

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

**“THE MAGIC CITY – A VIBRANT, WELCOMING PLACE WHERE
PEOPLE FLOURISH AND BUSINESS THRIVES.”**

AGENDA

COUNCIL CHAMBERS

September 24, 2012

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Councilmember McCall

ROLL CALL: Councilmembers present on roll call were:

MINUTES:

- August 27, 2012
- September 10, 2012 - Pending

COURTESIES:

PROCLAMATIONS:

ADMINISTRATOR REPORTS - TINA VOLEK

PUBLIC COMMENT on “NON-PUBLIC HEARING” Agenda Items: # 1 ONLY. Speaker sign-in required. (Comments offered here are limited to one (1) minute. Please sign up on the clipboard located at the podium or in the back of the room. Comment on items listed as public hearing items will be heard ONLY during the designated public hearing time for each respective item. For Items not on this agenda, public comment will be taken at the end of the agenda.)

1. CONSENT AGENDA -- Separations:

A. Bid Awards:

- 1. W.O. 12-41, Public Works Belknap Service Center Re-Roof.** (Opened 9/11/12)
Recommend Donaldson Construction and Roofing; \$73,740.
- 2. Pond C Outfall Improvements for Billings Logan International Airport.**
(Opened 8/28/12) (Delayed from 9/10/12) Recommend The Good Earth Works Company, Inc.; \$70,100.

- B. **Approval** of 20-year Non-Commercial Aviation Ground Lease with Six Romeo Mike, LLC, for construction of a 60' x 60' executive hangar at 2445 Overlook Drive (10/1/12 - 9/30/32); first year revenue - \$3,494.40; subsequent years to be adjusted using the Department of Labor Consumer Price Index - Urban Consumers (CPI-U).
- C. **Approval** of Scheduled Airline Operating Permit with Republic Airline, Inc.
- D. **Approval** of Operating Permit with DAL Global Services, LLC.
- E. **Easement** with Knife River, Inc. for a segment of a planned trail corridor from Riverfront Park to Coulson Park along the Yellowstone River.
- F. **Acceptance of Donations** to the Billings Fire Department for purchase of a Robontronics Sparky the Fire Dog animated head, gloves, and voice modifier; Safe Kids Yellowstone County - \$1,600; Billings Clinic Foundation - \$1,352.
- G. **Second and Final Reading Ordinance** amending the Billings, Montana City Code by adding Sections 18-1401 through 18-1405 defining terms and establishing standards for boarded up structures.
- H. **Second/Final reading ordinance expanding Ward IV** for approximately two acres with approximately 7,260 additional square feet designated as street right-of-way in Zimmerman Acreage Tracts Subdivision located on the north side of Grand Avenue just west of the Grand Avenue and 48th Street West intersection; John Clifford Zimmerman, owner.
- I. **Bills and Payroll:**
 - 1. August 27, 2012

REGULAR AGENDA:

- 2. **PUBLIC HEARING AND SPECIAL REVIEW #901:** a special review to replace an existing beer and wine license with gaming with an all-beverage license with gaming in a multi-tenant building located at 603 24th Street West. Won 800 Sports Bar and Casino, applicant. Zoning Commission recommends conditional approval. (Action: approval or disapproval of Zoning Commission recommendation.)
- 3. **PUBLIC HEARING AND FIRST READING ORDINANCE FOR ZONE CHANGE #903:** A zone change from Entryway Light Industrial to Highway Commercial on a 10.85-acre parcel of land described as Lots 4, 6 and 7, Block 1, Montana Sapphire Subdivision, located at 4110 and 4020 Montana Sapphire Drive and 4215 King Avenue West. Montana Sapphire, LLC, owner; Keith James, Gemstar Properties, LLC, agent. Zoning Commission recommends approval of the zone change and adoption of the determinations of the 10 criteria. (Action: approval or disapproval of Zoning Commission recommendation.)
- 4. **PUBLIC HEARING AND RESOLUTIONS** regarding the spread of assessments on the following Special Improvement Districts:

- A. **SID 1392:** Yellowstone Family Park - playground, basketball court, walking trails, extensive landscaping including trees, shrubs and turf grass. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
- B. **SID 1393:** Fritz Subdivision - curb & gutter, storm drain, and necessary street improvements fronting lots along Eldora Lane, Cottonwood Boulevard, Kelly Lane, and Kenneth Street. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
5. **PUBLIC HEARING AND RESOLUTION** assessing the cost of cutting and/or exterminating weeds. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
6. **PUBLIC HEARING AND RESOLUTION** for emergency abatement assessments for properties located at 4209 Audobon Way for \$1,250.74; 3915 Pine Cove for \$405.84; and 916 N. 19th Street for \$955.94. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
7. **PUBLIC HEARING** to receive input on the City's FY2011-2012 Draft Comprehensive Annual Performance Evaluation Report (CAPER) for Community Development Block Grant (CDBG) and HOME Programs. No action is required.
8. **PUBLIC HEARING AND RESOLUTION** reducing arterial construction fee assessments for certain commercially-zoned parcels and certain RMH-zoned parcels meeting the criteria in Ordinance #05-5322 and Ordinance #08-5478, capping parcel square footage at 9,600 square feet and calculating assessments based on the R9600 zoning rate instead of Commercial or RMH zoning rates. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
9. **PUBLIC HEARING AND RESOLUTION** vacating the alley within Block 228, Original Townsite of Billings, located between 7th and 8th Avenues South behind the Montana Women's Prison at 701 S. 27th; State of Montana Department of Corrections, petitioner. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
10. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending Section 24-456 of the Billings, Montana, City Code prohibiting the moving of vehicles on the same block from one metered space to another. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)
11. **PUBLIC HEARING AND FIRST READING ORDINANCE** amending Chapter 13, Article 13-400, Division 3, of the Billings, Montana, Municipal Code by adding a new section titled "All Businesses, Occupations, and Professions to Comply with Local, State, and Federal Law," and amending Section 13-432. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

PUBLIC COMMENT on Non-Agenda Items -- Speaker Sign-in required. (Restricted to ONLY items not on this printed agenda. Comments here are limited to 3 minutes. Please sign up on the clipboard located at the podium or in the back of the room.)

COUNCIL INITIATIVES

ADJOURN

Additional information on any of these items is available in the City Clerk's Office.

Reasonable accommodations will be made to enable individuals with disabilities to attend this meeting. Please notify Cari Martin, City Clerk, at 657-8210.

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: W.O. 12-41 Public Works Belknap Service Center Re-roof

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

W.O. 12-41, Public Works Belknap Service Center Re-roof, will install a new PVC membrane over the existing roof. The existing Hypalon roof membrane is 27 years old and requires yearly maintenance for leaks. This project was advertised August 23rd, August 30th, and September 6th in the Billings Times and on the City's website. Bids were opened on September 11th, 2012 and 8 bids were received. Donaldson Construction and Roofing was the lowest bidder.

ALTERNATIVES ANALYZED

The Council may:

- Award W.O. 12-41 to Donaldson Construction and Roofing in the amount of \$73,740.00; or
- Not award the contract to Donaldson Construction and Roofing and reject all bids. If the new roof is not installed, yearly maintenance will be required to stop leaks and water damage may occur.

FINANCIAL IMPACT

The following bids were received and evaluated:

Contractor	Bid Amount
Empire Roofing	\$113,779.00
Commercial Roofing, Inc.	\$110,775.00
Ace Roofing	\$113,978.00
Donaldson Construction and Roofing	\$ 73,740.00
Empire Heating and Cooling	\$ 98,985.00
Progressive Roofing	\$ 92,800.00
Summit Roofing, Inc.	\$ 96,448.00
Metal Works of Montana, Inc.	\$ 93,711.00

Funding for this project was budgeted in FY'13 from Water and Wastewater Funds.

Project Budget	\$85,000.00
Encumbered Funds	\$0
This Contract	\$73,740.00
Project Budget Remaining	\$11,260.00

RECOMMENDATION

Staff recommends the City Council award the Contract for W.O. 12-41 to Donaldson Construction and Roofing in the amount of \$73,740.00.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Approval of Easements and Award of the Pond C Outfall Improvements Project for Billings Logan International Airport

PRESENTED BY: Tom Binford

Department: Airport

Information

PROBLEM/ISSUE STATEMENT

Included in the Airport's Capital Improvement Program is the Pond C Outfall Improvements Project. As a result of the extreme rainfall events of 2010 and 2011, the Airport has undertaken measures to improve the Airport's storm water detention ponds. This is the third project the Airport has undertaken to improve storm detention ponds A, B, and C. The first two projects increased the capacity of the ponds to hold a 100-year 24-hour rain event and upgraded the dikes around the ponds to withstand the potential impacts of higher pond levels. The heavy rainfall associated with the Fathers Day storm in 2010 and the record setting May 24, 2011, storm both produced more rain water than the detention ponds were designed to hold, and for the first time since the ponds were constructed in 1976, excess water flowed out of Pond C and into the natural drainage and down into the Moon Valley subdivision. Working with the current property owner in Moon Valley, where the majority of the water flowed, a Construction and a Maintenance Easement has been negotiated for the construction phase of the project and for its future maintenance, and a copy is available for review at the City Clerk's office. This project will construct a swale from the outfall of Pond C to the edge of the rims, a plunge pool/energy dissipater at the bottom of the rims to collect the water and reduce its velocity, and a spillway from the plunge pool to the street with three additional energy dissipating baffles to further reduce the water's velocity. Again, this is an emergency relief system that will hopefully never need to be used, but will be in place should the Airport ever incur another 100+ year storm. This project was advertised in the *Billings Times* for three weeks, and was on the City's Website. At the September 10, 2012 Council meeting, the bid award was delayed until September 24, 2012, to allow time to finalize easement negotiations with the property owner.

On August 28, 2012, the following bids were received for this project:

Contractor	Bid
The Good Earth Works Company, Inc.	\$70,100
Donnes, Inc.	\$85,050

ALTERNATIVES ANALYZED

The City Council may:

- Approve the Easements for the project's construction and maintenance, accept the low bid, and award the contract for the Pond C Outfall Improvements Project; or
- Not approve the Easements, reject all bids, and subsequently delay the project.

FINANCIAL IMPACT

The total cost of this project is \$70,100. Funds are available in the Airport's Passenger Facility Charge (PFC) capital account.

RECOMMENDATION

Staff recommends that the City Council approve the Construction and Maintenance Easements and award the Pond C Outfall Improvements Project to the low bidder, The Good Earth Works Company, Inc., for the amount of \$70,100.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Non-Commercial Aviation Ground Lease with Six Romeo Mike, LLC

PRESENTED BY: Tom Binford

Department: Airport

Information

PROBLEM/ISSUE STATEMENT

Steve Durrett of Six Romeo Mike, LLC, desires to enter into a new Non-Commercial Aviation Ground Lease and to construct a new 60' x 60' hangar on the leased parcel addressed as 2445 Overlook Drive. This Lease is for a 13,440-square foot parcel located in the executive hangar area on the west end of the Airport. The Lease is for twenty years, commencing October 1, 2012, and terminating on September 30, 2032.

Additionally, Mr. Durrett will be financing the construction of this new hangar through Stockman Bank. Stockman Bank is requesting an Assignment of Six Romeo Mike's interest in the Lease to secure the new financing arrangements. The Assignment language has been reviewed by both staff and the City Attorney, and is similar to language used in the past. The City has approved a number of these financing assignments over the years as a means for the banks to secure the loans they provide to the Airport tenants for either construction or purchase of their on site facilities.

Copies of both the Lease and the Lessor's Consent to Assignment of Lessee's Interest in Lease to Secure a Bank Loan are on file in the City Clerk's Office.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the twenty-year Ground Lease to Six Romeo Mike, LLC for a new 60' x 60' executive hangar and the accompanying Lessor's Consent to Assignment; or
- Not approve the twenty-year Ground Lease to Six Romeo Mike, LLC for a new 60' x 60' executive hangar and the accompanying Lessor's Consent to Assignment.

FINANCIAL IMPACT

The first year of this Lease will generate \$3,494.40 of revenue for the City's Airport. Subsequent years will be adjusted using the Department of Labor Consumer Price Index - Urban Consumers (CPI-U) for the previous twelve months to keep pace with annual inflation.

RECOMMENDATION

Staff recommends that City Council approve the twenty-year Non-Commercial Aviation Ground Lease to Six Romeo Mike, LLC, for the term beginning October 1, 2012 and terminating on September 30, 2032, and the Lessor's Consent to Assignment to Stockman Bank, to secure the bank's financing to Six Romeo Mike for its new hangar construction at the Airport.

APPROVED BY CITY ADMINISTRATOR



Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Airline Operating Permit with Republic Airline, Inc.

PRESENTED BY: Tom Binford

Department: Airport

Information

PROBLEM/ISSUE STATEMENT

Republic Airline, Inc., will operate at Billings Logan International Airport as a United Air Lines, Inc., affiliate. Due to the recent merger of Continental with United, carrier arrangements at the Airport will change effective October 2012. As part of the continuing implementation of the merger, United is making internal changes to its carrier services. To ensure that specific operating requirements will continue to be met, a standard Scheduled Airline Operating Permit between the City of Billings and Republic is required. The Operating Permit ensures that the airline follows certain operating parameters and procedures, including providing proof that the proper insurance coverage is in place. The Permit is automatically renewable for one-year periods, unless there have been no operational activities for three months or either party chooses to cancel the Permit with 30 days written notice. A copy of the Permit is on file in the City Clerk's Office.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the Operating Permit with Republic Airline, Inc.; or
- Not approve the Operating Permit with Republic Airline, Inc.

FINANCIAL IMPACT

Under the new Operating Permit, Republic would not lease any new space in the Terminal Building, but would operate from space currently leased by United, the airline affiliate contracting its services. Republic will basically be treated as just another United operation, and all the common space rentals generated by Republic will be paid by the airline for which it works.

RECOMMENDATION

Staff recommends that City Council approve and the Mayor execute the Scheduled Airline Operating Permit with Republic Airline, Inc.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Operating Permit with DAL Global Services, LLC

PRESENTED BY: Tom Binford

Department: Airport

Information

PROBLEM/ISSUE STATEMENT

Beginning in October, DAL Global Services, LLC will operate at Billings Logan International Airport as a Delta Air Lines, Inc., affiliate. As part of the continuing implementation of the merger with Northwest Airlines, Delta is making internal changes to consolidate the ground services at a number of its stations. These services were previously provided by Regional Elite, a contracted entity providing ground services only. Flying operations of each regional carrier will remain with each respective carrier. To ensure that specific operating requirements will continue to be met, a standard Operating Permit between the City of Billings and DAL is required. The Operating Permit ensures that the air transportation company follows certain operating parameters and procedures, including providing proof that the proper insurance coverage is in place. The Permit is automatically renewable for one-year periods, unless there have been no operational activities for three months or either party chooses to cancel the Permit with 30 days written notice. A copy of the Operating Permit with DAL is on file in the City Clerk's Office.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the Operating Permit with DAL; or
- Not approve the Operating Permit with DAL.

FINANCIAL IMPACT

Under the new Operating Permit, DAL will not lease any new space in the Terminal Building, but would operate from space currently leased by the airline affiliate contracting its services, in this case, Delta. DAL will be treated as just another Delta operation and all the common space rentals generated by DAL will be paid by Delta.

RECOMMENDATION

Staff recommends that City Council approve and the Mayor execute the Operating Permit with DAL Global Services, LLC.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Trail Easement Acceptance - Knife River Property

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

The City Council on September 12, 2011, approved annexation of property owned by Knife River Inc. located on the South Frontage Road, west of the intersection of Sugar Avenue and South Frontage Road. The property is addressed as 3128 South Frontage Road. As a condition of the annexation resolution approved by Council, a 30-foot-wide trail easement along the southern boundary of Tract 1, C/S 1591 of the subject property was to be recorded (See attached Resolution #11-19100). This trail easement is a key segment of a planned trail corridor from Riverfront Park to Coulson Park along the Yellowstone River. Knife River, Inc. has prepared and signed the easement in coordination with the County Clerk and Recorded and Planning staff. The City Council needs to accept and sign the easement so that it may be recorded, meeting the condition of annexation. The easement document and exhibit is attached for reference.

