Main # 205 40%	262,860	0	262,860	285,597	0	262,860	0
	Last year 213,115,000 10%	213,115,000	0	213,115,000	213,115,000	0	213,115,000	0
	TOTAL	2,365,740	920,010	3,285,750	2,570,373	715,377	3,285,750	920,010

\*Total Revenues compared to Total Appropriations: 0  
 \*Total Requirements compared to Total Resources: 0  
 \*If negative appropriations exceed revenues  
 \*If other than zero budget is not balanced

64,007 ÷  
 8,333,126.42 =  
 0.007681\*

0.007681 ×  
 7,000. =  
 53.767000\*

33%

213.115000 +  
 53.767000 -  
 159.348000\*

0.\*

108,693 ÷  
 8,333,126.42 =  
 0.013043\*

0.013043 ×  
 7,000. =  
 91.301000\*

50%

213.115000 +  
 91.301000 -  
 121.814000\*

121,836 ÷  
 8,333,126.42 =  
 0.014620\*

0.014620 ×  
 7,000. =  
 102.340000\*

55%

213.115000 +  
 102.340000 -  
 110.775000\*

134,979 ÷  
 8,333,126.42 =  
 0.016197\*

0.016197 ×  
 7,000. =  
 113.379000\*

60%

213.115000 +  
 113.379000 -  
 99.736000\*

## RESOLUTION NO. 4278

### **A RESOLUTION LEVYING AND ASSESSING A TAX UPON ALL OF THE PROPERTY WITHIN MAINTENANCE DISTRICT NO. 207 TO DEFRAY THE COST OF MAINTAINING THE IMPROVEMENTS IN THE SAID MAINTENANCE DISTRICT NO. 207 FOR THE FISCAL YEAR 2019-2020**

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

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

WHEREAS, pursuant to 7-12-4425, MCA the City Council of the City of Miles City, Montana, is mandated to pass and finally adopt a resolution assessing all of the property within Maintenance District No. 207 in an amount equal to not less than seventy-five percent (75%) of the entire cost of the said work and the estimated cost of maintenance in said district for fiscal year 2019-2020 is \$6,512.

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

Section 1: That to defray the costs of maintaining Maintenance District No. 207 for the fiscal year 2019-2020 there is hereby levied and assessed a tax upon all property in said district as follows:

MAINTENANCE DISTRICT NO. 207: 0.012807 per  
square foot assessment

FOR EXAMPLE: A typical lot within the district of approximately 7,000 square feet shall have an annual assessment of \$89.65.

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

Section 3: That the City Clerk of the City of Miles City, Montana, shall sign a notice stating that this resolution levying a special assessment to defray the cost of Maintenance District No. 207, is on file in his or her office and is subject to inspection and said notice shall be published in the Miles City Star as provided in 7-1-4127 MCA. The notice shall also state that the City Council of the City of Miles City, Montana, shall on the 27<sup>th</sup> day of August, 2019, at 6:00 PM in the City Council Chambers at City Hall, Miles City, Montana, hear objections to the final adoption of this resolution. This Notice shall contain a statement setting out the method of assessment being proposed for adoption. The final date of publication of such Notice shall be at least 5 days prior to the date of such hearing.

PASSED BY THE CITY COUNCIL this 13<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

FINALLY PASSED AND ADOPTED THIS 27<sup>th</sup> day of August, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

NON-LEVIED FUNDS - SUMMARY SCHEDULE

Fiscal Year: 20  
Milestown 20

Fund #	Fund Name	(1) Appropriation	(2) Budgeted Cash Reserve	(3) Total Requirements	(4) Cash Available (Less current liabilities)	(5) Total Non-Tax Revenues	(6) Total Resources	Estimated Ending Cash Balance
2340	Str Maint # 207 33%	7219	2,382	9,601	3,956	5,645	9,601	2,382
	Str Maint # 207 27%	7219	1,949	9,168	3,956	5,212	9,168	1,949
	Str Maint # 207 15%	7219	1,083	8,302	3,956	4,346	8,302	1,083
	Str Maint # 207 40%	7,219	2,888	10,107	3,956	6,151	10,107	2,888
	Str Maint # 207 45%	7,219	3,249	10,468	3,956	6,512	10,468	3,249
	Last Year 66,892							
	33%							
	TOTAL	36,095	11,550	47,645	19,780	27,865	47,645	11,550

Total Revenues compared to Total Appropriations:  
Total Requirements compared to Total Resources

0  
\*If negative appropriations exceed revenues  
\*If other than zero budget is not balanced

5,645 ÷  
508,445.00 =  
0.011102\*  
  
0.011102 x  
7,000. =  
77,714,000\*  
  
66,892,000 +  
77,714,000 -  
+ 10,822,000\*  
  
5,212 ÷  
508,445.00 =  
0.010250\*  
  
0.010250 x  
7,000. =  
71,750,000\*  
  
66,892,000 +  
71,750,000 -  
+ 4,858,000\*  
  
4,346 ÷  
508,445.00 =  
0.008547\*  
  
0.008547 x  
7,000. =  
59,829,000\*  
  
66,892,000 +  
59,829,000 -  
- 7,063,000\*

33%

27%

15%

470%

15%

6,151 ÷  
508,445.00 =  
0.012807\*  
  
0.012807 x  
7,000. =  
89,664,900\*  
  
66,892,000 +  
89,664,900 -  
+ 22,772,900\*

# New Business

## RESOLUTION NO. 4279

### A RESOLUTION APPROVING AND ADOPTING A FINAL BUDGET FOR THE CITY OF MILES CITY FOR FY 2019-2020; AUTHORIZING PROCEDURE FOR ADJUSTMENTS TO APPROPRIATIONS FOR CERTAIN FEE BASED BUDGETS; AUTHORIZING PROCEDURE FOR TRANSFERRING APPROPRIATIONS BETWEEN ITEMS WITHIN THE SAME FUND

