



# CITY OF MILES CITY AGENDA

*Regular Council Meeting  
City Council Chambers  
And on zoom.us*

*June 27, 2023  
6:00 p.m.*

## CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

1. APPOINT CITY COUNCIL PRESIDENT
2. APPROVAL OF COUNCIL MINUTES/COMMITTEE MINUTES
  - A. Regular City Council Meeting 06/13/2023
  - B. Finance Committee Meeting 06/20/2023
3. SCHEDULE MEETINGS
4. REQUEST OF CITIZENS & PUBLIC COMMENT
5. PROCLAMATIONS
6. STAFF REPORTS
7. CITY COUNCIL COMMENTS
8. MAYOR COMMENTS
9. COMMITTEE RECOMMENDATIONS
10. BID OPENINGS
11. BID AWARDS

Waste Water Treatment Plant Generator Replacement
12. PUBLIC HEARINGS
  - A. **ORDINANCE NO. 1370 (*Second Reading*) – AN ORDINANCE ESTABLISHING NEW RATES FOR THE USE OF THE MILES CITY AMBULANCE.**
  - B. **ORDINANCE NO. 1371 (*Second Reading*) - AN ORDINANCE REPEALING SECTIONS 3-26 THROUGH 3-36 AND AMENDING SECTION 6-26 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY REGARDING CITY LICENSE REQUIREMENTS FOR STATE ORIGINATED LICENSES.**
13. UNFINISHED BUSINESS
  - A. **ORDINANCE NO. 1370 (*Second Reading*) – AN ORDINANCE ESTABLISHING NEW RATES FOR THE USE OF THE MILES CITY AMBULANCE.**
  - B. **ORDINANCE NO. 1371 (*Second Reading*) - AN ORDINANCE REPEALING SECTIONS 3-26 THROUGH 3-36 AND AMENDING SECTION 6-26 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY REGARDING CITY LICENSE REQUIREMENTS FOR STATE ORIGINATED LICENSES.**

**14. NEW BUSINESS**

- A. **ORDINANCE NO. 1368 - (*First Reading*) AN ORDINANCE AMENDING SECTION 2-86 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY REGARDING ELECTIVE AND APPOINTIVE OFFICERS.**
  
- B. **APPROVE SENDING PAST DUE AMBULANCE ACCOUNTS TO COLLECTIONS.**
  
- C. **APPROVE SENDING PAST DUE WATER/SEWER ACCOUNTS TO COLLECTIONS.**

**15. ADJOURNMENT**

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

## Finance Committee Meeting

June 20, 2023

The Finance Committee met Tuesday, June 20, 2023 at 5:00 p.m. in the Miles City, City Hall Conference Room and online at zoom.us. Present were Committee Members Pamela Bovee, Rick Huber, and Kathy Wilcox.

Also present were Utility Director Tom Speelmon, Councilperson Chris Grenz, and City Clerk/Recorder Mary Rowe.

Clerk Rowe called the meeting to order.

### 1. Appoint Committee Chair

Committee Member Wilcox nominated Committee Member Huber for Chair, seconded by Committee Member Bovee, and passed unanimously, 3-0.

*\*\*Chairperson Huber led the meeting\*\**

### 2. Request of Citizens and Public Comment

Committee Member Wilcox suggested that the budget get done early this year, to eliminate the time crunch.

Councilperson Grenz suggested updates on the budget process at Council meetings to keep the Council informed throughout the process.

### 3. Review and Recommend Wastewater Generator Replacement Bid.

Director Speelmon explained that the engineers gave him an estimate of probable cost at approximately \$122,000 and provided the Committee with a handout covering the estimate. He recommended to the committee not to accept either bid as they are too high when the generator itself only costs about \$50,000. Most of the additional cost would be covering travel.

*\*\* Committee Member Wilcox moved to recommend not awarding either bid, seconded by Committee Member Bovee and passed unanimously, 3-0.*

### 4. Adjournment

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

The meeting was adjourned at 5:20p.m.