ALTERNATIVES ANALYZED

The City Council may:

- Accept the easement and direct the Mayor to sign the easement document for recording;
- Not accept the easement and not direct the Mayor to sign the easement document. Not accepting the easement would mean the Knife River property would remain out of compliance with the condition of annexation imposed by the City Council in September 2011, and the trail could not be completed (?).

FINANCIAL IMPACT

There should be no direct financial impact to the City by accepting this easement. Funding is not currently in place or identified to construct or maintain the trail on this easement in this location. Accepting the easement provides a dedicated corridor for a future trail along the Yellowstone River in this area.

RECOMMENDATION

Staff recommends that the City Council accept the trail easement and direct the Mayor to sign the easement for recording.

APPROVED BY CITY ADMINISTRATOR

Attachments

Annexation Resolution for Knife River property

Trail Easement

RESOLUTION NO. 11-19100

A RESOLUTION OF THE CITY OF BILLINGS APPROVING
PETITIONS FOR ANNEXATION AND ANNEXING
TERRITORY TO THE CITY.

WHEREAS, one hundred percent (100%) of the freeholders who constitute more than fifty percent (50%) of the resident freeholder electors have petitioned the City for annexation of the territory hereinafter described; and

WHEREAS, the territory was described in the Petition as required by law, and

WHEREAS, annexation of said territory would be in the best interest of the City.

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

1. TERRITORY ANNEXED. Pursuant to Petition filed as provided M.C.A., Title 7, Chapter 2, Part 46, the following territory is hereby annexed to the City of Billings:

Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Being Tract 1 of Certificate of Survey Number 1591, Recorded August 20, 1976, under Document No. 1026729, Records of Yellowstone County;

Tract 1 of Certificate of Survey Number 1596, Recorded September 16, 1976, under Document No. 1029099, Records of Yellowstone County;

Containing 16.937 gross and net acres.

(# 11-02) See Exhibit "A" Attached

2. CONDITIONS. The annexation is approved, subject to the following conditions:
 - Prior to site development, a Development Agreement shall be executed between the owner(s) and the City that shall stipulate specific infrastructure improvements and provide guarantees for said improvements and a Waiver of Right to Protest the Creation of Special Improvement Districts will be recorded; and/or

- A Subdivision Improvements Agreement (SIA) and Waiver of Right to Protest the Creation of Special Improvement Districts shall be approved and recorded that will stipulate specific infrastructure improvements and provide guarantees for such infrastructure improvements; and
 - A 30-foot-wide trail easement along the southern boundary of Tract 1, C/S 1591, and included as an exhibit to the petition for annexation, shall be recorded within 12 months of the date FEMA makes effective the new Digital Flood Insurance Rate (DFIRM) maps for the Yellowstone River adjacent to this property.
3. PROCEDURE. All procedures as required under M.C.A., Title 7, Chapter 2, Part 46, have been duly and properly followed and taken.

PASSED by the City Council and APPROVED this 12th day of September, 2011.

THE CITY OF BILLINGS:



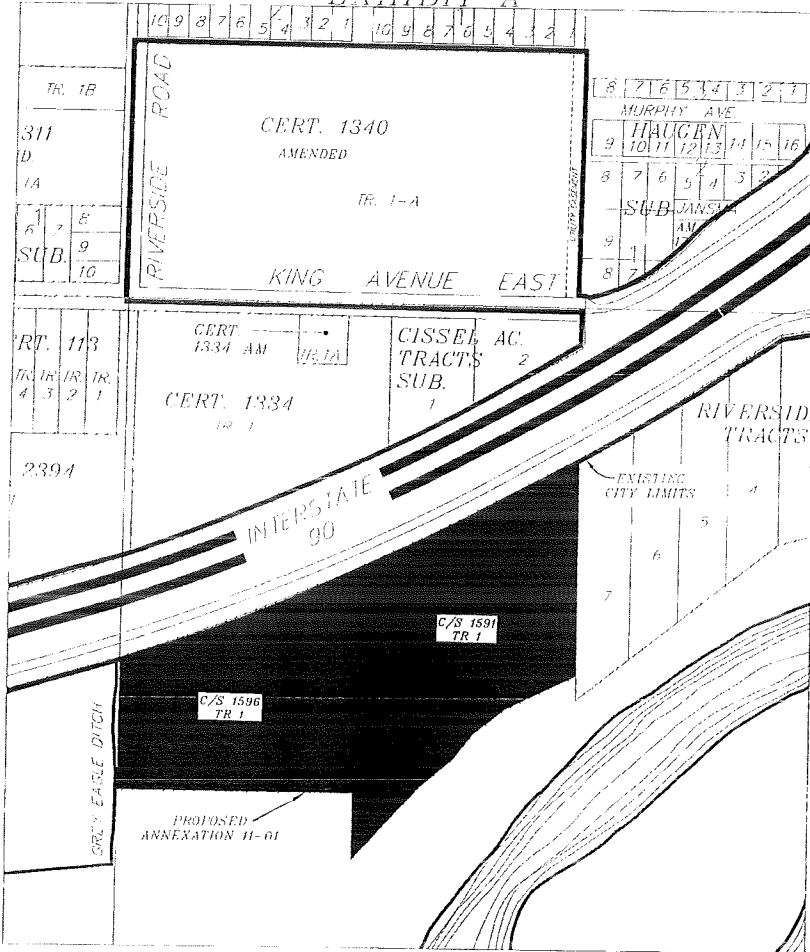
BY: Thomas W. Hanel
Thomas W. Hanel, MAYOR

ATTEST:

BY: Cari Martin
Cari Martin, CITY CLERK

(AN# 11-02)

EXHIBIT A



Return:
City of Billings
Attn: Cari Martin
210 North 27th Street
Billings, Montana 59101

Easement

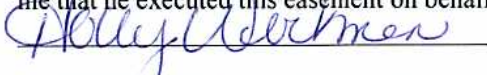
JTL Group Inc., a Montana Corporation, Grantor, with an address of 4014 Hesper Road, Billings, Montana 59106, owns Tract 1 of Certificate of Survey No. 1591 in Yellowstone County, Montana recorded with the Yellowstone County Clerk and Recorder on August 20, 1976 as document number 1026729. The southern boundary of Tract 1 of Certificate of Survey No. 1591 is the Yellowstone River. JTL Group Inc. grants to the City of Billings on behalf of the public a public, perpetual, ingress easement for a recreation trail along the Yellowstone River across Tract 1 of Certificate of Survey No. 1591. The easement shall run with the land and shall be binding on all subsequent owners of Tract 1 of Certificate of Survey 1591, and all grantees, heirs, successors or assigns of grantor. The City of Billings or its successor on behalf of the public shall maintain the easement. The City of Billings or its successor on behalf of the public shall use and maintain the easement to minimize any adverse impact on Tract 1 of Certificate of Survey No. 1591. The easement shall be 30 feet wide and be located along the South Boundary of the parcel as shown on the attached drawing.



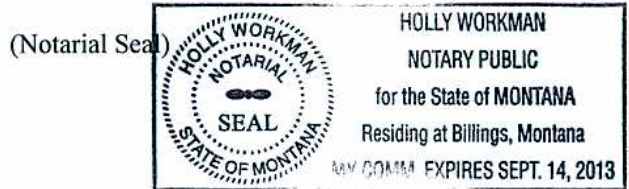
Robert Kober
VP of JTL Group Inc.

State of Montana)
 : ss.
County of Yellowstone)

On 8/24/12, Robert Kober, the Vice President of JTL Group Inc., appeared before me and acknowledged to me that he executed this easement on behalf of JTL Group Inc. as the Vice President of JTL Group Inc.



Notary Public for the State of Montana
Residing at Billings, Montana
My commission expires on 9-14-13



Acknowledgement and Acceptance of Conveyance

The Mayor and City Council of the City of Billings acknowledge receipt of this easement and hereby accept the interest conveyed through this instrument.

Thomas W. Hanel, Mayor, City of Billings

Attest:

By: _____
Cari Martin, City Clerk

State of Montana }
 ss.
County of Yellowstone }

On this ____ day of _____, 2012, before me, a Notary Public in and for the State of Montana, personally appeared Thomas W. Hanel and Cari Martin known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, and acknowledged to me that they executed the foregoing instruction.

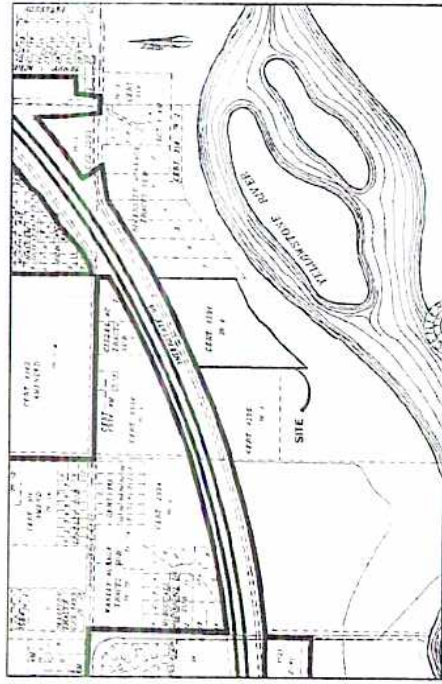
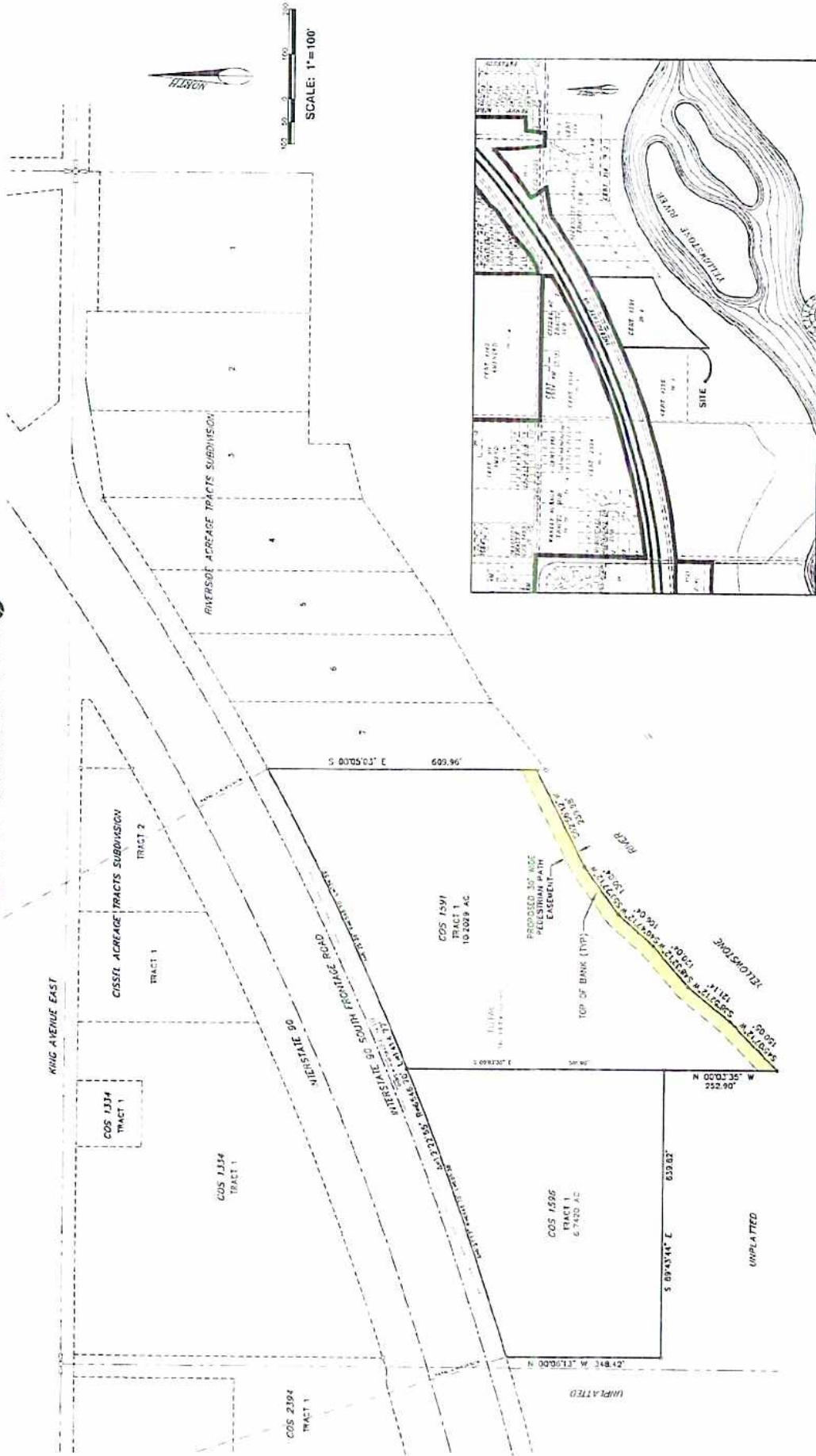
Notary Public For the State of Montana
Residing at Billings, Montana.
My commission expires _____

(Notarial Seal)

EASEMENT EXHIBIT

BEING TRACT 1, C.O.S. 1591 AND TRACT 1, C.O.S. 1596
 LOCATED IN GOV'T LOT 2, SECTION 15, T.1S., R.26E., P.M.M.

PREPARED FOR: KNIFE RIVER CORPORATION
 PREPARED BY: SANDERSON STEWART



Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Donation - Sparky the Fire Dog Costume by Billings Clinic Foundation & Safe Kids Yellowstone County

PRESENTED BY: Paul Dextras

Department: Fire

Information

PROBLEM/ISSUE STATEMENT

Safe Kids Yellowstone County and Billings Clinic Foundation have donated funds for the purchase of a Robotronics Sparky the Fire Dog® animated head, gloves and voice modifier for the Fire Prevention Bureau.

Sparky the Fire Dog® is the best-known figure in fire prevention today. A trademark character of the National Fire Protection Association (NFPA), Sparky is at the center of the NFPA's Risk Watch© and Learn Not to Burn© programs, two of the most comprehensive safety programs in existence. The Sparky Costume is an especially exciting tool for teaching fire and safety awareness because it is so interactive and is especially useful with children because it can communicate with them on their level. City policy requires that any donation exceeding \$500 must be accepted by the Council before the funds can be expended.

ALTERNATIVES ANALYZED

The City Council may accept or reject the donation.

FINANCIAL IMPACT

The purchase price of the Robotronics Sparky the Fire Dog animated head, gloves, voice modifier and shipping is \$2,952.00. The donations from Safe Kids Yellowstone County and the Billings Clinic Foundation cover the entire purchase cost.