*WHEREAS*, there was presented to the City Council of the City of Miles City, Montana a preliminary budget for the City of Miles City fiscal year 2019-2020;

*AND WHEREAS*, a public hearing was duly noticed and held on August 13, 2019 and again on August 28, 2019, upon such preliminary budget as required by §7-6-4024 MCA;

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

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

1. The budget attached hereto as Exhibit "A" (hereinafter "the Final FY 2019-2020 Budget,") and by this reference made a part hereof, is hereby approved and adopted.
2. The appropriations set forth in the Final FY 2019-2020 Budget are hereby authorized.
3. The spending for each fund in the FY 2019-2020 Budget is limited at the level of detail set forth in Exhibit "A" to this resolution, except that:
  - a. Pursuant to the authority of §7-6-4031 MCA, the City Council is hereby authorized throughout the budget period, by appropriate resolution, to transfer appropriations in the Final FY 2019-2020 Budget between items within the same fund; and
  - b. Pursuant to the authority of §7-6-4012 MCA, adjustments to appropriations for the following fee-based budgets may be authorized by the City Council during FY 2019-2020:
    - i. Fund No. 2394 Building Inspection
    - ii. Fund No. 2270 Health Fund
    - iii. Fund No. 5510 Ambulance Fund
    - iv. Fund No. 5610 Airport Fund
    - v. Fund No. 6040 Public Works Garage Fund

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

4. This Resolution is effective July 1, 2019.

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 27<sup>th</sup> DAY OF AUGUST, 2019.**

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk



## RESOLUTION NO. 4280

A RESOLUTION ELECTING TO OPERATE UNDER THE ALL-PURPOSE MILL LEVY AND FIXING THE TAX LEVY FOR THE GENERAL FUND, AMBULANCE FUND AND AIRPORT FUND TO BE LEVIED AND ASSESSED ON ALL THE TAXABLE PROPERTY IN THE CITY OF MILES CITY FOR FISCAL YEAR 2019-2020

*WHEREAS* the City Council of The City of Miles City, Montana, on August 27, 2019, by Resolution No. 4279 approved and adopted a final budget for the City of Miles City for fiscal year 2019-2020;

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

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

*AND WHEREAS*, the City Council is required by law to fix the tax levy required for the City of Miles City for FY 2019-2020;

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

1. The City of Miles City elects to operate under the all-purpose mill levy authorized by §7-6-4451 for Fiscal Year 2019-2020.
2. There is hereby levied and assessed for the Fiscal Year 2019-2020 on all taxable property within the City of Miles City, Montana, a tax for 193.99 mills in the following respective amounts and for the following purposes:
  - A. For the general municipal and administrative purposes 191.49 mills, the money to be collected therefrom to be placed in a fund known as the "General Fund" and to be used for said purposes.
  - B. For the purpose of providing ambulance service by the City of Miles City, 1.00 mills, the money to be collected therefrom to be placed in a fund known as the "Ambulance Fund" and to be used for said purposes.
  - C. For the purposes of operation of the City-County Airport, 1.50 mills, the money to be collected therefrom to be placed in a fund known as the "Airport Fund" and to be used for said purposes.
3. The City Clerk is hereby directed to at once certify to the Clerk and Recorder of Custer County, Montana, a copy of this resolution.

SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, AT ITS REGULAR MEETING, DULY NOTICED, THIS 27<sup>th</sup> DAY OF AUGUST, 2019.

\_\_\_\_\_  
John Hollowell, Mayor

ATTEST:

\_\_\_\_\_  
Lorrie Pearce, City Clerk

**RESOLUTION NO. 4283**

**A RESOLUTION REVISING CITY OF MILES CITY POLICE DEPARTMENT POLICY MANUAL**

*WHEREAS*, the City of Miles City has established certain police policies for employees of the City of Miles City Police Department, which are set forth in the City of Miles City Police Policy Manual;

*AND WHEREAS*, the City Council finds that certain revisions to such policies should be adopted;

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

1. That the following policy be added: Miles City Police Department Policy Manual Active Shooter Exhibit "A"
2. Such changes to the policy shall become effective immediately upon the passage of this resolution.

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 27<sup>th</sup> DAY OF AUGUST, 2019.**

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John Hollowell, Mayor

ATTEST:

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Lorrie Pearce, City Clerk



## MILES CITY POLICE DEPARTMENT

### Policy

### Exhibit "A"

## Active Shooter

### PURPOSE

The purpose of this policy is to provide protocols for assessing the threat and immediate response during active shooter situations to limit serious injury or loss of life. While the term "active shooter" is used throughout, this policy applies to all situations where there is an active assailant or assailants posing an ongoing deadly threat, to include, but not limited to, those from firearms, vehicles, explosives, and knives.

### POLICY

It is the policy of the Miles City Police Department in active shooter situations where ongoing deadly force is reasonably likely to be employed by a suspect-and delay in taking law enforcement action could result in injury or death-that immediate action by officers at the scene is necessary when such actions are deemed reasonable to prevent further injuries or loss of life.