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Rick Huber, Chairperson

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Mary Rowe, Clerk/Recorder

## Public Utilities Staff Report

June 8, 2023

### Current work:

Utilities Crew – Performed 248 Locates. Repaired two sewer manholes and one service line. Attended Narcan training. Leveled open street cuts. Performed all weekly and monthly sewer inspections. Repaired water tower pipe at the Fire Department. Replaced 8 curb stops and responded to 5 sewer calls.

Water Treatment Plant – Normal operation and maintenance tasks.

WWTP – Normal operations and maintenance at the plant and lift stations.

Water Office – Normal duties. Working with Black Mountain and CUSI on setting up new billing software.

### Contract Work:

None at this time

### Current Projects:

N 7<sup>th</sup> Street – Our portion of design complete and submitted to DEQ for approval. Conducted 90% plan review with MDOT. Tentative bid letting November 16, 2023, construction summer of 2024.

N. Haynes Sewer – Public meeting scheduled for June 26, at 5:15 pm, City Hall Conference Room. Major work will begin probably in August when hopefully ground water levels are lower.

WWTP Generator Replacement – Received two bids. Sent to Finance.

Fill Station – Nothing new to report.

Southgate Storage Tank-KLJ inspected tank to determine repair requirements.

### Projects (2-5 yrs) Preliminary Planning Phase:

Darling Addition Phase IV and V – Will take place after the N 7<sup>th</sup> project if funding available.

North Montana Sewer Line – Working with SEMDC for funding through EDA

Tongue River Force Main – Was part of previous project. Will most likely get split out and become a project on its own in order to reduce the size of the proposed EDA project.

Storage Tank Painting – The Southgate and Riverside Park Storage Tanks will require inspection and painting. No issues with the Riverside Park Tank.

Soil Stabilization/Erosion repair on east side of Southgate Tank Hill – Tentatively planning to discuss task on site with contractors this summer to determine best way to proceed.

WTP Intake replacement – PER complete. Looking for funding. This will be approximately 5-6 million dollar project.

### Major Equipment Purchases Next 6 months:

New sewer Jetter Truck was delivered on 5/24

### Overtime Hours: May

February – WWTP/WTP 64.2 hrs

Utilities 22.4 hrs

The overtime hrs at the plants is due one employee on limited duty/reduced hours, and lift station call outs. The WTP is increasing hours of operation due to increased water demand during warmer months. The Utilities crew overtime is from after hours sewer call outs.



# Miles City Fire Rescue

## CITY OF MILES CITY

www.milescityfirerescue.com



2800 Main Street  
2235

Telephone (406) 234-

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### Council Meeting

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June 27, 2023

(As of 5-21-2023)

Total call volume year to date: **770**

Total call volume last year on this date: **781**

Difference: **11 less** calls this year

Total call volume 2022: **1,642**

#### Staffing Issues:

- a. Had a fulltime employee take a job in Washington as a firefighter, hired replacement (starts July 5<sup>th</sup>)
- b. Applied for FEMA Safer Grant (waiting to hear)
- c. Hired EMT Part-Paid position (still have 3 open)
- d. Deputy Fire Inspector position has been open since (June of 2021) no applicants
- e. Water department/FD hired a seasonal employee to do hydrants for ISO compliance – doing very good
- f. Department promotions – promoted 2 Engineers and 1 acting Captain

#### Apparatus Issues:

- a. Tender 23 still out of service and no replacement (Grenz is looking for one)
- b. Ambulance 20 (in town use only)
- c. Applied for a pumper/tender AFG grant (waiting to hear results)
- d. Applied for a Cardiac Monitor AFG grant (waiting to hear results)
- e. E-9 needs a rear gear box for the pump re-done (plan on \$12,000 to \$15,000 for next budget)
- f. Bought a used ambulance – fixing it up now

#### Equipment Issues:

- a. Slide in Pump unit from the County – Need to buy a 1 Ton truck (for wildland)