RECOMMENDATION

Staff recommends acceptance of the \$1,600 from Safe Kids Yellowstone County and the \$1,352 from the Billings Clinic Foundation for the purchase of a Robotronics Sparky the Fire Dog animated head, gloves and voice modifier in the amount of \$2,952.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: 2nd Reading - Boarded Up Housing Ordinance

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

There are a number of structures within the City of Billings that have been boarded up for long periods. These boarded up structures are eyesores, devalue adjoining properties, pose a health and safety hazard and contribute to the destabilization of a neighborhood. In most cases, the structures are abandoned but the taxes continue to be paid on the property. The structures themselves are usually not maintained although the surrounding property may be maintained to the minimum standards established by city code. This condition results from a lack of regulations requiring boarded up structures to meet minimum standards. Existing code, such as the nuisance vegetation, junk vehicle and open storage ordinances address the appearance of the property. The City's nuisance ordinance (18-300, BMCC) requires dangerous structures to be secured or boarded up, but there is nothing that specifies when the boards must be removed. Consequently, many of the dangerous structures that have been abandoned and boarded up, remain so indefinitely. The proposed Boarded Up Structures Ordinance 1) defines the terms "abandoned structure" and "boarded up"; 2) establishes standards and a timeframe for boarding up a structure; and 3) establishes penalties and a method for enforcement. Council held a public hearing and approved the ordinance on 1st Reading on September 10. If approved on 2nd Reading, the Ordinance will become effective on October 24, 2012.

ALTERNATIVES ANALYZED

Council may choose to approve the Boarded Up Structures Ordinance on 2nd Reading and put into place regulations to address vacant, abandoned and boarded up structures or may deny the request.

FINANCIAL IMPACT

If approved, the Boarded Up Structures Ordinance may help preserve or increase property values in neighborhoods that contain structures that have been boarded up for long periods of time.

RECOMMENDATION

Staff recommends Council approve the Boarded Up Structures Ordinance on 2nd Reading.

APPROVED BY CITY ADMINISTRATOR

Attachments

Boarded Up Structure Ordinance

ORDINANCE NO. 12 - _____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY ADDING SECTIONS TO BE NUMBERED 18-1401 THROUGH 18-1405, DEFINING TERMS, ESTABLISHING STANDARDS FOR BOARDED UP STRUCTURES, PROVIDING FOR A PROCEDURE WHEREBY BOARDED UP STRUCTURES CAN BE REMEDIATED, ESTABLISHING AN EFFECTIVE DATE, AND PROVIDING A SEVERABILITY CLAUSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

SECTION 1. That the Billings, Montana City Code be amended by adding Article 18-1400, Boarded Up Structures, with new sections to be numbered 18-1401 through 18-1405, to read as follows:

ARTICLE 18-1401, BOARDED UP STRUCTURES

Section 18-1401. Purpose and Intent.

Abandoned structures left boarded up over a significant period present a threat to the health, safety and welfare of the community and reduce the value of adjoining properties. Standards for long term security of abandoned, boarded up structures established in this section will help improve the appearance of these structures and preserve neighborhood property values.

Section 18-1402. Definitions.

For the purposes of this article the following definitions shall apply:

- (a) *Abandoned structure*: A structure that has remained unoccupied and one or more utilities, including but not limited to gas, electricity, and water, have been disconnected for a period of at least one hundred eighty (180) days.
- (b) *Abate*: To repair, replace, remove, destroy or otherwise remedy the condition in question by such means, in such a manner and to such an extent that is determined necessary in the interest of the health, safety and general welfare of the affected community.
- (c) *Boarded up*: The use of materials unrelated to the structure's exterior finish, such as plywood, oriented-strand board, plastic, metal, or canvas, to secure openings in an abandoned structure.
- (d) *Owner*: The title owner(s), contract purchaser, or any other person or representative of any entity which holds a legal or equitable interest in any parcel.
- (e) *Owner's agent*: A statutory agent such as, but not limited to a legal guardian, conservator, person with durable power of attorney, or property manager.

Section 18-1403. Abandoned Structure – Temporary Boarding

- (a) *Temporary boarding of window, doors openings.* Window or door openings on an abandoned structure may be boarded up for no more than one hundred eighty (180) days. Boards shall consist of a single sheet of oriented strand board (OSB) or plywood large enough to completely cover the window or door opening. The boards shall be attached with wood screws that are not common Phillips-head or slotted-head screws, such as hex or beveled-head screws.
- (b) *Boarded window and door openings – board replacement.* The boards on window and door openings shall be replaced within one hundred eighty (180) days of installation with properly installed, tight-fitting, and secure windows and doors.

Section 18-1404. Enforcement.

Upon written or oral complaint of any citizen so affected by an alleged violation of the provisions in this Article, or if a code enforcement officer becomes aware of a condition or situation that may constitute a violation of the provisions in this Article, the officer shall investigate the condition or situation within a reasonable period of time. The officer shall determine whether such condition or situation violates the provisions of this Article. If the officer finds that there exists a violation, such officer shall give written notice to the owner of the premises and the owner's agent of the specific nature of the violation. Unless a violation is determined to exist such that the abatement procedure is described elsewhere in the Billings Municipal City Code, the code enforcement officer shall afford the owner of the premises or the owner's agent thirty (30) days to voluntarily abate the violation. The officer must give written notice in person or by certified mail of the specific condition to be abated and the specific abatement required to the owner of the premises and the owner's agent.

Section 18-1405. Violations

When an abandoned, boarded up structure has not been voluntarily abated within the time specified in the notice to abate it is a violation of this Article, a municipal infraction, and is punishable by civil penalties as specified in section 18-1304. Each day that the violation continues is a separate offense and shall be punished accordingly.

SECTION 2. EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

SECTION 3. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading September 10, 2012.

PASSED, ADOPTED AND APPROVED on second reading September 24, 2012.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel

ATTEST:

BY: _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Second Reading of Ordinance Amending Ward IV Boundary: Annexation 12-07

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

City election ward boundaries must be adjusted to conform to city limit amendments resulting from annexation of property into the city. The City Council approved the annexation of property described as Zimmerman Acreage Tracts (Resolution 12-19207) on August 27, 2012. This requires a change in the boundaries of Ward IV. Two readings are required for this action. The first reading of the ordinance was held on September 10, 2012, along with a public hearing, and the second reading is scheduled for September 24, 2012.

ALTERNATIVES ANALYZED

City Council may approve or not approve the ordinance to amend the boundary of Ward IV on second reading. Approving the ordinance will modify the boundaries of Ward IV to include the recently annexed property. Denying the ordinance will not modify the boundaries of Ward IV and create a problem where property inside the City Limits is not within one of the City Ward Boundaries.

FINANCIAL IMPACT

There should be no financial impact from approval of this ordinance.

RECOMMENDATION

Staff recommends that Council approve this ordinance on second reading adding recently annexed property to Ward IV.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ward Ordinance

ORDINANCE NO. 12-_____

AN ORDINANCE OF THE CITY OF BILLINGS, AMENDING BILLINGS MUNICIPAL CODE, CHAPTER 11, ELECTIONS, IN PARTICULAR, SECTION 11-102(c), WARD BOUNDARIES; AND CHANGING THE WARD BOUNDARIES ESTABLISHED THEREIN BY ADDING CERTAIN NEWLY ANNEXED REAL PROPERTY TO WARD IV PROVIDING FOR CERTIFICATION AND REPEALING OF ALL ORDINANCES AND RESOLUTIONS INCONSISTENT THEREWITH.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. AMENDMENT. Pursuant to Billings Municipal Code, Section 11-102(c) and the State Law, Billings Municipal Code, Section 11-102(c) Ward Boundaries is hereby amended by adding to Ward IV the following described real property:

A tract of land situated in the SE1/4 of Section 32, T.1N., R.25E., P.M.M., Yellowstone County, Montana, more particularly described as:

Zimmerman Acreage Tracts, Recorded May 27, 1958, under Document No. 601982, Records of Yellowstone County. Including all adjacent right-of-way of Grand Avenue. Containing 2.000 gross acres and 1.833 net acres more or less. (# 12-07) See Exhibit "A" Attached

2. CERTIFICATION. Pursuant to M.C.A. Section 13-3-103, the above change and alteration is hereby certified to the election administrator by the City Council, and the City Administrator or his designee is hereby directed to certify the changes and alterations and to deliver a map showing the boundaries of the ward, the streets, avenues and alleys by name and the ward by number, to the election administrator not more than ten (10) days after the effective date of this ordinance.
3. REPEALER. All other ordinances, sections of the Billings Municipal Code and ordinances inconsistent herewith are hereby repealed.

PASSED by the City Council on the first reading this 10th day of September 2012.

PASSED by the City Council on the second reading this 24th day of September, 2012.

THE CITY OF BILLINGS:

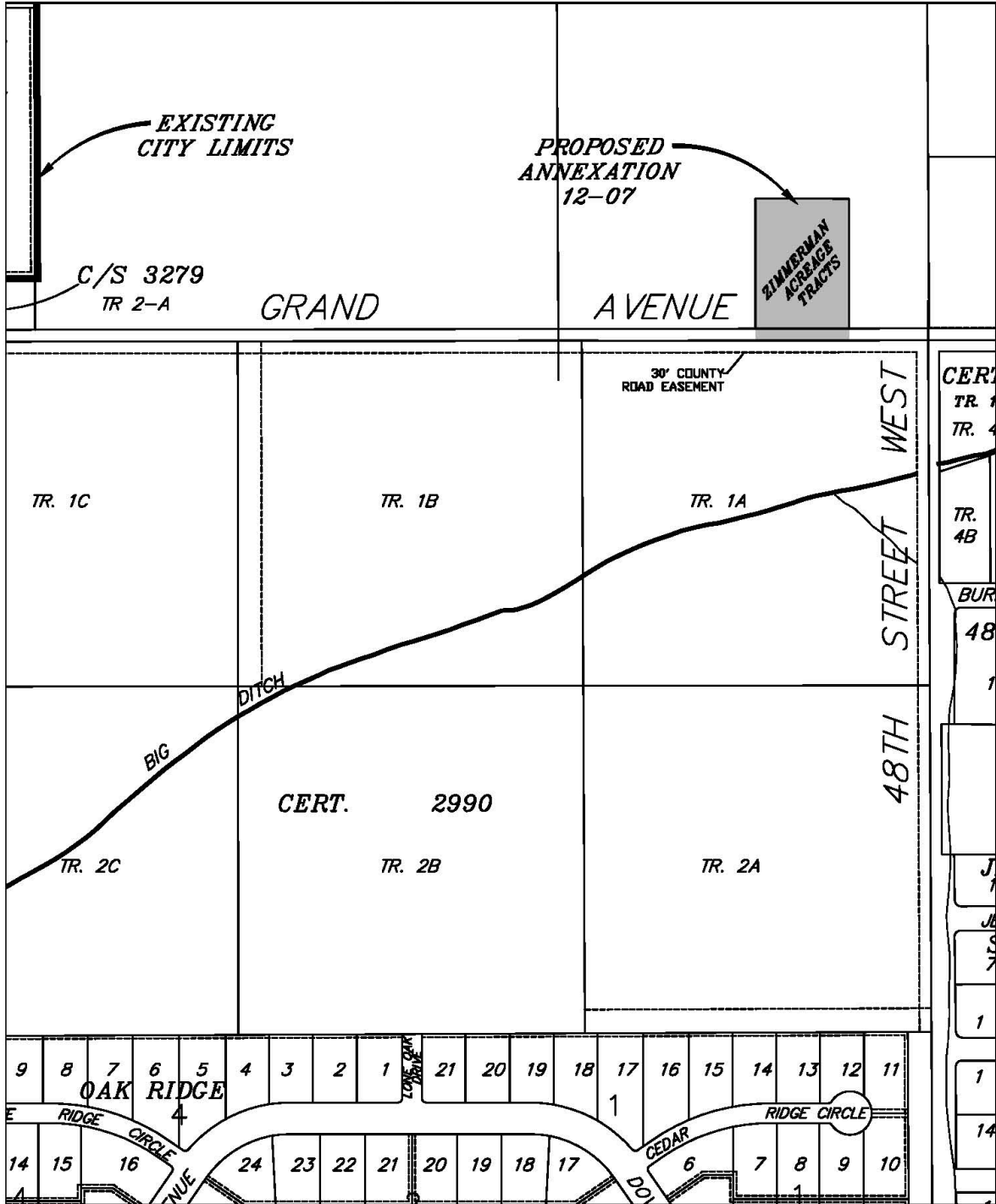
Thomas W. Hanel, MAYOR

ATTEST:

BY: _____
Cari Martin, CITY CLERK

(AN 12-07)

EXHIBIT "A"



Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Payment of Claims August 27, 2012.

PRESENTED BY: Pat M. Weber, Finance Director

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$2,076,986.26 have been audited and are presented for your approval for payment. A complete listing of the claims dated August 27, 2012, is available in the Finance Department.

ALTERNATIVES ANALYZED

No other alternatives were analyzed.

FINANCIAL IMPACT

Claims have a varying impact on department budgets, but are submitted by the departments and reviewed by Finance staff before being sent to the Council.

RECOMMENDATION

Staff recommends that Council approve Payment of Claims.

APPROVED BY CITY ADMINISTRATOR

Attachments

List of claims greater than \$2500.

AP Report > \$2,500 for 08/27/2012

Check Date	Check	Name	Amount	Account	Item Desc
08/27/2012	758566	A & E Architects	8,376.40	4980-55360-409390	New Library Building - Construction Management Services
08/27/2012	758567	A & I Distributors	515.60	2110-31320-402310	120lb conoco super sta#2 for newer trucks
08/27/2012	758567	A & I Distributors	2.20	6010-15530-402650	2198168
08/27/2012	758567	A & I Distributors	1,840.30	6010-00000-141000	2198168 PO NUM 289963
08/27/2012	758567	A & I Distributors	-4.37	6010-15530-402650	2202431
08/27/2012	758567	A & I Distributors	1,881.00	6010-00000-141000	2202431 PO NUM 289963
08/27/2012	758567	A & I Distributors	494.45	5710-71440-402320	2203288
08/27/2012	758567	A & I Distributors	27.19	6010-15530-402650	2204021
08/27/2012	758567	A & I Distributors	23.32	1500-21120-402320	2207180
08/27/2012	758567	A & I Distributors	2,421.10	6010-00000-141000	2207180 PO NUM 289963
08/27/2012	758567	A & I Distributors	515.71	6010-00000-141000	2207223 PO NUM 289963
08/27/2012	758567	A & I Distributors	416.90	5410-31220-402320	2200754
08/27/2012	758567	A & I Distributors	131.28	6010-00000-141000	2202431 PO NUM 289963
08/27/2012	758567	A & I Distributors	23.32	2110-31320-402320	2207180
08/27/2012	758567	A & I Distributors	-0.11	6010-15530-402650	2207223
08/27/2012	758567	A & I Distributors	188.95	6010-00000-141000	2208579 PO NUM 289963
08/27/2012	758567	A & I Distributors	23.71	5410-31220-402320	2207180
08/27/2012	758568	Accent Air Conditioning	4,500.00	5610-71120-402450	Invoice #12-3461. 4 ton Trane rooftop & curb for East Annex Offices
08/27/2012	758573	Ahanu Construction Inc	19,521.81	5030-00000-201100	WO 11-05 Chapple Area Water Main
08/27/2012	758586	Billings Depot Inc	5,166.67	6600-31100-405311	rent
08/27/2012	758586	Billings Depot Inc	7,750.00	6700-31410-405311	rent
08/27/2012	758590	Black Box Network Services	23,634.47	6200-19110-409480	Upgrade City Hall Core Network Switches
08/27/2012	758590	Black Box Network Services	1,991.73	6060-19310-409480	Upgrade Network Routers Airport, BOC, PWBelknap
08/27/2012	758590	Black Box Network Services	7,966.91	6060-19310-409480	Upgrade Network Routers Airport, BOC, PWBelknap
08/27/2012	758591	Border States Electric	95.46	2110-31320-402920	tool bag for street lighs
08/27/2012	758591	Border States Electric	263.09	2110-31320-402430	tools for signals
08/27/2012	758591	Border States Electric	281.15	5020-73120-402380	ties
08/27/2012	758591	Border States Electric	246.12	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290136