### DEFINITIONS

**Active Shooting:** An incident in which one or more armed persons have used, or are reasonably likely to use, deadly force in an ongoing manner, and where persons have been injured, killed, or are under imminent threat of death or serious bodily harm by such persons.

**Casualty Collection Point (CCP):** A forward location where victims can be assembled for movement from areas of risk. Based upon incident dynamics, such as the number and location of victims, multiple CCPs may be required.

**Cold Zone:** A geographic area where first responders can operate with minimal threat to personal safety or health.

**Contact Officer or Team:** The first officer(s) at the scene of an active shooting tasked with locating the suspect(s) and stopping the threat.

**Hot Zone:** A geographic area, consisting of the immediate incident location, with a direct and immediate threat to personal safety or health. All violent incidents are considered hot until law enforcement determines otherwise. Only law enforcement should operate in the hot zone.

**Immediate Action:** Rapid response by one or more officers to an active shooting based on a reasonable belief that failure to swiftly seek out and address the threat would result in death or serious bodily injury.



## MILES CITY POLICE DEPARTMENT

### Policy

**Incident Commander: (IC):** The individual responsible for all incident activities, including the development of strategies and tactics and the ordering and release of resources. The IC has overall authority and responsibility for conducting incident operations and is responsible for the management of all operations at the incident site. Responsibilities of the IC can be assumed by the officer handling the original call to the chief executive of the agency and any additional qualified officers, depending on the size, scope, and complexity of the incident or event.

**Inner Perimeter:** An area established to keep the threat contained to a specified location.

**Rescue Task Force (RTF):** A team consisting of fire/emergency medical services (EMS) personnel, paired with law enforcement officer. Fire/EMS personnel are tasked with initial treatment and triage of victims. Law enforcement officers are assigned as the protection for this team and should not separate from the fire/EMS personnel.

**Staging Area:** An area or location near the incident where outside resources respond and are quickly inventoried for utilization and assignment at the incident. There may be more than one staging area per incident.

**Unified Command (UC):** An incident command system used when there is more than one agency with incident jurisdiction, or when incidents cross political jurisdictions. Agencies work together through designated members of the UC, often the senior person(s) from agencies and/or disciplines participating in the UC, to establish a common set of objectives and strategies. The IC responsibility is shared within the UC, with the function most important at the time taking the lead role. The lead responsibility may shift as the incident progresses.

**Warm Zone:** A geographic area where law enforcement has either cleared or isolated the threat to a level of minimal or mitigated risk; can be considered clear, but not secure.

### PROCEDURES

#### Situational Assessment

1. Based on available information, dispatched responders or officers already at the incident scene may verify that an active shooter situation exists through information provided by communications personnel; from persons confined within or exiting the target location; from witnesses; by reports of, or sounds of, gunfire; or through related means.
2. When available and as time permits, witnesses, or others should be asked about the location and number of suspects, the suspects' weapons, persons injured, the number and location of person in possible jeopardy, and the use or location of improvised explosive devises (IEDs).
3. Upon completion of the initial assessment, the first arriving officers(s) shall
  - a. Advise communications and request resources as deemed necessary, and
  - b. Determine whether to take immediate action alone or with another officer or wait until additional resources are available.



## MILES CITY POLICE DEPARTMENT

### Policy

#### Individual Officer Intervention

1. In some instances, an individual officer may be present within or near the active shooting location, such as a business or school. Whether on or off duty, in uniform or civilian clothes, he or she may determine that immediate action is necessary and reasonable to stop the threat. That decision may take into consideration the officer's capability to effectively intervene, based on his or her training.
2. As soon as practical, officer(s) shall notify communications that an active shooter situation exists. The officer(s) should provide the following information and updates as available
  - a. The identity, location, manner of dress, and proposed actions of the officer(s) at the scene;
  - b. Information about the suspect to include a physical description, weapons, equipment such as body armor, and current location and actions; and
  - c. Available information on persons injured or under threat, their locations, emergency resources required, and recommended points of entry.
3. When displaying firearms while in plain-clothes, officers shall verbally identify themselves as law enforcement officers, and conspicuously display their badges and/or other law enforcement identification to alert security personnel, arriving officers, or civilians who may be armed.
4. If officers are unarmed, they can still play a critical role in active shooter response through the following actions
  - a. Facilitating evacuation by locating points of egress and directing people to those evacuation points if reasonably safe for them to do so; and locating and directing persons hiding in unsecure locations (e.g., under desks, inside unlocked rooms) to evacuation points.
  - b. If evacuation is not possible, helping locate and direct persons to safer locations, preferably with thick walls and solid doors with locks; or, in the absence of such locations, rooms that can be barricaded with heavy furniture or objects; directing individuals to silence all personal electronic devices, take cover, and remain silent, and taking any actions possible to distract, disrupt, divert, or incapacitate the suspect using surprise attacks and any aggressive force possible. When possible, assisting with the injured and directing incoming teams to injured persons.

#### Contact Officer or Team Response

1. The mission of the contact officer or team is to locate and stop the threat. Even if the threat seemingly has been terminated, contact officers or teams are required to render the



## MILES CITY POLICE DEPARTMENT

### Policy

location safe, assist in screening and the orderly evacuation of persons to a designated area, and locating any other persons still in hiding.