#### Community Issues:

- a. Training Center can be moved – Mofi said we are good to go (land by the pumping plant)
- b. Finishing up the State Hazard Mitigation plan with DES
- c. Working on updating EMS mutual aid agreement (Grenz is handling this)
- d. CMS reporting – Our reporting period will be July 1st 2023 through June 30th 2024
- e. Union Negotiations are currently underway
- f. EMS conference in Miles City on June 10, 2023 (was cancelled due to lack of registrations)
- g. Working with South Eastern Montana Dispatch on the 911 subcommittee
- h. Request to have the ladder truck in the 4<sup>th</sup> of July Parade

Facility Issues:

- b. Environmental Assessment ESA Phase 1 started (for the USDA)
- c. Building GEO Bond Election will be November 7<sup>th</sup> 2023
- d. Finishing the update to the training center – roof prop

Response Issues:

- a. Call volume increase over the last few years has caused delayed response due crews being on multiple calls at once
- b. Have taken 42 out of town transfers this year
- c. Last year at this time had taken 36 out of town transfers
- d. Have turned down 27 out of town transfers this year (Due to no staff available, higher level of care needed, or out of area)
- e. Last year at this time had turn down 47 out of town transfers
- f. Accepted but Cancelled by facility/Pt: 15
- g. Out of town transfers so far this year requested 84 (.48 per day)

Grants and funds pending on the building –

MDU \$1,000,000 (Grant discontinued)

BRICC \$600,000 (Re applying for next round)

USDA loan (Submitted application/next meeting is July 13<sup>th</sup>)

**2022 Survival Rates by County in Montana**

6 Largest Counties

1	10.7%
2	13.5%
3	19.7%
4	11.8%
5	8.2%
6	4.3%

Miles City (Top Cardiac Arrest Survival Rate in the State for 2022)

23.8%

Montana

10.2%

National

7.5%

You guys are hitting it out of the park!! Excellent work

Janet Trethewey, EdD, NREMT

Emergency Cardiovascular Care Program Manager

Chronic Disease Prevention and Health Promotion Bureau

PO Box 202951 | 1400 Broadway | Helena MT 59620-2951

406.444.0442 | fax 406.444.1814

# ORDINANCE NO. 1370

## AN ORDINANCE ESTABLISHING NEW RATES FOR THE USE OF THE MILES CITY AMBULANCE

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

**Section 1.** The Ambulance Rates to be charged by the City of Miles City Ambulance Service are hereby amended as follows:

(1) Basic Life Support:

- a. Commencing January 1, 2023 – 756.43 per call ;
- b. Commencing January 1, 2024 – 763.85 per call ;
- c. Commencing January 1, 2025 – 778.68 per call ;
- d. Commencing January 1, 2026 – 815.76 per call .

(2) BLS Non Emergent Resident:

- a. Commencing January 1, 2023 – 385.77 per call ;
- b. Commencing January 1, 2024 – 394.49 per call ;
- c. Commencing January 1, 2025 – 397.12 per call ;
- d. Commencing January 1, 2026 – 416.03 per call .

(3) BLS Emergent/Non Emergent Nonresident

- a. Commencing January 1, 2023 – 952.55 per call ;
- b. Commencing January 1, 2024 – 974.91 per call ;
- c. Commencing January 1, 2025 – 980.56 per call ;
- d. Commencing January 1, 2026 – 1027.26 per call .

(4) Advanced Life Support (ALS) Emergent Resident

- a. Commencing January 1, 2023 – 893.01 per call ;
- b. Commencing January 1, 2024 – 908.73 per call ;
- c. Commencing January 1, 2025 – 919.28 per call ;
- d. Commencing January 1, 2026 – 963.05 per call .

(5) ALS Emergent Nonresident.

- a. Commencing January 1, 2023 – 1071.61 per call ;
- b. Commencing January 1, 2024 – 1083.74 per call ;
- c. Commencing January 1, 2025 – 1103.13 per call ;



d. Commencing January 1, 2026 – 1155.66 per call .