08/27/2012	758591	Border States Electric	478.65	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290174
08/27/2012	758591	Border States Electric	21.59	2110-00000-141318	STREET LIGHTS PO NUM 289965
08/27/2012	758591	Border States Electric	103.33	2110-00000-141318	STREET LIGHTS PO NUM 289965
08/27/2012	758591	Border States Electric	439.94	2110-00000-141318	STREET LIGHTS PO NUM 289965
08/27/2012	758591	Border States Electric	1,055.00	2110-00000-141318	STREET LIGHTS PO NUM 289965
08/27/2012	758591	Border States Electric	24.81	2110-00000-141318	STREET LIGHTS PO NUM 289965
08/27/2012	758591	Border States Electric	5,196.51	5120-84000-402360	repairs
08/27/2012	758591	Border States Electric	61.50	2110-00000-141318	STREET LIGHTS PO NUM 289965
08/27/2012	758591	Border States Electric	61.50	2110-00000-141318	STREET LIGHTS PO NUM 289965
08/27/2012	758591	Border States Electric	30.21	2110-31320-402360	parts for fire dept compressor hookup
08/27/2012	758591	Border States Electric	98.00	2110-31320-402290	freight on previous order for globes
08/27/2012	758591	Border States Electric	122.88	2110-31320-402920	fishtape/strippers
08/27/2012	758591	Border States Electric	79.56	2110-31320-402430	hornet spray
08/27/2012	758591	Border States Electric	16.53	2110-31320-402920	3 in hole saw
08/27/2012	758591	Border States Electric	79.75	2110-31320-402360	clamps and various streetlight parts
08/27/2012	758591	Border States Electric	4.01	5120-85000-402360	elec
08/27/2012	758591	Border States Electric	9.72	5120-85000-402360	elec
08/27/2012	758591	Border States Electric	27.51	5020-74000-402360	elec
08/27/2012	758591	Border States Electric	53.40	5120-84000-402360	elec
08/27/2012	758591	Border States Electric	63.00	5020-75000-402410	elec
08/27/2012	758591	Border States Electric	474.28	5020-74000-402360	elec
08/27/2012	758591	Border States Electric	3.45	5120-85000-402360	elec.
08/27/2012	758591	Border States Electric	9.85	5120-85000-402410	elec.
08/27/2012	758591	Border States Electric	19.15	5020-75000-402410	elec.
08/27/2012	758591	Border States Electric	26.17	5020-74000-402360	elec.
08/27/2012	758591	Border States Electric	37.76	5120-84000-402360	elec.
08/27/2012	758591	Border States Electric	55.78	5120-84000-402360	elec.
08/27/2012	758591	Border States Electric	70.94	5020-74000-402360	elec.
08/27/2012	758591	Border States Electric	123.60	5020-74000-402360	elec.
08/27/2012	758591	Border States Electric	150.42	5020-74000-402360	elec.
08/27/2012	758591	Border States Electric	162.39	5120-84000-402360	elec.
08/27/2012	758591	Border States Electric	227.61	5020-74000-402360	elec.
08/27/2012	758591	Border States Electric	481.15	5020-74000-402360	elec.
08/27/2012	758591	Border States Electric	690.25	5120-85000-402360	elec.
08/27/2012	758591	Border States Electric	202.05	5020-74000-402360	elect.
08/27/2012	758591	Border States Electric	666.06	5120-84000-402360	electrical

08/27/2012	758591	Border States Electric	66.05	2110-31320-402360	electrical supplies
08/27/2012	758594	Business Tax Section	1,188.81	4670-51630-409310	Payment #6 business tax.
08/27/2012	758594	Business Tax Section	318.79	5030-74910-409390	WO 10-08 WTP Clearwell No.1 Roof Replc; CO#1 Apprvd 05/11/12
08/27/2012	758594	Business Tax Section	197.19	5030-00000-201100	WO 11-05 Chapple Area Water Main
08/27/2012	758594	Business Tax Section	1,549.38	5030-75910-409340	WO 12-01 Water & Sewer Replacement Schedule 1
08/27/2012	758594	Business Tax Section	5,866.94	5030-75910-409340	WO 12-01 Water & Sewer Replacement Schedule 1
08/27/2012	758594	Business Tax Section	37.46	2100-00000-201100	WO 12-10 Broadwater Connection
08/27/2012	758594	Business Tax Section	5.81	2360-00000-201100	WO 12-10 Broadwater Connection
08/27/2012	758601	Chicago Title Insurance Co	15,000.00	2810-65810-407277	FTHB Jennica Spooner, 334 Prospectors (HOME funds)
08/27/2012	758604	Cmg Construction, Inc.	14,044.82	4980-55110-409220	WO 12-27 Over excavation of Library site.
08/27/2012	758604	Cmg Construction, Inc.	27,887.32	4980-00000-201100	WO 12-27 Over excavation of Library site.
08/27/2012	758606	Cop Construction Co	153,389.02	5030-75910-409340	WO 12-01 Water & Sewer Replacement Schedule 1
08/27/2012	758606	Cop Construction Co	580,827.06	5030-75910-409340	WO 12-01 Water & Sewer Replacement Schedule 1
08/27/2012	758608	Csg Systems Inc	1,612.06	5120-83110-403111	Monthly statements
08/27/2012	758608	Csg Systems Inc	4,746.25	5120-83110-403110	Monthly statements
08/27/2012	758608	Csg Systems Inc	2,418.08	5020-73110-403111	Monthly statements
08/27/2012	758608	Csg Systems Inc	7,119.36	5020-73110-403110	Monthly statements
08/27/2012	758609	CTA Architects	1,000.00	2340-13400-407291	Inv. #96793 Curb work at old Naval Reserve
08/27/2012	758609	CTA Architects	2,411.38	4120-71550-409250	Architectural services for the Metroplex and Bus Maintenance Area Upgrades Amendment to contract approved by City Council on Feb 13, 2012. FTA Grant MT-03-0026. Upgrades include HVAC, lighting and overhead garage doors.
08/27/2012	758609	CTA Architects	2,519.83	0100-14120-409291	Inv. #97085 Billings City Hall Steam Boiler Replacements
08/27/2012	758612	Dept Of Justice Dci	4,620.64	7170-21660-407865	Drug Forfeiture for case ##10-FBI-006436. 1/8 share.
08/27/2012	758612	Dept Of Justice Dci	1,766.55	7170-21660-407865	Drug forfeiture for case #10-FBI-005592. 1/8 share.

08/27/2012	758613	Dixie Petro-Chem	2,752.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290356
08/27/2012	758628	First Montana Title Co	15,000.00	2810-65810-407277	FTHB Shasta Wimber, 3285 Canyon Dr. #23, Billings, MT
08/27/2012	758631	Good Earth Works Co Inc The	117,692.19	4670-51630-409310	Sixth payment for construction of Yellowstone Family Park.
08/27/2012	758637	Hardy Construction	31,560.07	5030-00000-201100	WO 10-08 WTP Clearwell No.1 Roof Replc
08/27/2012	758638	Hdr Inc	34,304.80	4160-74930-409340	WO 09-19 Zone 3 East Fox Reservoir
08/27/2012	758638	Hdr Inc	568.87	4160-74930-409340	WO 09-28 Wtr Treatment Plant Backup Power Phs II
08/27/2012	758638	Hdr Inc	310.32	5030-74910-409390	WO 12-28 WTP Transformer Replacement
08/27/2012	758638	Hdr Inc	2,464.66	5030-74910-409390	WO 11-11 WTF Rapid Mixer
08/27/2012	758638	Hdr Inc	8,429.39	5120-82110-403540	WO 12-15 IWPI WWTF Plan
08/27/2012	758638	Hdr Inc	44.98	5020-72110-403540	DRINKING WATER SOURCE STUDY Pymt 48A/18039-B
08/27/2012	758638	Hdr Inc	2,142.27	5020-72110-403540	DRINKING WATER SOURCE STUDY Pymt 49b/18039-B
08/27/2012	758639	HGFA Architects	2,600.00	7690-51820-403560	Payment #2 for invoice 426
08/27/2012	758644	Iaff	4,279.60	9000-00000-209920	PAYROLL SUMMARY
08/27/2012	758646	Ingram Book Company	1,067.20	2600-55190-403241	Invoice 05936302
08/27/2012	758646	Ingram Book Company	35.99	2600-55190-403222	Invoice 06033638
08/27/2012	758646	Ingram Book Company	17.08	2600-55190-403226	Invoice 06033638
08/27/2012	758646	Ingram Book Company	61.02	2600-55190-403241	Invoice 06033639
08/27/2012	758646	Ingram Book Company	105.60	2600-55110-407930	Invoice 06033642
08/27/2012	758646	Ingram Book Company	21.97	2600-55190-403222	Invoice 06033640
08/27/2012	758646	Ingram Book Company	672.25	2600-55190-403227	Invoice 06033640
08/27/2012	758646	Ingram Book Company	272.14	2600-55190-403255	Invoice 06033640
08/27/2012	758646	Ingram Book Company	5.37	2600-55190-403255	Invoice 06033641
08/27/2012	758646	Ingram Book Company	801.17	2600-55190-403333	Invoice 06033641
08/27/2012	758647	Ingram Library Services	0.00	2600-55190-403226	Library Materials On Order
08/27/2012	758647	Ingram Library Services	0.00	2600-55190-403227	Library Materials On Order
08/27/2012	758647	Ingram Library Services	3,224.77	2600-55190-403336	Library Materials On Order
08/27/2012	758647	Ingram Library Services	5,649.49	2600-55190-403226	Library Materials On Order
08/27/2012	758647	Ingram Library Services	0.00	2600-55190-403227	Library Materials On Order
08/27/2012	758647	Ingram Library Services	0.00	2600-55190-403336	Library Materials On Order
08/27/2012	758647	Ingram Library Services	978.48	2600-55190-403226	Library Materials On Order
08/27/2012	758647	Ingram Library Services	5,219.64	2600-55190-403227	Library Materials On Order

08/27/2012	758647	Ingram Library Services	893.19	2600-55190-403336	Library Materials On Order
08/27/2012	758659	Knife River	1,717.65	2110-31320-404710	asphalt
08/27/2012	758659	Knife River	2,608.65	2110-31320-404710	asphalt
08/27/2012	758659	Knife River	2,746.70	2110-31320-404710	asphalt
08/27/2012	758659	Knife River	3,754.85	2110-31320-404710	asphalt
08/27/2012	758659	Knife River	3,708.46	2100-00000-201100	WO 12-10 Broadwater Trail Connection
08/27/2012	758659	Knife River	574.82	2360-00000-201100	WO 12-10 Broadwater Trail Connection
08/27/2012	758660	Kois Brothers Equipment Co	60.05	5410-31220-402320	94438
08/27/2012	758660	Kois Brothers Equipment Co	78.00	5410-31220-402320	94561
08/27/2012	758660	Kois Brothers Equipment Co	35.79	5410-31220-402320	94591
08/27/2012	758660	Kois Brothers Equipment Co	1,134.48	5410-31220-402320	94456
08/27/2012	758660	Kois Brothers Equipment Co	11.14	5410-31220-402320	94561
08/27/2012	758660	Kois Brothers Equipment Co	1,102.22	5410-31220-402320	94392
08/27/2012	758660	Kois Brothers Equipment Co	1,433.61	5410-31220-402320	94546
08/27/2012	758660	Kois Brothers Equipment Co	271.90	6010-00000-141000	94561 PO NUM 289968
08/27/2012	758660	Kois Brothers Equipment Co	62.50	6010-00000-141000	94572 PO NUM 289968
08/27/2012	758660	Kois Brothers Equipment Co	2,167.92	5410-31220-402320	94591
08/27/2012	758662	LeadsOnline LLC	7,868.00	1500-21200-403590	12 months, Leads Online Total Track Service Package
08/27/2012	758665	Mailing Technical Services	98.94	5210-15210-403110	parking - special inserts only
08/27/2012	758665	Mailing Technical Services	96.46	0100-14110-403325	Planning - special mailing
08/27/2012	758665	Mailing Technical Services	4,953.77	6050-15150-403110	Finance
08/27/2012	758675	Missoula Public Library	1,200.00	2600-55110-407950	Heritage Quest Subscription Renewal FY13
08/27/2012	758675	Missoula Public Library	4,761.00	2600-55190-403381	Heritage Quest Subscription Renewal FY13
08/27/2012	758678	MONTANA CSED	4,090.80	9000-00000-209926	Child Support
08/27/2012	758682	Montana Public Employees Assoc	35,479.66	1500-21130-401460	4/2009 to 7/2012 Michael Moreni
08/27/2012	758682	Montana Public Employees Assoc	9,066.36	1500-21130-401460	Mike Moreni 7/2004 - 12/2005
08/27/2012	758684	Montana State Fireman's Assoc	2,866.73	9000-00000-209924	PAYROLL SUMMARY
08/27/2012	758686	Morrison Maierle Inc	6,300.00	4050-71250-409695	Invoice #121036. AIP 43 AWD IH Dump Truck #1 - Federal Share
08/27/2012	758686	Morrison Maierle Inc	700.00	4050-71250-409696	Invoice #121036. AIP 43 AWD IH Dump Truck #1 - Local Share
08/27/2012	758686	Morrison Maierle Inc	6,300.00	4050-71250-409696	Invoice #121036. AWH IH Dump Truck #2 - Federal Share
08/27/2012	758686	Morrison Maierle Inc	680.09	4050-71250-409695	Invoice #121036. AIP 43 Sander Unit - Federal Share

08/27/2012	758686	Morrison Maierle Inc	700.00	4050-71250-409696	Invoice #121036. AWD IH Dump Truck #2 - Local Share
08/27/2012	758686	Morrison Maierle Inc	680.09	4050-71250-409695	Invoice #121036. AIP 43 Anti-ice / Deice Skid Unit - Federal Share
08/27/2012	758686	Morrison Maierle Inc	75.56	4050-71250-409696	Invoice #121036. AIP 43 Anti-ice / Deice Skid Unit - Local Share
08/27/2012	758686	Morrison Maierle Inc	157.50	4050-71250-409695	Invoice #121036. AIP 43 Snow Plow Blade 2050 - Federal Share
08/27/2012	758686	Morrison Maierle Inc	17.50	4050-71250-409696	Invoice #121036. AIP 43 Snow Plow Blade 2050 - Local Share
08/27/2012	758686	Morrison Maierle Inc	157.50	4050-71250-409696	Invoice #121036. AIP 43 Snow Plow Blade 1450 - Federal Share
08/27/2012	758686	Morrison Maierle Inc	17.50	4050-71250-409696	Invoice #121036. AIP 43 Snow Plow Blade 1450 - Local Share
08/27/2012	758686	Morrison Maierle Inc	6,300.00	4050-71250-409695	Invoice #121036. AIP 43 Snow Blower - Federal Share
08/27/2012	758686	Morrison Maierle Inc	700.00	4050-71250-409696	Invoice #121036. AIP 43 Snow Blower - Local Share
08/27/2012	758686	Morrison Maierle Inc	75.56	4050-71250-409696	Invoice #121036. AIP 43 Sander Unit - Local Share
08/27/2012	758691	Mppa	2,505.73	9000-00000-209923	PAYROLL SUMMARY
08/27/2012	758695	Northwest Pipe Fittings	17.86	5410-31230-402290	landfill water tank
08/27/2012	758695	Northwest Pipe Fittings	76.44	5130-85910-409340	pipe
08/27/2012	758695	Northwest Pipe Fittings	154.28	5120-85000-402380	pipe
08/27/2012	758695	Northwest Pipe Fittings	405.26	2110-31320-402380	pipe/couplers/primer/cement for storm sewer
08/27/2012	758695	Northwest Pipe Fittings	6.37	2110-31320-402380	pvc coupling
08/27/2012	758695	Northwest Pipe Fittings	52.10	5020-74000-402450	pvc fittings
08/27/2012	758695	Northwest Pipe Fittings	3,744.00	5020-73120-402380	registers
08/27/2012	758695	Northwest Pipe Fittings	110.00	5020-75000-402410	swivel
08/27/2012	758695	Northwest Pipe Fittings	618.35	5020-00000-141000	SYSTEMS PO NUM 290098
08/27/2012	758695	Northwest Pipe Fittings	350.00	5020-00000-141000	SYSTEMS PO NUM 290343
08/27/2012	758695	Northwest Pipe Fittings	54.34	5020-75000-404220	riser
08/27/2012	758695	Northwest Pipe Fittings	21.48	5120-84000-402450	sandpaper
08/27/2012	758695	Northwest Pipe Fittings	4,000.00	5610-71120-402450	Invoice #1990679 - Water heater for terminal
08/27/2012	758695	Northwest Pipe Fittings	353.48	5610-71130-403650	Inv #1987573. Sprinkler heads. Improvement to existing sprinkler system next to Billings Clinic Hangar.