2. Normally, only one contact officer or team shall be deployed at any given time. Additional officers or teams may be deployed at the direction of the IC to provide tactical advantage. The IC shall ensure that each team is aware of the other officers' or teams' locations and actions.
3. The contact officer or team shall be provided a clear communications channel to supply the following types of information:
  - a. The officer or team's progress and location.
  - b. The location and number of victims and their medical needs.
  - c. The estimated number of suspects involved.
  - d. The suspect's description and weapons if known.
  - e. The location of any booby traps or explosives. If discovered, the contact officer or team leader shall determine whether to post an officer near it, report it, or mark it for later removal.
4. The contact officer or team shall locate the suspect(s) in the most expeditious manner possible in order to stop the threat. In doing so, officers should not stop to render aid or assistance to victims, but may, where reasonably possible, inform them that RTFs are forthcoming and direct them to a safe point of egress or hiding if they are ambulatory and it is deemed safe for them to do so.
5. The contact officer or team should employ tactical advantage such as avoiding the use of the main entrance to provide an element of surprise and to bypass potential booby traps or ambush.
6. The contact officer or team should not attempt to conduct a thorough clearing of the location, but should follow sounds, such as gunfire, yelling, and screaming; observations of victims and bystanders; and related information to help locate the suspect(s) as soon as possible.
7. Once the location of the suspect(s) is known and any immediate threat is eliminated, the contact officer or team should proceed to clear all portions of the location in the event that more suspects are in hiding. If victims are encountered who require immediate trauma care, the contact officer or team shall provide such care prior to continuing to clear the location. Arriving tactical or other officers should be called upon to help clear the location of potential suspects, locate and evaluate persons in hiding, and render any dangerous munitions or armament.
8. The contact officer or team shall switch its focus to providing trauma care as necessary when the primary mission is completed.



## MILES CITY POLICE DEPARTMENT

### Policy

#### D. Rescue Task Force (RTFs)

1. Once the contact officer or team is deployed, and as officers and resources arrive at the incident scene, the IC should ensure that RTFs are formed to provide trauma care and help evacuate victims.
2. RTFs shall be organized under a team leader, deploy in tactical formations consistent with agency training, and be prepared to respond to hostile action as rapidly changing circumstances may place them in contact with suspects. In such instances, the RTF shall be prepared and equipped to serve as the contact team.
3. RTFs shall be deployed only after the contact officer or team has made entry, provided a status report, notified the command post of the location of victims, established warm zones, and determined that rescue efforts may begin.
4. Wounded and injured persons shall be quickly searched, if reasonable, for weapons, quickly treated for obvious like-threatening injuries and removed to the designated CCPs with cover and movement of such persons provided by RTF members. If emergency medical personnel are not yet in place, basic trauma care shall be the responsibility of RTF members until they are relieved by medical personnel.
5. Rescue and recovery operations shall continue until the IC has declared the scene clear and safe.

#### E. Unified Command

1. Unified incident command shall be established as soon as possible.
2. The IC shall ensure that the following actions are accomplished:
  - a. Organize and establish unified interagency communications(s).
  - b. Establish an inner perimeter to control access to and egress from the area of risk.
  - c. Establish an outer perimeter.
  - d. Establish staging areas in the cold zone for the following purposes and notify communications of their locations:
    - (1) for responding officers and other emergency personnel
    - (2) for treatment of the injured and evacuation by EMS or medevac (CCP);
    - (3) where individuals without injuries should be directed for identification and debriefing (evacuation area);
    - (4) to accommodate arriving family members of persons at the incident scene (notification center); and



## MILES CITY POLICE DEPARTMENT

### Policy

- (5) for the media (public information officers).
- e. Ensure that officers assigned to the notification center maintain custody and control of all persons and document their identities until they can be reunited with family or other. Victims and witnesses suffering from emotional and/or physical trauma or shock should be kept under the observation of medical personnel until such time as they may be safely transported to a hospital or home in the care of family or friends.
  - f. Establish traffic control and management for the ingress and egress of public safety vehicles. Special consideration should be given to maintain open routes for rapid transport of the injured.
  - g. Contact appropriate aviation resources to control air space for possible medical evacuation resources and to establish restricted air space for law enforcement use only.
  - h. Request emergency medical assistance.
  - i. Initiate intelligence gathering on possible suspects.
  - j. Summon chaplains and peer support officers to provide information to relatives of victims.
  - k. Coordinate with owners or officials of the target location for floor plans; site layout; and a roster, including emergency contact information as available, of employees, students, residents, visitors, or others believed to be on-site.
  - l. Assign a recorder to document actions at the command post.
  - 3. When available on the scene, a tactical team may be assigned as appropriate to
    - a. contain the location
    - b. assist RTF's
    - c. help locate the suspect(s) or relieve the contact officer or team
    - d. help locate and safeguard explosives pending removal, and
    - e. provide special weapons and equipment as needed.
  - 4. Additional officers shall be deployed to control access to the location and monitor the perimeter.
- F. Community Notification





## MILES CITY POLICE DEPARTMENT

### Policy

The PIO or other designated individual(s) shall be responsible for ensuring appropriate information is distributed in a timely manner to the community. This may include

1. shelter in place warnings for nearby locations during active shooter situations;
2. alerts to avoid the area due to heavy law enforcement activity and potential road closures; and
3. specific directions for individuals who elect to visit the scene.