(6) ALS 2

- a. Commencing January 1, 2023 – 1700.00 per call ;
- b. Commencing January 1, 2024 – 1800.00 per call ;
- c. Commencing January 1, 2025 – 1900.00 per call ;
- d. Commencing January 1, 2026 – 2000.00 per call .

(7) Specialty Care Transport with RN/ Paramedic aboard

- a. Commencing January 1, 2023 – 2475.00 per call ;
- b. Commencing January 1, 2024 – 2893.05 per call ;
- c. Commencing January 1, 2025 – 4775.44 per call ;
- d. Commencing January 1, 2026 – 5372.37 per call .

(8) IV Supplies

- a. Commencing January 1, 2023 – 89.30 per call;
- b. Commencing January 1, 2024 – 90.18 per call;
- c. Commencing January 1, 2025 – 91.93 per call;
- d. Commencing January 1, 2026 – 96.31 per call

(9) BLS Routine Supplies

- a. Commencing January 1, 2023 – 89.30 per call;
- b. Commencing January 1, 2024 – 90.18 per call;
- c. Commencing January 1, 2025 – 91.93 per call;
- d. Commencing January 1, 2026 – 96.31 per call

(10) ALS Routine Supplies

- a. Commencing January 1, 2023 – 145.00 per call;
- b. Commencing January 1, 2024 – 150.00 per call;
- c. Commencing January 1, 2025 – 155.00 per call;
- d. Commencing January 1, 2026 – 160.00 per call

(11)Oxygen and Supplies

- a. Commencing January 1, 2023 – 89.30 per call;
- b. Commencing January 1, 2024 – 90.18 per call;
- c. Commencing January 1, 2025 – 91.93 per call;
- d. Commencing January 1, 2026 – 96.31 per call

(12)Cardiac Monitoring and Supplies

- a. Commencing January 1, 2023 – 185.00 per call;
- b. Commencing January 1, 2024 – 190.00 per call;
- c. Commencing January 1, 2025 – 200.00 per call;
- d. Commencing January 1, 2026 – 210.00 per call

(13) Advanced Airway and Supplies or CPAP

- a. Commencing January 1, 2023 – 185.00 per call;
- b. Commencing January 1, 2024 – 190.00 per call;
- c. Commencing January 1, 2025 – 200.00 per call;
- d. Commencing January 1, 2026 – 210.00 per call

(14) Backboard System and Supplies

- a. Commencing January 1, 2023 – 185.00 per call;
- b. Commencing January 1, 2024 – 190.00 per call;
- c. Commencing January 1, 2025 – 200.00 per call;
- d. Commencing January 1, 2026 – 210.00 per call

(15) Treat at Scene 1st Aid

- a. Commencing January 1, 2023 – 119.06 per call;
- b. Commencing January 1, 2024 – 120.23 per call;
- c. Commencing January 1, 2025 – 122.57 per call;
- d. Commencing January 1, 2026 – 128.40 per call

(16) Treat at Scene Medication- Plus Cost of Medicines

- a. Commencing January 1, 2023 – 238.13 per call;
- b. Commencing January 1, 2024 – 240.46 per call;
- c. Commencing January 1, 2025 – 245.13 per call;
- d. Commencing January 1, 2026 – 256.81 per call

(17) Decontamination of Ambulance

- a. Commencing January 1, 2023 – 80.00 per call;
- b. Commencing January 1, 2024 – 85.00 per call;
- c. Commencing January 1, 2025 – 90.00 per call;
- d. Commencing January 1, 2026 – 95.00 per call

(18) Response to Medical Alarm (No Transport)

- a. Commencing January 1, 2023 – 25.00 per call;
- b. Commencing January 1, 2024 – 26.00 per call;
- c. Commencing January 1, 2025 – 28.00 per call;

d. Commencing January 1, 2026 – 30.00 per call

(19) Response to MCV (No Transport)