08/27/2012	758695	Northwest Pipe Fittings	19.95	5020-74000-402450	fittings
08/27/2012	758695	Northwest Pipe Fittings	64.71	5020-74000-402450	fittings
08/27/2012	758695	Northwest Pipe Fittings	64.44	5020-74000-402450	emery cloth
08/27/2012	758695	Northwest Pipe Fittings	98.67	5410-31220-402320	1986042
08/27/2012	758695	Northwest Pipe Fittings	41.80	6010-00000-141000	1979691 PO NUM 289970
08/27/2012	758695	Northwest Pipe Fittings	-255.04	5610-71130-403650	CM1986137. Return of parts from new sprinkler system west of the Ops Center-South of Billings Clinic Hangar.
08/27/2012	758695	Northwest Pipe Fittings	21.24	2110-31320-403650	copper adapter for sprinklers
08/27/2012	758695	Northwest Pipe Fittings	38.44	5020-74000-402450	coupling
08/27/2012	758695	Northwest Pipe Fittings	303.60	5020-73120-402380	coupling
08/27/2012	758695	Northwest Pipe Fittings	24.96	5020-00000-141000	SYSTEMS PO NUM 290095
08/27/2012	758695	Northwest Pipe Fittings	2,972.65	5610-71130-403650	Inv #1986137. Sprinkler supplies - pipe, valves, etc. for new system west of Ops Center - couth of Billings Clinic Hangar.
08/27/2012	758695	Northwest Pipe Fittings	39.60	5610-71130-403650	Inv #5986138. Sprinkler system repair at Business Park
08/27/2012	758695	Northwest Pipe Fittings	188.74	5020-00000-141000	SYSTEMS PO NUM 290094
08/27/2012	758695	Northwest Pipe Fittings	8.91	0100-51120-402320	1988296
08/27/2012	758695	Northwest Pipe Fittings	11,980.80	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290176
08/27/2012	758695	Northwest Pipe Fittings	10,423.44	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290182
08/27/2012	758695	Northwest Pipe Fittings	5,265.60	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290221
08/27/2012	758695	Northwest Pipe Fittings	591.60	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290093
08/27/2012	758695	Northwest Pipe Fittings	34.65	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290110
08/27/2012	758695	Northwest Pipe Fittings	1,460.56	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290118
08/27/2012	758695	Northwest Pipe Fittings	282.48	5020-74000-402450	valve
08/27/2012	758697	Northwestern Energy	901.63	0100-51120-403410	15942824
08/27/2012	758697	Northwestern Energy	11.48	5610-71130-403410	1647695-4. De-Icer August 12 Utilities
08/27/2012	758697	Northwestern Energy	343.24	1500-21150-403410	19841550
08/27/2012	758697	Northwestern Energy	136,202.29	5020-74000-403410	2251 Belknap Ave
08/27/2012	758697	Northwestern Energy	65.01	5610-71170-403410	0712799-6. IP-8 August 12 Utilities

08/27/2012	758697	Northwestern Energy	1,275.31	5210-15920-403410	07208341
08/27/2012	758697	Northwestern Energy	7.15	0100-51120-403410	07231624
08/27/2012	758697	Northwestern Energy	6,810.11	5020-73140-403410	2251 Belknap Ave
08/27/2012	758697	Northwestern Energy	1,051.20	5610-71130-403410	0100484-5. ARFF Facility August 12 Utilities
08/27/2012	758697	Northwestern Energy	2,059.10	5610-71170-403410	0712800-2. IP-9 Agust 12 Utilities
08/27/2012	758697	Northwestern Energy	341.94	6070-22350-403410	07215809
08/27/2012	758697	Northwestern Energy	758.75	0100-51120-403410	07231707
08/27/2012	758697	Northwestern Energy	1,781.83	5610-71130-403410	0100483-7. Runway Lights August 12 Utilities
08/27/2012	758697	Northwestern Energy	7.15	5610-71170-403410	0712809-3. IP-11 August 12 Utilities
08/27/2012	758697	Northwestern Energy	12.93	0100-51120-403410	07222375
08/27/2012	758697	Northwestern Energy	7.15	0100-51120-403410	07236441
08/27/2012	758697	Northwestern Energy	2,270.04	5120-83140-403410	2251 Belknap Ave
08/27/2012	758697	Northwestern Energy	28.23	5610-71170-403410	0712817-6. Airport House August 12 Utilities
08/27/2012	758697	Northwestern Energy	7.15	0100-51120-403410	07222474
08/27/2012	758697	Northwestern Energy	7.69	0100-51120-403410	07236458
08/27/2012	758697	Northwestern Energy	33.33	5610-71170-403410	1341288-7. Old National/Alamo Car Wash
08/27/2012	758697	Northwestern Energy	56.97	5610-71130-403410	0719616-5. ARFF Facility Lights August 12 Utilities
08/27/2012	758697	Northwestern Energy	360.03	0100-51120-403410	07222516
08/27/2012	758697	Northwestern Energy	32.17	0100-51120-403410	07894371
08/27/2012	758697	Northwestern Energy	60.01	5610-71170-403410	1264299-7. Old Hertz Car Wash August 12 Utilities
08/27/2012	758697	Northwestern Energy	43,634.24	5120-84000-403410	725 Hwy 87 East
08/27/2012	758697	Northwestern Energy	155.08	5120-85000-403410	822 Shiloh Crossing
08/27/2012	758697	Northwestern Energy	2,033.40	5020-74000-403410	Airport Rd/17 West/Hwy 3/Waldo
08/27/2012	758697	Northwestern Energy	107.77	1500-21150-403410	19841501
08/27/2012	758697	Northwestern Energy	172.84	8720-51980-403410	10590933
08/27/2012	758697	Northwestern Energy	36,320.61	5020-74000-403410	2251 Belknap Ave
08/27/2012	758697	Northwestern Energy	895.91	5610-71170-403410	1669567-8. TSA Building August 12 Utilities
08/27/2012	758697	Northwestern Energy	156.96	5710-71480-403410	17847567
08/27/2012	758697	Northwestern Energy	7,716.72	6500-15670-403410	01005073
08/27/2012	758697	Northwestern Energy	559.97	5610-71170-403410	0712792-1. IP-7 August 12 Utilities
08/27/2012	758697	Northwestern Energy	367.39	5210-15950-403410	07208291
08/27/2012	758697	Northwestern Energy	8.95	0100-51120-403410	07230907
08/27/2012	758697	Northwestern Energy	3,154.24	1500-22210-403410	FIRE1: 0100476-1 - ELECTRICAL SERVICE CHARGES - FY2013 - 2305 8TH AVENUE NORTH

08/27/2012	758697	Northwestern Energy	44.46	0100-51120-403410	07222664
08/27/2012	758697	Northwestern Energy	216.88	5610-71190-403410	2001865-1. QTA Avis/Budget Detail Bay August 12 Utilities
08/27/2012	758697	Northwestern Energy	27.29	0100-51120-403410	07222680
08/27/2012	758697	Northwestern Energy	96.10	5610-71190-403410	2001867-7. QTA Thrifty/Dollar Detail Bay August 12 Utilities
08/27/2012	758697	Northwestern Energy	13.67	0100-51120-403410	07222698
08/27/2012	758697	Northwestern Energy	11.38	0100-51120-403410	07222920
08/27/2012	758697	Northwestern Energy	82.02	0100-51120-403410	07222938
08/27/2012	758697	Northwestern Energy	10.83	0100-51120-403410	07229057
08/27/2012	758697	Northwestern Energy	344.07	0100-51120-403410	07230352
08/27/2012	758697	Northwestern Energy	8.63	0100-51120-403410	07230360
08/27/2012	758697	Northwestern Energy	180.09	0100-51120-403410	07230378
08/27/2012	758697	Northwestern Energy	91.01	0100-51120-403410	07230386
08/27/2012	758697	Northwestern Energy	36.26	0100-51120-403410	07230428
08/27/2012	758697	Northwestern Energy	637.75	0100-51120-403410	07230444
08/27/2012	758697	Northwestern Energy	115.56	0100-51120-403410	07230485
08/27/2012	758697	Northwestern Energy	179.96	0100-51120-403410	07230501
08/27/2012	758697	Northwestern Energy	82.04	0100-51120-403410	07230519
08/27/2012	758697	Northwestern Energy	61.26	0100-51120-403410	07230527
08/27/2012	758697	Northwestern Energy	569.18	0100-51120-403410	07230543
08/27/2012	758697	Northwestern Energy	8.29	0100-51120-403410	07230550
08/27/2012	758697	Northwestern Energy	13.44	0100-51120-403410	07230568
08/27/2012	758697	Northwestern Energy	7.56	0100-51120-403410	07230576
08/27/2012	758697	Northwestern Energy	18.91	0100-51120-403410	07230584
08/27/2012	758697	Northwestern Energy	347.86	0100-51120-403410	07229339
08/27/2012	758697	Northwestern Energy	178.79	0100-51120-403410	07222656
08/27/2012	758697	Northwestern Energy	147.75	5610-71190-403410	2001862-8. QTA Enterprise Detail Bay August 12 Utilities
08/27/2012	758697	Northwestern Energy	210.30	0100-51120-403410	07222631
08/27/2012	758697	Northwestern Energy	254.73	5610-71190-403410	2001855-2. ATA National Alamo Detail Bay August 12 Utilities
08/27/2012	758697	Northwestern Energy	55.14	0100-51120-403410	07222623
08/27/2012	758697	Northwestern Energy	173.78	5610-71190-403410	2001848-7. QTA Herts Detail Bay August 12 Utilities
08/27/2012	758697	Northwestern Energy	90.95	0100-51120-403410	07222615
08/27/2012	758697	Northwestern Energy	301.38	5610-71190-403410	2001846-1. QTA Mud Wash August 12 Utilities

08/27/2012	758697	Northwestern Energy	413.15	0100-51120-403410	07222607
08/27/2012	758697	Northwestern Energy	1,479.31	5610-71190-403410	1993430-6. QTA Car Wash August 12 Utilities
08/27/2012	758697	Northwestern Energy	802.85	0100-51120-403410	07222573
08/27/2012	758697	Northwestern Energy	178.93	5610-71170-403410	1341295-2. Bug Sky Ground August 12 Utilities
08/27/2012	758697	Northwestern Energy	88.80	0100-51120-403410	07222557
08/27/2012	758697	Northwestern Energy	7.15	5610-71170-403410	1341291-1. Old Enterprise Car Wash August 12 Utilities
08/27/2012	758697	Northwestern Energy	0.09	0100-51120-403410	07222540
08/27/2012	758697	Northwestern Energy	8.95	2110-31320-403410	08554040
08/27/2012	758697	Northwestern Energy	7.36	5610-71170-403410	1341289-5. Old Thrifty/Dollar Car Wash August 12 Utilities
08/27/2012	758700	OAC Services Inc	33,502.99	2030-15130-403547	Empire Parking Garage Project Management Services
08/27/2012	758701	OBS Inc	50,000.00	2330-55400-409490	Order - Hybrid Diesel-Electric Bookmobile. Includes options per bid specifications.
08/27/2012	758701	OBS Inc	0.00	2600-55220-409490	Order - Hybrid Diesel-Electric Bookmobile. Includes options per bid specifications.
08/27/2012	758701	OBS Inc	89,315.00	6400-55170-409440	Order - Hybrid Diesel-Electric Bookmobile. Includes options per bid specifications.
08/27/2012	758707	Polydyne Inc	47,025.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM 290352
08/27/2012	758711	Public Utilities	3,907.10	8720-51980-403420	11498915890
08/27/2012	758711	Public Utilities	181.06	8720-51980-403420	13019519760
08/27/2012	758711	Public Utilities	736.92	8720-51980-403420	13019521993
08/27/2012	758711	Public Utilities	4,041.54	8720-51980-403420	11828118660
08/27/2012	758711	Public Utilities	10,276.90	8720-51980-403420	11498915891
08/27/2012	758711	Public Utilities	1,052.74	5120-84000-403420	187212152
08/27/2012	758711	Public Utilities	13.08	8720-51980-403420	13592326953
08/27/2012	758711	Public Utilities	2,111.30	8720-51980-403420	13592722571
08/27/2012	758711	Public Utilities	439.02	8720-51980-403420	13592526964
08/27/2012	758724	Sanderson Stewart	67,262.35	5030-75910-409340	WO 12-01 2012 Water & Sewer Replacement Sch 1
08/27/2012	758724	Sanderson Stewart	547.58	5130-85910-409340	WO 12-12 Bench Blvd Sewer Extensions
08/27/2012	758725	Security By Kenco	970.70	5120-83140-402450	Installation of CCTV System
08/27/2012	758725	Security By Kenco	7.88	5020-73140-402450	Alarm monitoring
08/27/2012	758725	Security By Kenco	18.00	5020-74000-402450	Alarm monitoring

08/27/2012	758725	Security By Kenco	6.00	5020-73140-402450	Alarm monitoring
08/27/2012	758725	Security By Kenco	23.62	5020-75000-402450	Alarm monitoring
08/27/2012	758725	Security By Kenco	2,912.09	5020-73140-402450	Installation of CCTV System
08/27/2012	758736	Sunset Excavation	3,800.00	5050-75150-403671	627 Terry Ave
08/27/2012	758736	Sunset Excavation	3,600.00	5050-75150-403671	214 Avenue F
08/27/2012	758740	The Advantage Companies LLI	4,925.00	2600-55190-403380	Invoice 8839 Microfilm & Digital Subscription for Billings Gazette
08/27/2012	758744	Tire-Rama	1,133.50	5410-31220-402390	our recaps from plant
08/27/2012	758744	Tire-Rama	1,820.50	5410-31220-402390	our recaps from plant
08/27/2012	758744	Tire-Rama	2,198.00	5410-31220-402390	our recaps from plant
08/27/2012	758744	Tire-Rama	1,333.87	5410-31220-402390	new wheels for in town trucks
08/27/2012	758744	Tire-Rama	549.80	5410-31230-402390	4 tires for landfill fleet # 15
08/27/2012	758744	Tire-Rama	151.95	2090-44520-402390	1050200773
08/27/2012	758744	Tire-Rama	15.00	2110-31320-402390	1050200872
08/27/2012	758744	Tire-Rama	11.95	2110-31320-402390	1050201014
08/27/2012	758744	Tire-Rama	48.95	2110-31320-402390	1050201230
08/27/2012	758744	Tire-Rama	30.00	2110-31320-402390	1050201116
08/27/2012	758744	Tire-Rama	11.95	2110-31320-402390	1050201407
08/27/2012	758744	Tire-Rama	47.68	2110-31320-402390	150199625
08/27/2012	758744	Tire-Rama	30.00	2110-31320-402390	1050201003
08/27/2012	758744	Tire-Rama	15.00	5410-31230-402390	tire repair at landfill
08/27/2012	758744	Tire-Rama	15.00	5410-31220-402390	tire repair flett id 11
08/27/2012	758744	Tire-Rama	130.00	5410-31220-402390	tire repairs
08/27/2012	758744	Tire-Rama	510.00	5410-31220-402390	tire repairs
08/27/2012	758744	Tire-Rama	569.00	5410-31220-402390	tire repairs
08/27/2012	758744	Tire-Rama	569.20	5410-31220-402390	tire repairs
08/27/2012	758744	Tire-Rama	590.00	5410-31220-402390	tire repairs
08/27/2012	758744	Tire-Rama	600.00	5410-31220-402390	tire repairs
08/27/2012	758744	Tire-Rama	1,221.95	5410-31230-402390	tire repairs at landfill
08/27/2012	758744	Tire-Rama	520.00	5410-31220-402390	tire repairs spares
08/27/2012	758744	Tire-Rama	1,120.00	5410-31220-402390	tire repairs sw
08/27/2012	758744	Tire-Rama	11.14	5410-31230-402450	tire tools for landfill
08/27/2012	758746	Town & Country Supply Association	13,313.60	6010-00000-141000	98895 PO NUM 290387
08/27/2012	758746	Town & Country Supply Association	35,510.87	6010-00000-141000	96670 PO NUM 290373
08/27/2012	758746	Town & Country Supply Association	12,799.60	6010-00000-141000	98430 PO NUM 290386
08/27/2012	758746	Town & Country Supply Association	27,962.69	5610-71180-402313	Invoice #99422. QTA Car Rental Facility
08/27/2012	758748	Tractor & Equipment	1,104.84	5410-31230-402320	misc parts for landfill