#### G. Debriefing

As soon as reasonably possible after the incident, the agency shall conduct a debriefing of essential personnel involved in the incident. The debriefing shall identify areas of potential improvement and determine whether changes in operational protocols, policy, or training may be warranted.

#### H. Training

This agency shall provide active shooter training to all sworn and civilian personnel, including simulation exercises conducted in schools and other facilities and partnering first response agencies, where appropriate.

**RESOLUTION NO. 4284**

**A RESOLUTION APPROVING A GRANT AGREEMENT WITH THE U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION FOR RUNWAY RECONSTRUCTION.**

*WHEREAS*, the City of Miles City owns real property known as Frank Wiley Field;

*AND WHEREAS*, a grant from the U.S. Department of Transportation Federal Aviation Administration (FAA) for reconstruction of Runway 4/22 and other improvements has been made available to the City under certain terms and conditions.

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

1. The City of Miles City approves the "Grant Agreement" with the FAA for reconstruction of Runway 4/22, construction of Taxiway D, and rehabilitation of Taxiway B, attached hereto as Exhibit "A."
2. The Mayor of the City of Miles City is hereby empowered and authorized to execute said agreement, and to bind the City thereto.

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 27<sup>TH</sup> DAY OF AUGUST, 2019.**

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JOHN HOLLOWELL, Mayor

ATTEST:

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Lorrie Pearce, City Clerk



U.S. Department  
of Transportation  
Federal Aviation  
Administration

## GRANT AGREEMENT

### PART I – OFFER

Date of Offer	<u>August 19, 2019</u>
Airport/Planning Area	<u>Frank Wiley Field</u>
AIP Grant Number	<u>3-30-0055-018-2019 (DOT-FA19NM-2050)</u>
DUNS Number	<u>134230325</u>
TO:	<u>City of Miles City</u> (herein called the "Sponsor")

FROM: **The United States of America**(acting through the Federal Aviation Administration, herein called the "FAA")

**WHEREAS**, the Sponsor has submitted to the FAA a Project Application dated March 25, 2019, for a grant of Federal funds for a project at or associated with the Frank Wiley Field Airport, which is included as part of this Grant Agreement; and

**WHEREAS**, the FAA has approved a project for the Frank Wiley Field Airport (herein called the "Project") consisting of the following:

**Reconstruct Runway 4/22, Construct Taxiway D, Rehabilitate Taxiway B (phase I-design)**

which is more fully described in the Project Application.

**NOW THEREFORE**, According to the applicable provisions of the former Federal Aviation Act of 1958, as amended and recodified, 49 U.S.C. § 40101, et seq., and the former Airport and Airway Improvement Act of 1982 (AAIA), as amended and recodified, 49 U.S.C. § 47101, et seq., (herein the AAIA grant statute is referred to as "the Act"), the representations contained in the Project Application, and in consideration of (a) the Sponsor's adoption and ratification of the Grant Assurances dated March 2014, as applied and interpreted consistent with the FAA Reauthorization Act of 2018 (see 2018 FAA Reauthorization grant condition.), (b) and the Sponsor's acceptance of this Offer; and, (c) the benefits to accrue to the United States and the public from the accomplishment of the Project and compliance with the Grant Assurances and conditions as herein provided.

**THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay ninety (90) percent of the allowable costs incurred accomplishing the Project as the United States share of the Project.**

This Offer is made on and **SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:**

## CONDITIONS

1. **Maximum Obligation.** The maximum obligation of the United States payable under this Offer is \$359,190. The following amounts represent a breakdown of the maximum obligation for the purpose of establishing allowable amounts for any future grant amendment, which may increase the foregoing maximum obligation of the United States under the provisions of 49 U.S.C. § 47108(b):
  - \$0 for planning
  - \$359,190 for airport development or noise program implementation; and,
  - \$0 for land acquisition.
  
2. **Period of Performance.** The period of performance begins on the date the Sponsor formally accepts this agreement. Unless explicitly stated otherwise in an amendment from the FAA, the end date of the period of performance is 4 years (1,460 calendar days) from the date of formal grant acceptance by the Sponsor. The Sponsor may only charge allowable costs for obligations incurred prior to the end date of the period of performance (2 CFR §200.309). Unless the FAA authorizes a written extension, the sponsor must submit all project closeout documentation and liquidate (pay off) all obligations incurred under this award no later than 90 calendar days after the end date of the period of performance (2 CFR §200.343). The period of performance end date does not relieve or reduce Sponsor obligations and assurances that extend beyond the closeout of a grant agreement.
  
3. **Ineligible or Unallowable Costs.** The Sponsor must not include any costs in the project that the FAA has determined to be ineligible or unallowable.
  
4. **Determining the Final Federal Share of Costs.** The United States' share of allowable project costs will be made in accordance with the regulations, policies, and procedures of the Secretary. Final determination of the United States' share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs.
  
5. **Completing the Project without Delay and in Conformance with Requirements.** The Sponsor must carry out and complete the project without undue delays and in accordance with this agreement, and the regulations, policies, and procedures of the Secretary. Per 2 CFR § 200.308, the Sponsor agrees to report to the FAA any disengagement from performing the project that exceeds three months. The report must include a reason for the project stoppage. The Sponsor also agrees to comply with the assurances which are part of this agreement.
  
6. **Amendments or Withdrawals before Grant Acceptance.** The FAA reserves the right to amend or withdraw this offer at any time prior to its acceptance by the Sponsor.
  