- a. Commencing January 1, 2023 – 150.00 per call;
- b. Commencing January 1, 2024 – 175.00 per call;
- c. Commencing January 1, 2025 – 200.00 per call;
- d. Commencing January 1, 2026 – 250.00 per call

(20) Special Event Standby- For Profit

- a. Commencing January 1, 2023 – 175.00 per call;
- b. Commencing January 1, 2024 – 200.00 per call;
- c. Commencing January 1, 2025 – 225.00 per call;
- d. Commencing January 1, 2026 – 250.00 per call

(21) Special Event Standby- Nonprofit

- a. Commencing January 1, 2023 – 100.00 per call;
- b. Commencing January 1, 2024 – 125.00 per call;
- c. Commencing January 1, 2025 – 135.00 per call;
- d. Commencing January 1, 2026 – 150.00 per call

(22) Ground Mileage BLS, Per

- a. Commencing January 1, 2023 – 25.00 per mile;
- b. Commencing January 1, 2024 – 25.50 per mile;
- c. Commencing January 1, 2025 – 26.00 per mile;
- d. Commencing January 1, 2026 – 26.50 per mile

(21) Ground Mileage ALS, Per

- a. Commencing January 1, 2023 – 27.00 per mile;
- b. Commencing January 1, 2024 – 27.50 per mile;
- c. Commencing January 1, 2025 – 28.00 per mile;
- d. Commencing January 1, 2026 – 28.50 per mile

(22) Blood Draw. Blood draw services for law enforcement investigations shall be charged to the investigating agency at the rate of \$100.00 per draw, the proceeds of which are to be deposited into the Ambulance Capital Improvement Fund.

(23) Medications

- a. As Needed to Cover Drug Cost Increases

<b>Medication</b>	<b>Current</b>	<b>New</b>	<b>Cost</b>
FENTANYL	\$2.52	12.52	22.69 (10)
ASPIRIN	\$0.30	1.00	1.40 (btl)
AMIODRANONE	\$16.50	20.50	10.89
ATROPINE LURE JET	\$13.71	18.50	157.99 (10)
ATROPINE SYRINGE	\$16.68	30.50	25.49
EPI 1:1000 PEN	\$730.80	750.80	609.00
EPI 1:1000 AMPLUE	\$21.94	25.94	187.00 (10)
EPI 1:10,000 LURE	\$10.03	20.03	140.99 (10)
D-50	\$16.16	19.16	227.99 (25)
D-25	\$15.16	25.16	207.99 (10)
D-10	\$10.90	15.90	10.09
D-5	N/A	18.49	8.49
ORAL GLUCOSE	\$5.80	7.80	5.29 (3)
SODIUM BICARB 8.4	\$13.06	33.06	286.99 (10)
SODIUM BICARB 4.2	\$18.99	28.99	206.99 (10)
CALCIUM CHLORIDE	\$13.34	15.34	11.12
CALCIUM GLUCONATE	N/A	30.00	629.99 (25)
LIDOCAINE	\$9.40	11.40	83.99 (10)
FUROSEMIDE	\$6.21	26.21	14.89
NITRO TABS	\$4.68	5.68	24.79 (25)
NARCAN	\$46.87	146.87	78.99
MORPHINE AMPULE	\$4.50	14.50	82.94 (25)
DIAZEPAM	\$39.94	39.94	15.99 (100)
VERSED	\$4.24	5.24	22.79 (10)
ONDANSETRON VIAL	\$6.09	16.09	10.69
ONDANSETRON TAB	\$1.17	3.17	33.99 (30)
PHENERGAN	\$3.79	13.79	106.99 (25)
ALBUTEROL	\$.55	2.00	18.99 (30)
IPRATROPIUM	\$1.00	3.00	12.94 (25)
BENADRYL	\$3.09	13.09	8.49
DOPAMINE	\$23.98	33.98	24.99
DUO NEB	N/A	5.00	47.70 (30)
PITOCIN	\$9.70	13.70	222.99 (25)
METHYLPREDISOLONE	\$17.98	27.98	19.99
THIAMINE	\$16.39	18.39	374.25 (25)
TXA	\$74.38	74.38	259.99 (10)
NOREPINEPHRINE	\$21.94	55.94	45.79
LIDOCAINE JELLY	\$8.07	15.07	247.25 (25)