08/27/2012	758748	Tractor & Equipment	1,182.64	5410-31230-402320	misc parts for landfill
08/27/2012	758748	Tractor & Equipment	1,136.65	5410-31230-402320	misc parts landfill
08/27/2012	758755	Verizon Wireless	200.05	1500-21700-403450	Animal Shelter MDT
08/27/2012	758755	Verizon Wireless	40.01	1500-22210-403450	Fire MIFI
08/27/2012	758755	Verizon Wireless	640.16	1500-22210-403450	Fire MDT
08/27/2012	758755	Verizon Wireless	80.02	7170-21660-403450	CCSIU RAVEN
08/27/2012	758755	Verizon Wireless	40.01	7170-21660-403450	CCSIU Air Card
08/27/2012	758755	Verizon Wireless	484.86	7170-21660-403450	CCSIU Cell/PTT
08/27/2012	758755	Verizon Wireless	120.03	2600-55170-403450	Library Outreach Air Cards
08/27/2012	758755	Verizon Wireless	3,623.70	1500-21110-403450	Police MDT Toughbook
08/27/2012	758755	Verizon Wireless	120.03	6200-19110-403450	ITD Air Card & MIFI
08/27/2012	758755	Verizon Wireless	40.01	1500-21110-403450	Police ICAC
08/27/2012	758755	Verizon Wireless	156.94	1500-21110-403450	Police US Marshall MDT
08/27/2012	758755	Verizon Wireless	240.06	2090-44510-403450	Building Air Cards
08/27/2012	758755	Verizon Wireless	40.01	0100-51120-403450	Parks PMD Air Card
08/27/2012	758755	Verizon Wireless	40.01	6700-31410-403450	Engineering Air Card
08/27/2012	758755	Verizon Wireless	40.01	0100-13130-403450	City Administration 406-839-4295 Bruce McCandless
08/27/2012	758755	Verizon Wireless	80.06	0100-43210-403450	Code Enforcement Air Cards
08/27/2012	758755	Verizon Wireless	18.02	5020-75000-403450	PUD Air Card 60% 5020 75000 403450 PUD Air Card 40% 5120 85000 403450
08/27/2012	758755	Verizon Wireless	12.00	5120-85000-403450	PUD Air Card 60% 5020 75000 403450 PUD Air Card 40% 5120 85000 403450
08/27/2012	758757	Viking Communications & Electronics Inc	2,534.40	1500-22270-402290	LAA0170: 2200 MAh portable radio batteries (Li-Ion)
08/27/2012	758757	Viking Communications & Electronics Inc	54.86	1500-22270-402290	SHIPPING ESTIMATE
08/27/2012	758757	Viking Communications & Electronics Inc	376.20	1500-22270-402481	Programming mics for GMH-5992XP
08/27/2012	758757	Viking Communications & Electronics Inc	99.00	1500-22270-402481	external speakers
08/27/2012	758757	Viking Communications & Electronics Inc	-89.10	1500-22270-402481	Credit for 3 standard mics
08/27/2012	758757	Viking Communications & Electronics Inc	92.40	1500-22270-402481	LAA0820: VHF King portable antennas
08/27/2012	758757	Viking Communications & Electronics Inc	10,052.00	1500-22270-402481	5102XP: VHF King portable radios

08/27/2012	758757	Viking Communications & Electronics Inc	3,412.50	1500-22270-402481	VHF King mobile radio with install kt & standard mic
08/27/2012	758758	Watterson David	918.84	6200-19110-405370	(2) XFP 10GB Module
08/27/2012	758758	Watterson David	1,200.00	6200-19110-405370	(3) XFP 10GB Modules
08/27/2012	758758	Watterson David	399.00	6200-19110-405370	(1) XFP Module 10GB
08/27/2012	758760	Western Heritage Center	4,166.67	2600-55110-403590	MT Room Digitization Project
08/27/2012	758764	Yellowstone County Sheriffs	3,533.11	7170-21660-407865	Drug Forfeiture for case #10-FBI-005592. 2/8 share.
08/27/2012	758764	Yellowstone County Sheriffs	138.07	7170-21660-407865	Drug Forfeiture for 3/7 share of case #11-DEA-544716
08/27/2012	758764	Yellowstone County Sheriffs	9,241.28	7170-21660-407865	Drug Forfeiture for case ##10-FBI-006436. 2/8 share.
08/27/2012	758765	Yellowstone Valley Elec	684.23	1500-22210-403410	MONTHLY ELECTRICAL SERVICE - FIRE STATION #7 AND PD#3 - 1501 54TH STREET WEST - ACCOUNT #4179013
08/27/2012	758765	Yellowstone Valley Elec	364.67	8100-31830-403410	SILMD 299 Vintage Estates
08/27/2012	758765	Yellowstone Valley Elec	835.26	5120-84000-403410	Rehberg Ranch North Pond
08/27/2012	758765	Yellowstone Valley Elec	269.08	6070-22350-403410	41790002: LANDFILL TOWER SITE ELECTRICAL SERVICE
08/27/2012	758765	Yellowstone Valley Elec	159.96	5120-85000-403410	54th St West/Dovetail Ave
08/27/2012	758765	Yellowstone Valley Elec	254.11	5120-85000-403410	2229 Blue Creek
08/27/2012	758765	Yellowstone Valley Elec	59.00	5120-84000-403410	Briarwood/O'Shea
08/27/2012	758765	Yellowstone Valley Elec	788.79	5410-31230-403410	electric at landfill august
08/27/2012	758765	Yellowstone Valley Elec	3,125.44	5020-74000-403410	Thomas Pump Station
08/27/2012	758765	Yellowstone Valley Elec	950.29	5120-84000-403410	3002 Cattle Dr
08/27/2012	758765	Yellowstone Valley Elec	0.00	6070-22350-403410	41790004: FOX/TANK TOWER SITE ELECTRICAL SERVICE
08/27/2012	758765	Yellowstone Valley Elec	144.32	5120-85000-403410	4523 Iron Horse Trl
08/27/2012	758765	Yellowstone Valley Elec	19.00	5120-85000-403410	Winchester Trl/Rod & Gun Club Rd

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Special Review #901 - 603 24th St West - Public Hearing

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

This is a request for a special review to replace an existing beer and wine license with gaming with an all-beverage license with gaming in a Community Commercial (CC) zone on Lots 1-10, Block 13, and Tract A1, B and B1 less the west 10 feet for street, Gorham Park Subdivision, a 4.73 acre parcel of land. The suite is 3,490 square feet within an existing 58,285 square-foot multi-tenant building. The Won 800 Sports Bar and Casino was approved for this location by City Council on January 23, 2012. The owner has the opportunity to purchase an all-beverage license. The location will not require a waiver of the 600 foot separation from this location as there are no churches, schools or public parks with playground equipment within 600 feet of this property. The Zoning Commission conducted a public hearing on September 4, 2012, and is forwarding a recommendation of conditional approval on a 3 to 0 vote.

ALTERNATIVES ANALYZED

The Planning Division reviewed the application and recommended conditional approval to the Zoning Commission. The Zoning Commission concurred with the staff recommendation. Before a recommendation of approval or conditional approval can be made, each special review request must demonstrate conformance with three primary criteria: 1) the application complies with all parts of the Unified Zoning Regulations, 2) the application is consistent with the objectives and purposes of the Unified Zoning Regulations and the 2008 Growth Policy, and 3) the project is compatible with surrounding land uses and is otherwise screened and separated from adjacent land to minimize adverse impacts. This application conforms to the first criteria, and conforms to all parts of the Unified Zoning Regulations. The location is in one of the zoning districts that allows an all-beverage license with gaming by special review approval. The application is conforming to the purposes of the regulations and the 2008 Growth Policy. The upgrade of the existing beer and wine license with gaming to an all-beverage license should have no impact on the surrounding uses or neighbors.

The application also conforms to the second and third criteria. There will be no remodeling or changes to the building. The Zoning Commission is recommending conditions for this special review based on the approval criteria for special review uses.

PROPOSED CONDITIONS

1. The special review approval shall be limited to Lots 1-10, Block 13 and Tract A1, B and B1 less the west 10 feet for street, Gorham Park Subdivision.
2. The special review approval is for the location of an all-beverage license with gaming and no other use is intended or implied.
3. Any expansion of the interior space greater than 400 square feet will require an additional special review approval.
4. There shall be no outdoor public address system or outside announcement system of any

kind.

5. These conditions of special review approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, lease holders, heirs and assigns.

6. The proposed development shall comply with all other limitations of Section 27-613 of the Unified Zoning Regulations concerning special review uses, and all other City of Billings regulations and ordinances that apply.

FINANCIAL IMPACT

The proposed special review should have no financial impact on the city tax base. Additional fees may be realized when the business tax determination is issued by the city each year.

BACKGROUND

This is a request for a special review to replace an existing beer and wine license with gaming with an all-beverage license with gaming in a 3,490 square foot suite in the multi-tenant building located at 603 24th Street West. The Won 800 Sports Bar and Casino moved into this location earlier in 2012 after Special Review #901 was approved by the City Council. The business was previously located in the Rimrock Mall. This property received a zone change from NC to CC in 1990. The CC zone allows the location of a liquor license with gaming by special review approval. There is an existing cabaret beer and wine license for a restaurant tenant already on the property. A cabaret license does not require a special review since no gaming is allowed with this type of license. There is a long history of special review approvals, denials, and withdrawn applications in this area of 24th Street West. The location is not within 600 feet of any church, school, or public park with a playground. Most of the commercial property near this site is developed for retail services or offices. The Gorham Park neighborhood is east of this parcel.

The Planning Staff received and forwarded a petition against the proposed all beverage license upgrade. The petition was from surrounding owners on Custer Avenue, Hewitt Drive, and Gay Place. The Zoning Commission considered the petition at the public hearing.

STAKEHOLDERS

The Zoning Commission held a public hearing on September 4, 2012, and received the staff recommendation. The Commission received testimony from the agent, Bob Pulley of 321 Glee Place. No other testimony was provided.

Mr. Pulley stated he understood the concerns of adjacent neighbors who submitted the written petition. Mr. Pulley stated he did not believe many customers used the rear entrance but all of the employees park in the back and use the rear entrance. Mr. Pulley will consult with the owner and applicant regarding the need for the neon sign on the rear of the building. Mr. Pulley said the sports bar and casino has been a good neighbor since moving into the building.

The Zoning Commission considered the staff recommendation and the testimony and is forwarding a recommendation of conditional approval on a 3-0 vote.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

Consistency with Adopted Policies and Plans is discussed in the Alternatives Analyzed section above.

RECOMMENDATION

The Zoning Commission is forwarding a recommendation of conditional approval of Special Review #901 on a 3-0 vote.