7. **Offer Expiration Date.** This offer will expire and the United States will not be obligated to pay any part of the costs of the project unless this offer has been accepted by the Sponsor on or before September 5, 2019, or such subsequent date as may be prescribed in writing by the FAA.
  
8. **Improper Use of Federal Funds.** The Sponsor must take all steps, including litigation if necessary, to recover Federal funds spent fraudulently, wastefully, or in violation of Federal antitrust statutes, or misused in any other manner for any project upon which Federal funds have been expended. For the purposes of this grant agreement, the term "Federal funds" means funds however used or dispersed by the Sponsor, that were originally paid pursuant to this or any other Federal grant agreement. The Sponsor must obtain the approval of the Secretary as to any determination of the amount of the Federal share of such funds. The Sponsor must return the recovered Federal share, including funds recovered by settlement, order, or judgment, to the Secretary. The Sponsor must furnish to the Secretary, upon request, all documents and records pertaining to the determination of the amount of the Federal share or to any settlement, litigation, negotiation, or other efforts taken to recover such funds. All settlements or other

final positions of the Sponsor, in court or otherwise, involving the recovery of such Federal share require advance approval by the Secretary.

9. **United States Not Liable for Damage or Injury.** The United States is not responsible or liable for damage to property or injury to persons which may arise from, or be incident to, compliance with this grant agreement.
10. **System for Award Management (SAM) Registration and Universal Identifier.**
  - A. Requirement for System for Award Management (SAM): Unless the Sponsor is exempted from this requirement under 2 CFR 25.110, the Sponsor must maintain the currency of its information in the SAM until the Sponsor submits the final financial report required under this grant, or receives the final payment, whichever is later. This requires that the Sponsor review and update the information at least annually after the initial registration and more frequently if required by changes in information or another award term. Additional information about registration procedures may be found at the SAM website (currently at <http://www.sam.gov>).
  - B. Data Universal Numbering System: DUNS number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D & B) to uniquely identify business entities. A DUNS number may be obtained from D & B by telephone (currently 866-705-5771) or on the web (currently at <http://fedgov.dnb.com/webform>).
11. **Electronic Grant Payment(s).** Unless otherwise directed by the FAA, the Sponsor must make each payment request under this agreement electronically via the Delphi eInvoicing System for Department of Transportation (DOT) Financial Assistance Awardees.
12. **Informal Letter Amendment of AIP Projects.** If, during the life of the project, the FAA determines that the maximum grant obligation of the United States exceeds the expected needs of the Sponsor by \$25,000 or five percent (5%), whichever is greater, the FAA can issue a letter amendment to the Sponsor unilaterally reducing the maximum obligation.
 

The FAA can also issue a letter to the Sponsor increasing the maximum obligation if there is an overrun in the total actual eligible and allowable project costs to cover the amount of the overrun provided it will not exceed the statutory limitations for grant amendments. The FAA's authority to increase the maximum obligation does not apply to the "planning" component of condition No. 1.

The FAA can also issue an informal letter amendment that modifies the grant description to correct administrative errors or to delete work items if the FAA finds it advantageous and in the best interests of the United States.

An informal letter amendment has the same force and effect as a formal grant amendment.
13. **Air and Water Quality.** The Sponsor is required to comply with all applicable air and water quality standards for all projects in this grant. If the Sponsor fails to comply with this requirement, the FAA may suspend, cancel, or terminate this agreement.
14. **Financial Reporting and Payment Requirements.** The Sponsor will comply with all federal financial reporting requirements and payment requirements, including submittal of timely and accurate reports.
15. **Buy American.** Unless otherwise approved in advance by the FAA, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the United States to be used for any project for which funds are provided under this grant. The Sponsor will include a provision implementing Buy American in every contract.
16. **Maximum Obligation Increase for Nonprimary Airports.** In accordance with 49 U.S.C. § 47108(b), as amended, the maximum obligation of the United States, as stated in Condition No. 1 of this Grant Offer:

- A. May not be increased for a planning project;
- B. May be increased by not more than 15 percent for development projects;
- C. May be increased by not more than 15 percent or by an amount not to exceed 25 percent of the total increase in allowable costs attributable to the acquisition of land or interests in land, whichever is greater, based on current credible appraisals or a court award in a condemnation proceeding.

**17. Audits for Public Sponsors.** The Sponsor must provide for a Single Audit or program specific audit in accordance with 2 CFR part 200. The Sponsor must submit the audit reporting package to the Federal Audit Clearinghouse on the Federal Audit Clearinghouse's Internet Data Entry System at <http://harvester.census.gov/facweb/>. Provide one copy of the completed audit to the FAA if requested.

**18. Suspension or Debarment.** When entering into a "covered transaction" as defined by 2 CFR §180.200, the Sponsor must:

- A. Verify the non-federal entity is eligible to participate in this Federal program by:
  - 1. Checking the excluded parties list system (EPLS) as maintained within the System for Award Management (SAM) to determine if the non-federal entity is excluded or disqualified; or
  - 2. Collecting a certification statement from the non-federal entity attesting they are not excluded or disqualified from participating; or
  - 3. Adding a clause or condition to covered transactions attesting individual or firm are not excluded or disqualified from participating.
- B. Require prime contractors to comply with 2 CFR §180.330 when entering into lower-tier transactions (e.g. Sub-contracts).
- C. Immediately disclose to the FAA whenever the Sponsor (1) learns they have entered into a covered transaction with an ineligible entity or (2) suspends or debar a contractor, person, or entity.