ADENOSINE 6MG	\$37.47	47.47	98.00 (10)
ADENOSINE 12 MG	\$59.98	69.95	247.90 (10)
GLUCAGON	\$304.78	314.78	256.99
GLUCAGEN	\$445.25	455.28	374.89
HALDOL	\$10.92	15.92	304.75 (25)
MAGNESIUM SULFATE 1G	\$4.78	16.78	11.79
MAGNESIUM SULFATE 5G	\$25.53	26.53	11.79
KETAMINE	N/A	25.00	190.99 (10)
NITROUS OXIDE	N/A	25.00	97.03 (btl)
NEO-SYNEPHRINE	N/A	15.00	7.19

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

Said Ordinance read and put on its passage this 13<sup>th</sup> day of June, 2023.

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

ATTEST:

\_\_\_\_\_  
Mary Rowe, City Clerk

**FINALLY PASSED AND ADOPTED** this 27<sup>th</sup> day of June, 2023.

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

ATTEST:

\_\_\_\_\_  
Mary Rowe, City Clerk

ORDINANCE NO. 1371

AN ORDINANCE REPEALING SECTIONS 3-26 THROUGH 3-36 AND AMENDING SECTION 6-26 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY REGARDING CITY LICENSE REQUIREMENTS FOR STATE ORIGINATED LICENSES.

WHEREAS, the Montana legislature enacted SB 262 amending MCA 7-1-111 to prohibit local governments from requiring additional licensing when the State of Montana is the original issuer of a license, to include alcoholic beverage licenses; now therefore:

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

**Section 1.** Section 3-26 through 3-36 are hereby repealed, including the following:

~~ARTICLE II. LICENSES~~

~~Sec. 3-26. Definitions.~~

~~The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~Alcoholic beverages means beer, wine and liquor as defined by the statutes of the state.~~

~~All beverage license establishment means bars, fraternal organizations and private clubs within the city limits authorized to sell for on-premises consumption any beer, wine and/or liquor.~~

~~(Code 1981, § 5.10.010; Ord. No. 854, § 1, 10-23-79)~~

~~State Law reference — Definitions, MCA 16-1-106.~~

~~Sec. 3-27. Penalty for violation of article.~~

~~(a) Except as otherwise specified, any person who violates the provisions of this article shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine not to exceed \$500.00 or by imprisonment for a term not to exceed six months, or both. (b) Each day of failure to comply with the provisions of this article shall constitute a separate offense.~~

~~(Code 1981, § 5.10.110)~~

~~State Law reference — Penalty for violation, MCA 16-6-314.~~

~~Sec. 3-28. License required.~~

~~It shall be unlawful for any person to whom a retail license has been or may hereafter be issued by the state department of revenue under the Montana Alcoholic Beverage Code~~

to engage in the retail sale of any alcoholic beverage within the corporate city limits without first obtaining from the city clerk a city license.

(Code 1981, § 5.10.020; Ord. No. 1219, § 11, 4-26-11)

State Law reference—City and county licenses, MCA 16-4-503.

Sec. 3-29.—Fees.—

Each licensee under the provisions of this article shall pay an annual city license fee as follows:

(1)For establishments doing business under an all-beverage license—\$400.00 per annum.(2)For establishments doing business under a beer/wine license for on-premises consumption—\$300.00 per annum.(3)For establishments doing business under a beer license for on-premises consumption—\$200.00 per annum.(4)For business establishments doing business under a beer/wine license for off-premises consumption—\$300.00 per annum.(5)For establishments doing business under a beer license for off-premises consumption—\$200.00 per annum.(6)For business establishments doing business under a wine license—\$100.00 per annum.(7)For nationally chartered veterans organizations—\$50.00 per annum.