APPROVED BY CITY ADMINISTRATOR

Attachments

Zoning Map

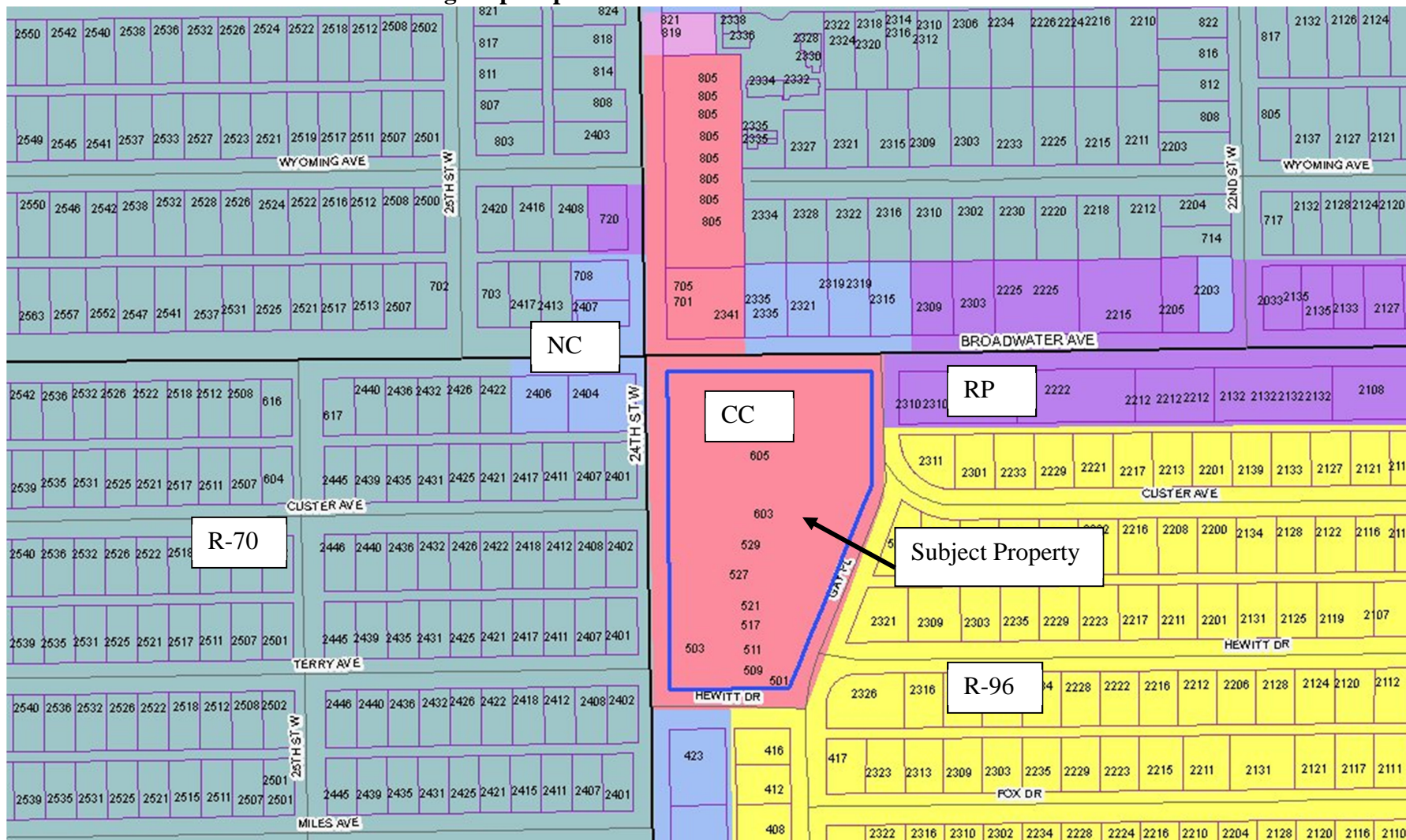
Site photos

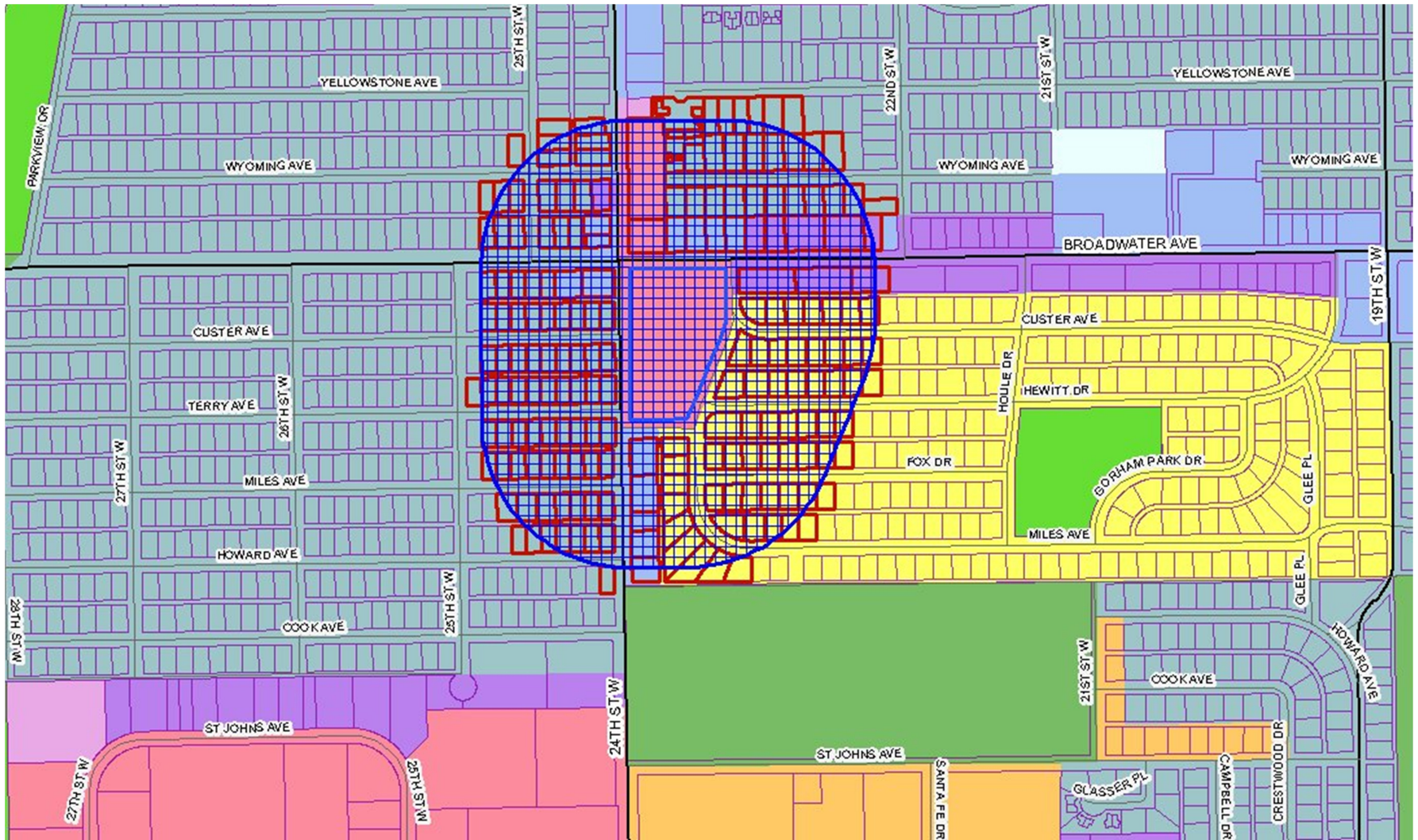
Site Plan

Applicant letter

Petition opposed

Attachment A
Zoning Map – Special Review #901 – 603 24th Street West





600 foot radius map from liquor license location – no public parks, churches or schools are within 600 feet

Attachment B
Site photos – Special Review #901 – 603 24th St West



Subject property



View south along front of building

Attachment B, continued
Site photos – Special Review #901 – 603 24th St West



View west to 24th Street West and Broadwater Avenue



View west across parking lot – 24th Street West

Attachment B, continued
Site photos – Special Review #901 – 603 24th St West



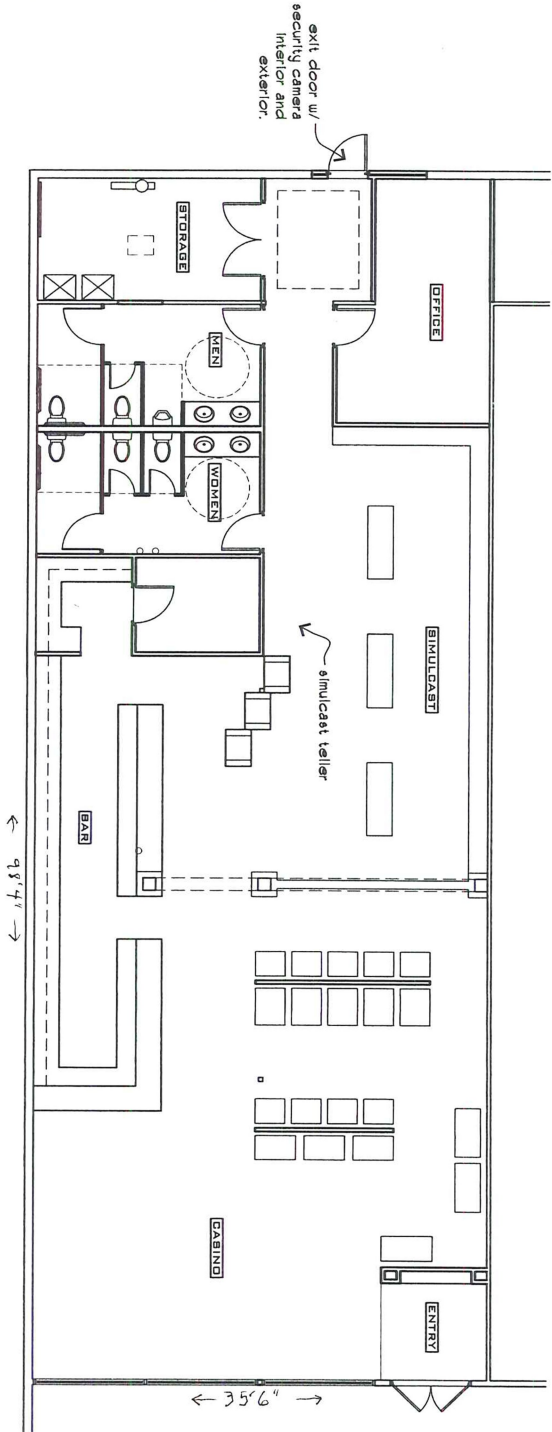
Aerial View



Rear Entrance from Gay Place

Attachment C
Site Plan – Special Review #901 – 603 24th Street West

SECURITY NOTES:
 TENANT SPACE TO BE EQUIPPED THROUGHOUT WITH VIDEO SURVEILLANCE SYSTEM.
 MONITORS TO BE LOCATED IN THE OFFICE AND BAR AREA.
 ALL PORTIONS OF CASINO, SIMULCAST, BAR AND ENTRIES ALONG WITH REAR EXTERIOR
 TO BE UNDER CAMERA SCOPE OF VIEW.



PLAN
 SCALE: NTS

PROJECT: WON 800 CASINO
24TH STREET WEST
BILLINGS, MT

SET:

DATES:

REVISIONS:

SHEET: 1.1
 A
 PLA

STUDIO 41 ARCHITECTS

1430 COUNTRY WINDOR
 BILLINGS, MT 59102
 PH: 406.668.1714
 FX: 406.668.1715
 WWW: studio41.com

PROJECT:

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Attachment D
Applicant Letter – Special Review #901 – 603 24th Street West

Attachment Special Review Application: 525 24th Street West.

This special review is to move an existing business from Rimrock Mall to the proposed location. It will not result in additional gaming licenses or beer and wine licenses used in the City. The business has been located in Rimrock Mall for approximately 20 years and has made a business decision to relocate. The license will not remain in Rimrock Mall.

A. In what ways is your proposal consistent with the goals and policies of the adopted Growth Policy?

Use of the property located at 24th and Broadwater is consistent and compatible with other uses in the neighborhood. Located in part of the shopping center is a pizza restaurant and an oriental food restaurant.

Re-use of existing space rather than new construction will contribute to infill and avoid urban sprawl and expanding city services to new areas. The building used is in an area that historically been commercially used. A large part of the shopping center was a former food store.

This use of the shopping center will provide more business choices to the neighborhood within walking distance or short car ride to the premises.

This use of the shopping center will allow the retention of a successful business in the City of Billings that is managed by responsible, long term residents and provides steady employment to its workers.

Empty or vacant storefronts are unattractive to customers of adjacent businesses and to those purchasing or improving adjacent property. Having occupied space with an attractive and active storefront will improve the image of the neighborhood.

By building close to existing traffic patterns and within walking distance for some customers the use of the shopping center should reduce emissions from vehicles and maintain healthy air quality levels.

This business provides an adaptive reuse of an existing structure. It make better use of property to conserve resources.

B. Why is there a need for the intended use of the property at this location?

The business has been located at Rimrock Mall for approximately 20 years. It is necessary that the business relocate to an area that is accessible to its existing customers. The new use of the property will increase the economic viability of the shopping center, improving its ability to attract and retain tenants.

C. How will the public interest be served if this application is approved?

The business can be located in a safe and accessible location without disrupting other businesses or causing parking problems. By meeting the growth goals as set forth above the relocation of the business is in the public interest.

August 24, 2012

Re: :CITY Special Review #901
Project Number: 12-539

Attn; Planning Division
510 North Broadway
Parmly Library 4th floor
Billings, MT 59101

We are against opening Gay Street to further commercial interests. There is now a neon casino sign at the rear entrance of the Won 800 Sports Bar and Casino at 6053 24th St. West. Hard liquor would be a further negative to the residential area.

An agreement was reached with M & K and Kon's Sooper; namely Jim Mills and Kon Keller in the late 60's at the time of construction.: there would be three curb cuts, a maintained fence with greenery, and only deliveries (& no commercial) at the rear side of the shopping center. The heirs and City should honor this agreement of the past.

Richard W Bjelland 2312 CUSTER AVE

Janet V. Bjelland 2312 Custer Ave.

William S Bradley 2301 Custer Ave

Jane Bradley 2301 Custer Ave.

Betty J. Reid 2311 Custer

Robert J Reid 2311 Custer

Guy Vieg 525 Custer

Jeanette U's 525 Gay Place

Tal Vone M. Knox 2232 Custer Ave.

Engel R. Knox 2232 Custer Ave

Duane Jensen 2309 Hewitt Drive

Linda Hessel 2309 Hewitt Dr

Boston Thelen 2321 Hewitt Dr

Erica Thelen 2321 Hewitt Dr.

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Zone Change #903- Public Hearing and 1st reading - 4215 King Ave West; 4020 and 4110 Montana Sapphire Drive

PRESENTED BY: Candi Beaudry

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

This is a zone change request from Entryway Light Industrial (ELI) to Highway Commercial (HC) on a parcel of land described as Lots 4, 6 and 7, Block 1, Montana Sapphire Subdivision, a 10.85 acre parcel of land located in the Montana Sapphire Subdivision at 4110 and 4020 Montana Sapphire Drive (Lots 6 & 7) and 4215 King Avenue West (Lot 4). The property is owned by Montana Sapphire, LLC and Keith James of Gemstar Properties, LLC is the agent.

The owner conducted a pre-application neighborhood meeting on June 25, 2012. The pre-application meeting notes are included as Attachment D. The application was originally scheduled for public hearing on August 7, 2012, and the applicant requested a 30-day delay to add Lot 4 to the zone change application. Lot 4 at 4215 King Avenue West is a larger parcel that will accommodate the agent's proposed retirement apartment complex. The Zoning Commission conducted a public hearing on September 4, 2012, and is forwarding a recommendation of approval on a 3 to 0 vote.

ALTERNATIVES ANALYZED

State law at MCA 76-2-304 requires that all zone changes be reviewed in accordance with 10 criteria. Using the 10 criteria to determine the appropriateness of the zone change request, the City Council may:

1. Approve the zone change request
2. Deny the zone change request
3. Allow withdrawal of the application
4. Delay action for up to thirty (30) days

FINANCIAL IMPACT

There should be no direct financial impact to the city's tax base. Additional fees and taxable value may be realized when the properties are developed.

BACKGROUND

The applicant is requesting to rezone this property on three lots within the Montana Sapphire Subdivision from ELI to HC to allow more flexibility with mixed uses or residential uses. The entryway zoning districts were applied on several properties in the area prior to the adoption of the South Shiloh Corridor Overlay District to provide increased standards for building design, site design and signage. Since the adoption of the overlay district in 2005, the Shiloh Crossing Subdivision has changed its zoning to CI and the St. Vincent Healthcare Subdivision has changed its underlying zoning to ELI and updated its Planned Development agreement to focus more on commercial and medical uses and less on higher density residential uses. Lenhardt

Square Subdivision has adopted a Planned Development agreement with underlying zoning that allows mixed uses with high density residential and multi-family and single family uses. The large lots within Montana Sapphire Subdivision are appropriate for the current zoning but the district does restrict mixed uses to special review approval. Current zoning allows a list of uses that is generally more restrictive than HC zoning districts. For example, microbreweries and restaurants with on-premise consumption of alcohol without gaming are allowed uses in the HC zone, and in ELI zone microbreweries are not allowed and any restaurant serving alcohol must go through special review. The applicant is not intending to locate an alcoholic beverage license at this time but this a use the HC zone would allow. The proposed HC zoning allows single use developments or mixed use developments by right. There is a specific project intended for the property at this time to consist of an apartment community for seniors age 55 and older. The proposed building is 4-levels with about 150 dwelling units.

Montana Sapphire Drive is a private street built to local commercial access standards. Shiloh Road and King Avenue West are principal arterial streets that have the capacity to handle any additional traffic from development within Montana Sapphire Subdivision. Shiloh Road carries approximately 8,000 vehicle trips per day at this location and King Avenue West carries 6,250 vehicles per day west of Shiloh Road.

Entryway zoning requires a greater amount of site improvements and building aesthetics than other commercial zoning such as Community Commercial (CC) or HC. Entryway zoning requires larger landscaped buffer yards with a minimum number of trees per 100 lineal feet of buffer yard. Entryway zoning also requires a minimum of a 10-foot wide buffer yard and a 6-foot tall solid fence along the property line that is adjacent to residential property. The Shiloh Corridor Overlay district supersedes the underlying zoning for site development, building design, signage, and landscaping on Lots 6 & 7 but does not change the allowed uses in the zoning district. Lot 4 is not within the South Shiloh Corridor Overlay zoning district. ELI zoning allows general commercial uses such as automobile sales, rental, and service stations, broadcasting studios (radio and television), car washes, commercial recreation uses, hotels/motels, laundry and dry cleaning, recreational vehicle sales and service, retail nurseries, signs, indoor theaters, tire sales, and wholesale uses not to exceed 250,000 square feet gross floor area but also allows heavy equipment sales, cabinet makers, and veterinary clinics. The HC zoning allows a wider range of uses, more detailed specification of uses and allows mixed uses by right.