**19. Ban on Texting While Driving.**

- A. In accordance with Executive Order 13513, Federal Leadership on Reducing Text Messaging While Driving, October 1, 2009, and DOT Order 3902.10, Text Messaging While Driving, December 30, 2009, the Sponsor is encouraged to:
  - 1. Adopt and enforce workplace safety policies to decrease crashes caused by distracted drivers including policies to ban text messaging while driving when performing any work for, or on behalf of, the Federal government, including work relating to a grant or subgrant.
  - 2. Conduct workplace safety initiatives in a manner commensurate with the size of the business, such as:
    - a. Establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving; and
    - b. Education, awareness, and other outreach to employees about the safety risks associated with texting while driving.
- B. The Sponsor must insert the substance of this clause on banning texting while driving in all subgrants, contracts and subcontracts.

**20. Exhibit "A" Property Map.** The Exhibit "A" Property Map dated August 2, 2015 is incorporated herein by reference or is submitted with the project application and made part of this grant agreement.

**21. Employee Protection from Reprisal.**

- A. Prohibition of Reprisals –

1. In accordance with 41 U.S.C. § 4712, an employee of a grantee or subgrantee may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in sub-paragraph (A)(2), information that the employee reasonably believes is evidence of:
  - i. Gross mismanagement of a Federal grant;
  - ii. Gross waste of Federal funds;
  - iii. An abuse of authority relating to implementation or use of Federal funds;
  - iv. A substantial and specific danger to public health or safety; or
  - v. A violation of law, rule, or regulation related to a Federal grant.
2. Persons and bodies covered: The persons and bodies to which a disclosure by an employee is covered are as follows:
  - i. A member of Congress or a representative of a committee of Congress;
  - ii. An Inspector General;
  - iii. The Government Accountability Office;
  - iv. A Federal office or employee responsible for oversight of a grant program;
  - v. A court or grand jury;
  - vi. A management office of the grantee or subgrantee; or
  - vii. A Federal or State regulatory enforcement agency.
3. Submission of Complaint – A person who believes that they have been subjected to a reprisal prohibited by paragraph A of this grant term may submit a complaint regarding the reprisal to the Office of Inspector General (OIG) for the U.S. Department of Transportation.
4. Time Limitation for Submittal of a Complaint - A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.
5. Required Actions of the Inspector General – Actions, limitations and exceptions of the Inspector General’s office are established under 41 U.S.C. § 4712(b)
6. Assumption of Rights to Civil Remedy - Upon receipt of an explanation of a decision not to conduct or continue an investigation by the Office of Inspector General, the person submitting a complaint assumes the right to a civil remedy under 41 U.S.C. § 4712(c).

**22. 2018 FAA Reauthorization.** This grant agreement is subject to the terms and conditions contained herein including the terms known as the Grant Assurances as they were published in the Federal Register on April 3, 2014. On October 5, 2018, the FAA Reauthorization Act of 2018 made certain amendments to 49 U.S.C. chapter 471. The Reauthorization Act will require FAA to make certain amendments to the assurances in order to best achieve consistency with the statute. Federal law requires that FAA publish any amendments to the assurances in the Federal Register along with an opportunity to comment. In order not to delay the offer of this grant, the existing assurances are attached herein; however, FAA shall interpret and apply these assurances consistent with the Reauthorization Act. To the extent there is a conflict between the assurances and Federal statutes, the statutes shall apply. The full text of the Act is at <https://www.congress.gov/bill/115th-congress/house-bill/302/text>.

### **SPECIAL CONDITIONS**

23. **Airports GIS Survey.** If the Airports GIS survey is not reflected on an updated ALP that meets FAA requirements within four (4) years from the date of the Phase 1 grant (regardless of whether it is generated using the AGIS/eALP system or through some other computer-aided design platform), then the sponsor may be required to repay that portion of the grant that relates to the survey work.
24. **Pavement Maintenance Management Program.** The Sponsor agrees that it will implement an effective airport pavement maintenance management program as required by Grant Assurance Pavement

Preventive Management. The Sponsor agrees that it will use the program for the useful life of any pavement constructed, reconstructed, or repaired with federal financial assistance at the airport. The Sponsor further agrees that the program will:

- A. Follow FAA Advisory Circular 150/5380-6, "Guidelines and Procedures for Maintenance of Airport Pavements," for specific guidelines and procedures for maintaining airport pavements, establishing an effective maintenance program, specific types of distress and its probable cause, inspection guidelines, and recommended methods of repair;
- B. Detail the procedures to be followed to assure that proper pavement maintenance, both preventive and repair, is performed;
- C. Include a Pavement Inventory, Inspection Schedule, Record Keeping, Information Retrieval, and Reference, meeting the following requirements:
  1. Pavement Inventory. The following must be depicted in an appropriate form and level of detail:
    - a. Location of all runways, taxiways, and aprons;
    - b. Dimensions;
    - c. Type of pavement; and,
    - d. Year of construction or most recent major rehabilitation.
  2. Inspection Schedule.
    - a. Detailed Inspection. A detailed inspection must be performed at least once a year. If a history of recorded pavement deterioration is available, i.e., Pavement Condition Index (PCI) survey as set forth in the Advisory Circular 150/5380-6, the frequency of inspections may be extended to three years.
    - b. Drive-By Inspection. A drive-by inspection must be performed a minimum of once per month to detect unexpected changes in the pavement condition. For drive-by inspections, the date of inspection and any maintenance performed must be recorded.
  3. Record Keeping. Complete information on the findings of all detailed inspections and on the maintenance performed must be recorded and kept on file for a minimum of five years. The type of distress, location, and remedial action, scheduled or performed, must be documented. The minimum information is:
    - a. Inspection date;
    - b. Location;
    - c. Distress types; and
    - d. Maintenance scheduled or performed.
  4. Information Retrieval System. The Sponsor must be able to retrieve the information and records produced by the pavement survey to provide a report to the FAA as may be required.