(Code 1981, § 5.10.030; Ord. No. 849, § 1, 8-14-79; Ord. No. 854, § 2, 10-23-79)

State Law reference—License and permit fees, MCA 16-4-501.

Sec. 3-30.—Prerequisites for obtaining license.—

(a)No person shall be entitled to a city beer license under this article unless such person shall have, in respect to the same premises for which a license under this article is sought, a subsisting state license issued under the Montana Alcoholic Beverage Code.(b)No person shall be entitled to a city liquor license unless such person shall have, in respect to the same premises for which a license under this article is sought, a subsisting state all-beverages license or special permit issued under the laws of the state and a subsisting city beer license issued under the ordinances of the city.

(Code 1981, § 5.10.040)

Sec. 3-31.—Application for beer license.—

Prior to the issuance of a city beer license, the applicant shall present to the city treasurer an application for a city license to sell beer at retail, subject to the provisions of the Montana Alcoholic Beverage Code and the ordinances of the city. Such application shall be accompanied with the appropriate license fee as provided by this article and satisfactory evidence that the applicant holds a subsisting state license as required by this article.

(Code 1981, § 5.10.050; Ord. No. 1219, § 12, 4-26-11)

State Law reference—Beer and wine license, MCA 16-4-101 et seq.

Sec. 3-32. — Application form. —

The application shall be on an official form to be furnished by the city clerk and shall specify the location by street and number where the business is to be conducted, and the name, age, residence and duration of such residence of the applicant; and if the business is a partnership such information shall be set forth for each and every partner conducting the business. If the business is a fraternal organization, such fact shall be set forth in the application.

(Code 1981, § 5.10.060; Ord. No. 1219, § 13, 4-26-11)

Sec. 3-33. — Issuance.

Upon the filing of the application and payment of the required license fee as provided by this article, the city treasurer shall deliver such application to the city clerk. The city clerk shall then issue and deliver to the applicant a city beer license to conduct business at the premises specified on the application and for which the applicant owns and holds a subsisting state license; provided that the city clerk may hold the application until the next regular meeting of the city council, at which time the city clerk shall submit the application to the council. The council shall either grant or deny a license to the applicant and shall direct the city clerk accordingly. Such granting or denial of the license shall be based on the best interests of the city as determined by the council. If the license is denied, the license fee and all documents filed by the applicant, other than the application itself, shall be returned to the applicant.

(Code 1981, § 5.10.070; Ord. No. 1219, § 14, 4-26-11)

Sec. 3-34. — Contents. —

Every license issued under this article shall set forth the name of the person to whom the license is issued, the location by street and number of the premises where the business is to be carried on under the license, and the number and expiration date of all current licenses issued to such person by the state under the Montana Alcoholic Beverage Code. If the business is a partnership, the license shall set forth the names of all partners conducting the business. Such license shall be signed by the licensee and shall not be transferable, except as otherwise provided in this article.

(Code 1981, § 5.10.080)

Sec. 3-35. — Transfer.

(a) Any license issued pursuant to this article shall not be transferable. Every such license is separate and distinct, and no person except the licensee named therein shall exercise any of the privileges granted thereunder. All such licenses are applicable only to the premises for which they are issued, except that a transfer of any such license may be made pursuant to a written application to the city council, which shall be accompanied by satisfactory evidence of the consent of the state department of revenue to the transfer of the state license. (b) Whenever any licensee shall transfer a state license issued under the Montana Alcoholic Beverage Code, the transferee shall not sell any



alcoholic beverage at retail without first procuring a transfer of the city license. No charge shall be required for such change.  
(Code 1981, § 5.10.090)

State Law reference— Beer and wine license transfers, MCA 16-4-106; transfer of license by catering establishment, MCA 16-4-204.