**25. Project which Contain Paving Work in Excess of \$500,000.** The Sponsor agrees to:

- A. Furnish a construction management program to the FAA prior to the start of construction which details the measures and procedures to be used to comply with the quality control provisions of the construction contract, including, but not limited to, all quality control provisions and tests required by the Federal specifications. The program must include as a minimum:
  1. The name of the person representing the Sponsor who has overall responsibility for contract administration for the project and the authority to take necessary actions to comply with the contract;



2. Names of testing laboratories and consulting engineer firms with quality control responsibilities on the project, together with a description of the services to be provided;
  3. Procedures for determining that the testing laboratories meet the requirements of the American Society of Testing and Materials standards on laboratory evaluation referenced in the contract specifications (D 3666, C 1077);
  4. Qualifications of engineering supervision and construction inspection personnel;
  5. A listing of all tests required by the contract specifications, including the type and frequency of tests to be taken, the method of sampling, the applicable test standard, and the acceptance criteria or tolerances permitted for each type of test; and
  6. Procedures for ensuring that the tests are taken in accordance with the program, that they are documented daily, and that the proper corrective actions, where necessary, are undertaken.
- B. Submit at completion of the project, a final test and quality assurance report documenting the summary results of all tests performed; highlighting those tests that indicated failure or that did not meet the applicable test standard. The report must include the pay reductions applied and the reasons for accepting any out-of-tolerance material. Submit interim test and quality assurance reports when requested by the FAA.
- C. Failure to provide a complete report as described in paragraph b, or failure to perform such tests, will, absent any compelling justification; result in a reduction in Federal participation for costs incurred in connection with construction of the applicable pavement. Such reduction will be at the discretion of the FAA and will be based on the type or types of required tests not performed or not documented and will be commensurate with the proportion of applicable pavement with respect to the total pavement constructed under the grant agreement.
- D. The FAA, at its discretion, reserves the right to conduct independent tests and to reduce grant payments accordingly if such independent tests determine that sponsor test results are inaccurate.
26. **Consultant Contract and Cost Analysis.** The Sponsor understands and agrees that no reimbursement will be made on the consultant contract portion of this grant until the FAA has received the consultant contract, the Sponsor's analysis of costs, and the independent fee estimate.
27. **Design Grant.** This grant agreement is being issued in order to complete the design of the project. The Sponsor understands and agrees that within 2 years after the design is completed that the Sponsor will accept, subject to the availability of the amount of federal funding identified in the Airport Capital Improvement Plan (ACIP), a grant to complete the construction of the project in order to provide a useful and useable unit of work. The Sponsor also understands that if the FAA has provided federal funding to complete the design for the project, and the Sponsor has not completed the design within four (4) years from the execution of this grant agreement, the FAA may suspend or terminate grants related to the design.

The Sponsor's acceptance of this Offer and ratification and adoption of the Project Application incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and this Offer and Acceptance shall comprise a Grant Agreement, as provided by the Act, constituting the contractual obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and compliance with the assurances and conditions as provided herein. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer.

**UNITED STATES OF AMERICA  
FEDERAL AVIATION ADMINISTRATION**



*(Signature)*

**William C. Garrison**

*(Typed Name)*

**Manager, Helena Airports District Office**

*(Title of FAA Official)*

**PART II - ACCEPTANCE**

The Sponsor does hereby ratify and adopt all assurances, statements, representations, warranties, covenants, and agreements contained in the Project Application and incorporated materials referred to in the foregoing Offer, and does hereby accept this Offer and by such acceptance agrees to comply with all of the terms and conditions in this Offer and in the Project Application.

I declare under penalty of perjury that the foregoing is true and correct.<sup>1</sup>

Executed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

City of Miles City

*(Name of Sponsor)*

\_\_\_\_\_  
*(Signature of Sponsor's Authorized Official)*

**By:**

\_\_\_\_\_  
*(Typed Name of Sponsor's Authorized Official)*

**Title:**

\_\_\_\_\_  
*(Title of Sponsor's Authorized Official)*

**CERTIFICATE OF SPONSOR'S ATTORNEY**

I, \_\_\_\_\_, acting as Attorney for the Sponsor do hereby certify:

That in my opinion the Sponsor is empowered to enter into the foregoing Grant Agreement under the laws of the State of Montana. Further, I have examined the foregoing Grant Agreement and the actions taken by said Sponsor and Sponsor's official representative has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the said State and the Act. In addition, for grants involving projects to be carried out on property not owned by the Sponsor, there are no legal impediments that will prevent full performance by the Sponsor. Further, it is my opinion that the said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at \_\_\_\_\_ (location) this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**By:**

\_\_\_\_\_  
*(Signature of Sponsor's Attorney)*

<sup>1</sup>Knowingly and willfully providing false information to the Federal government is a violation of 18 U.S.C. Section 1001 (False Statements) and could subject you to fines, imprisonment, or both.