~~Sec. 3-36. — Persons exempt from obtaining license. —  
Nothing in this article shall be deemed to apply to those persons engaged in the sale of alcoholic beverages:~~

~~(1)At any state liquor store.(2)In any common carrier serving its passengers in aircraft over or railroad cars in the city.  
(Code 1981, § 5.10.100)~~

State Law reference— Passenger carrier license, MCA 16-4-302.

**Section 2.** Section 6-26 is hereby amended to read as follows:

Chapter 6 - BUSINESSES AND BUSINESS REGULATIONS

...

ARTICLE II. - BUSINESS LICENSES GENERALLY

...

Sec. 6-26. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Business means any trade, profession or occupation that occupies the time, attention and labor of a person for the purpose of a livelihood or a profit.

License means a license issued by the city to a qualified person and under which it shall be lawful for the licensee to operate the licensed business within the limitations set forth in this article, and shall exclude any business where the original issuer of said license is the State of Montana, as set forth in MCA 7-1-111(26).

Licensee means the person to whom a license is issued.

**Section 3.** This Ordinance shall become effective thirty (30) days after its final passage.

Said Ordinance read and put on its passage this 13<sup>th</sup> day of June, 2023.

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

ATTEST:

\_\_\_\_\_

Mary Rowe, City Clerk

**FINALLY PASSED AND ADOPTED** this 27<sup>th</sup> day of June, 2023.

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John Hollowell, Mayor

ATTEST:

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Mary Rowe, City Clerk

**ORDINANCE NO. 1368**

**AN ORDINANCE AMENDING SECTION 2-86 OF THE CODE OF ORDINANCES OF THE CITY OF MILES CITY REGARDING ELECTIVE AND APPOINTIVE OFFICERS.**

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

**Section 1.** Section 2-86 is amended to read as follows:

Sec. 2-86. - Designation of elective and appointive officers.

The officers of the city shall consist of elective officers and appointive officers. The elective officers shall be one mayor, one treasurer, one city judge and two aldermen from each ward as provided by law. The appointive officers shall be one city attorney, one city clerk, one chief of police, one chief of the fire department, ~~a city engineer~~, a one city building inspector, one dispatch director, one public works director, one public utilities director, one police commission consisting of three members, and such other officers and boards as the council may from time to time create or authorize by ordinance or resolution and in accordance with state law.

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

Said Ordinance read and put on its passage this 27<sup>th</sup> day of June, 2023.

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

ATTEST:

\_\_\_\_\_  
Mary Rowe, City Clerk

**FINALLY PASSED AND ADOPTED** this 11<sup>th</sup> day of July, 2023.

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

ATTEST:

\_\_\_\_\_  
Mary Rowe, City Clerk

UTILITY BILLING SYSTEM Report ID: 1020

CITY OF MILES CITY

PAST DUE 120 OR MORE DAYS

For target date 06/21/2023

11:26:02 - 06/21/2023

Account	Route - Meter Fund - Service	Customer Name	Service Address	Balance	User Type	Past Due
1104000-04	26-11-040.01	FLYNN, CHRIS	718 S CUSTER		RESIDENTIAL	
	5210 - WATER			29.70		29.70
	5310 - SEWER			96.50		96.50
	5210 - STATE FEE					
	5210 - CURB STOP			2.00		2.00
			Subtotal for Account 1104000-04 :	128.20		128.20
5023700-00	22-NONE	WELLINGTON, JERED	1214 WOODBURY		RESIDENTIAL	
	5310 - SEWER			312.69		261.28
	5210 - OTHER CHARGES					
			Subtotal for Account 5023700-00 :	312.69		261.28
6133000-00	23-NONE	BREWER, LINDA	414 CHEYENNE AVE		RESIDENTIAL	
	7980 - O+M SEWER					
	7980 - O+M RID SEWER			89.80		67.35
	5310 - SEWER			199.89		157.93
	7980 - ASSESSMENT 2					
			Subtotal for Account 6133000-00 :	289.69		225.28

**Total Balance: 730.58**

**Total Past Due: 614.76**