The West Billings Neighborhood Plan adopted by the City in 2001 states the purpose of the plan is to guide the long-term growth of West Billings by achieving planned growth. A preferred land use map was developed locating neighborhood, community and regional commercial nodes at major arterial intersections. One of the intersections is Shiloh Road and King Avenue West

directly adjacent to the regional commercial center from King Avenue West south to I-90. The completion of the Shiloh Road improvements has helped spur development along the corridor north from the interstate. The current entryway zoning was a predecessor to the overlay district and to the West Billings Neighborhood Plan. A more flexible zoning district of HC would allow the overlay district standards to stay in place while allowing a different mixture of land uses on this property. The ELI zone is tailored for very large developments that need interstate market exposure and are limited in allowed uses. The HC zone in comparison is suited for property that may not need interstate exposure but needs easy access to a high volume arterial that connects with the interstate. The HC zone is described in the zoning code as follows: "The Highway Commercial zone is intended to provide areas for commercial and service enterprises which are intended primarily to serve the needs of the tourist, traveler, recreationist or the general traveling public. Areas designated as Highway Commercial should be located in the vicinity of, and accessible from interstate interchanges, intersections on limited access highways, or adjacent to primary or secondary highways." The ELI zone is described as follows: "The Entryway Light Industrial zone is to provide large lots located directly accessible to arterial and other transportation systems for warehousing and light manufacturing and allow for limited commercial facilities for the adjacent community and interstate travelers."

The proposed HC zone is compatible with the zoning south, west and east of the subject property. The lots north are developed for uses more compatible with HC zone than ELI zone uses. The overlay district standards will apply to any development that may occur on Lots 6 & 7. The Montana Sapphire Subdivision also adopted specific and restrictive site development requirements in the Subdivision Improvement Agreement (SIA) that apply to all the lots in the subdivision regardless of the zoning. These requirements will be applied when the site plan is approved as a Master Site Plan prior to issuance of a building permit.

The applicant conducted a pre-application neighborhood meeting on June 25, 2012. Surrounding property owners or their agents attended the meeting. No surrounding property owners contacted the Planning Division staff prior to the Zoning Commission public hearing.

The Planning Division reviewed the application and recommended approval to the Zoning Commission and the Commission concurred. The subject property is adjacent to agricultural zoning in the county and mixed use, high density, residential uses, as well as commercial and industrial zoning in the city. The uses allowed within the proposed HC zoning are compatible with the surrounding zoning and neighborhood character. Any development of the property requires compliance with the new zoning and the ability to meet site design criteria and traffic safety standards. The 2008 Growth Policy and the West Billings Neighborhood Plan encourage predictable land use decisions that are consistent with neighborhood character and land use patterns. The existing use and proposed zoning are consistent with this neighborhood and land use pattern.

STAKEHOLDERS

The Zoning Commission conducted a public hearing on September 4, 2012, and received the staff report and recommendation. The applicant and agent provided testimony in favor of the application. There was no other testimony.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

Before voting to approve or deny a zone change, the City Council shall consider the recommendation of the Zoning Commission and shall consider the following:

1. Is the new zoning designed in accordance with the Growth Policy?

The proposed zone change is consistent with the following goals of the Growth Policy:

- Predictable land use decisions that are consistent with neighborhood character and land use patterns. (Land Use Element Goal, page 6)

The proposed zoning would permit more flexibility of land uses that are more consistent with current development in the area and with Shiloh Corridor Overlay zoning. Highway Commercial zoning is compatible with the existing uses in Montana Sapphire Subdivision, Shiloh Crossing Subdivision to the east, and Lenhardt Square and St. Vincent Healthcare Subdivision to the north.

- More housing and business choices with each neighborhood. (Land Use Element Goal, page 6)

The existing zoning is restrictive of mixed uses, and certain types of commercial uses. The proposed zoning will allow more housing and business choices in the area including mixed uses with multifamily dwellings.

- Coordinated economic development efforts that target business recruitment, retention, and expansion. (Economic Development Goal, page 6)

The proposed zoning will encourage new businesses and development within the Montana Sapphire Subdivision.

2. Is the new zoning designed to secure from fire and other dangers?

The new zoning requires minimum setbacks, open and landscaped areas and building separations. The new zoning, as do all zoning districts, provides adequate building separations and density limits to provide security from fire and other dangers. The City Fire Department will ensure safe access to the site and provision for minimum fire flow to the new buildings.

3. Whether the new zoning will promote public health, public safety and general welfare?

Public health and public safety will be promoted by the proposed zoning. Lower density subdivisions increase response times by police and emergency service providers. The proposed zoning will increase the availability and variety of housing options for Billings' residents and promote the general welfare.

4. Will the new zoning facilitate the adequate provisions of transportation, water, sewerage, schools, parks, fire, police, and other public requirements?

Transportation: The proposed zoning may have some impact on the surrounding streets, and a traffic impact study may be required depending on the development that is built on the property in the future

Water and Sewer: The City will be able to provide water and sewer to the property through existing lines in the subdivision.

Schools and Parks: There should be no impact to schools from the proposed zone change.

Fire and Police: The subject property is currently served by the city Public Safety Services.

5. Will the new zoning provide adequate light and air?

The new zoning, as do all zoning districts, require building setbacks and separations so adequate light and air are assured.

6. Will the new zoning effect motorized and non-motorized transportation?

The subject property when developed will likely add more than 500 vehicle trips per day to the adjacent streets. This will require a Traffic Accessibility Study or an update to one filed with

the subdivision.

7. Will the new zoning promote compatible urban growth?

The new zoning does promote compatibility with urban growth. Lower density development is inefficient and ineffective in recovering the costs to extend city services. Higher densities of development, such as the proposed zoning, will allow the city to grow in a better urban pattern and form.

8. Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?

The proposed zoning does consider the character of the district and the suitability of the property for a different and a greater range of uses including multifamily uses. There are several existing and new multi-family developments in the area. The Growth Policy and the West Billings Neighborhood Plan both encourage higher density housing along arterials between major intersections to avoid the "strip commercial" development typical of older arterial streets in Billings. The increased traffic generation of a multi-family development will not impact existing neighborhoods and will have direct access to a collector street and an arterial street.

9. Will the new zoning conserve the value of buildings?

Surrounding property exhibits higher taxable land value. The property is currently vacant and should increase in value when developed. There are no buildings on the subject property.

10. Will the new zoning encourage the most appropriate use of land throughout the City of Billings?

The proposed zoning will permit denser development and allow more housing choices in the area. The surrounding development is compatible and this is the most appropriate use of the land.

RECOMMENDATION

The Zoning Commission recommends approval of Zone Change #903 on a 3 to 0 vote.

APPROVED BY CITY ADMINISTRATOR

Attachments

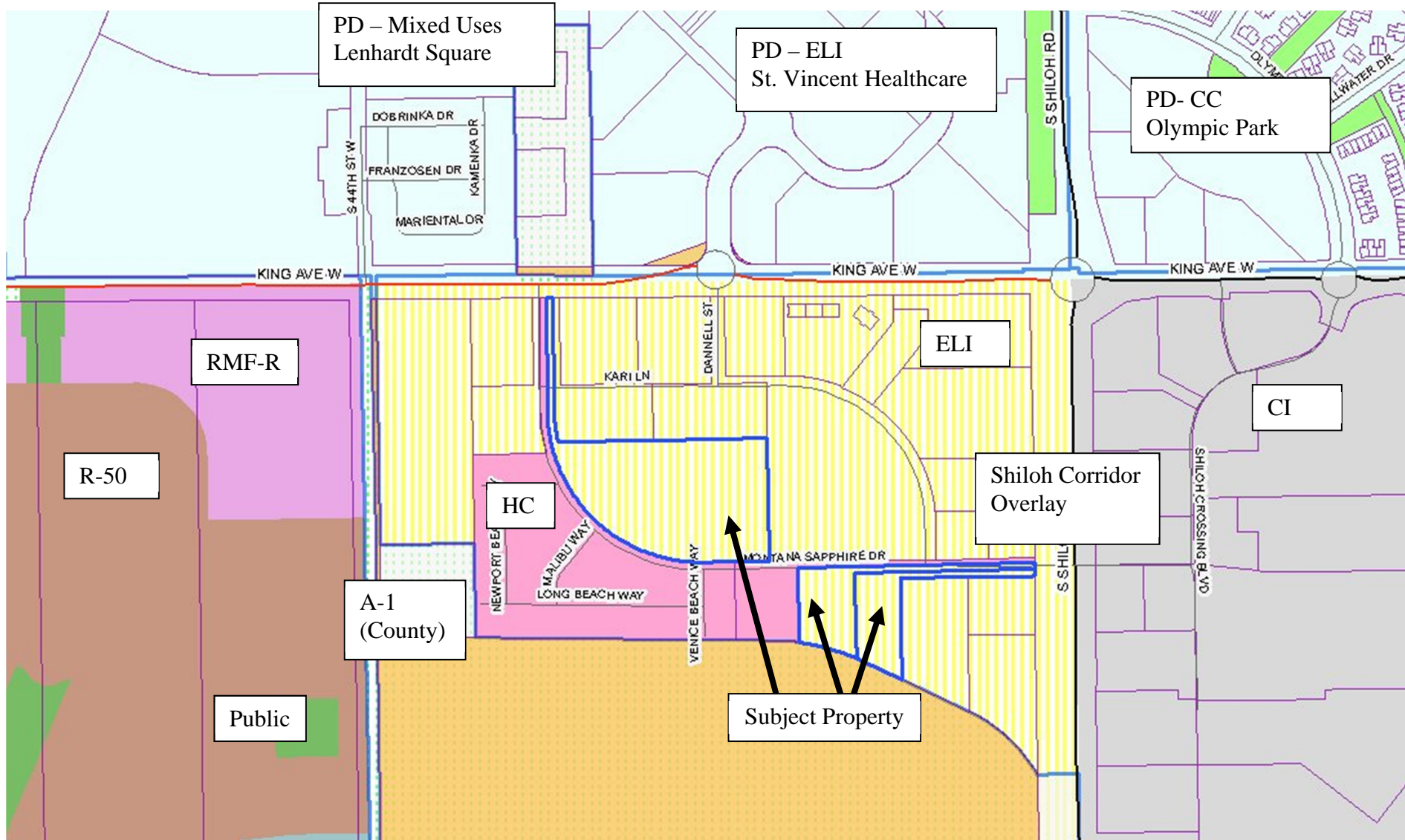
Zoning Map

Site photos

Applicant letter

Ordinance

Attachment A: Surrounding Zoning
Zone Change #903 – 4110 and 4020 Montana Sapphire Drive; 4215 King Avenue West



Attachment B

Site Photographs, Zone Change #903

4110 and 4020 Montana Sapphire Drive; 4215 King Avenue West

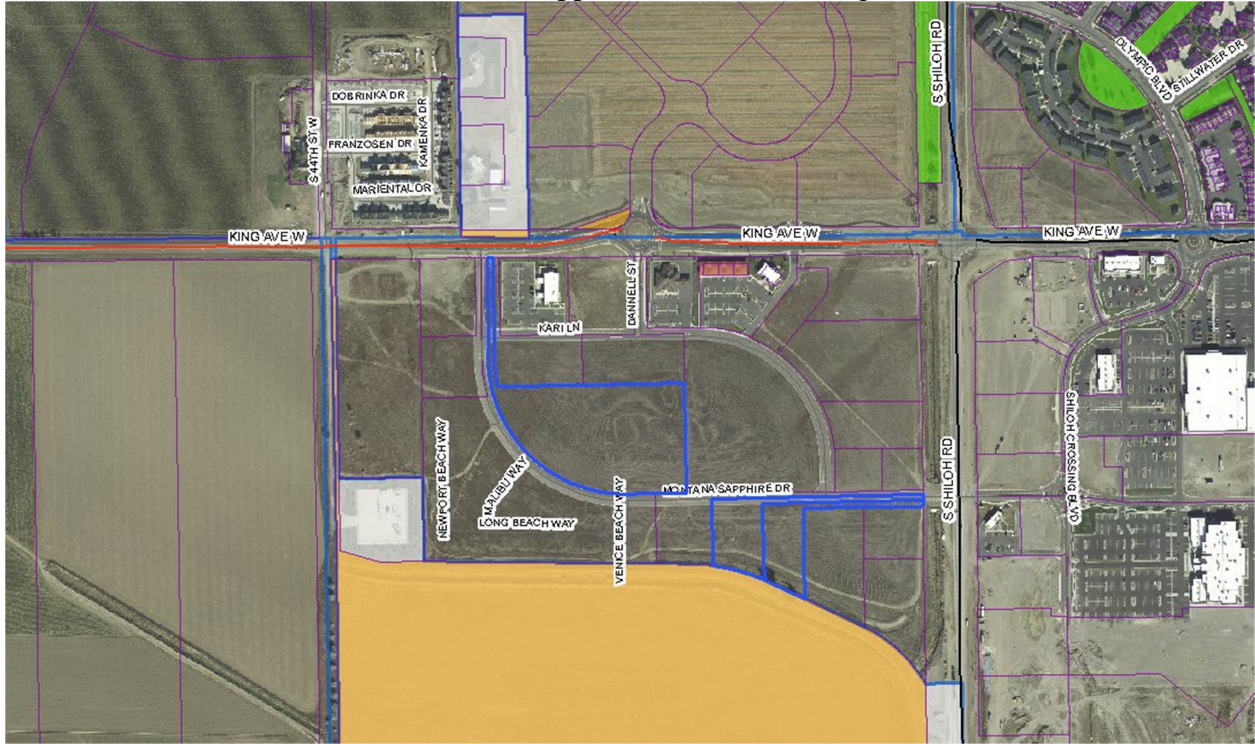


Subject Property – Lots 6 & 7 south of Montana Sapphire Drive



Subject Property – Lot 4 north of Montana Sapphire Drive

Attachment B, continued
Site Photographs, Zone Change #903
4110 and 4020 Montana Sapphire Drive; 4215 King Avenue West



Aerial of Subject Properties



View north and east along Montana Sapphire Drive

Attachment B, continued
Site Photographs, Zone Change #903
4110 and 4020 Montana Sapphire Drive; 4215 King Avenue West



View north and west to King Ave West



View west to multi-family apartments under construction

Attachment B, continued
Site Photographs, Zone Change #903
4110 and 4020 Montana Sapphire Drive; 4215 King Avenue West



View north to King Ave West

Attachment C
Applicant's Letter



June 29, 2012

Nicole Cromwell
City of Billings
4th Floor, Parmly Library
510 North Broadway
Billings, MT 59101

Re: Zone Change Application
Lots 6 & 7 - Montana Sapphire Subdivision

Dear Nicole,

Thank you for your assistance to date with the Zone Change Application process for the above referenced lots. On behalf of Montana Sapphire, LLC, the current owner of the property, Gemstar Properties, L.L.C. (Applicant) is submitting this Zone Change Application as agent and purchaser.

The zone change planned is from the current zoning designation of Entryway Light Industrial (ELI) to Highway Commercial (HC). The parcel immediately adjacent to Lots 6 and 7 to the west, Lot 5, is currently zoned HC and the intent is to utilize all three parcels for an allowable multifamily use under the HC zoning designation. Specifically, the intent of Applicant is to develop the parcels as independent apartments for seniors age 55+, most likely under the City of Billings Retirement Home definition. Accordingly, this Zone Change Application seeks to change the zoning designation of 3.5758 acres of land comprised of Lot 6 and Lot 7 from ELI to HC, and when combined with Lot 5 will encompass a total area of approximately 5.7178 acres of HC designated land for the proposed Retirement Home development.

The requested zone change is consistent with the goals and policies of the adopted Growth Policy in many ways. Goals of the Land Use Element are met by: (i) providing a transition between existing multifamily development and future commercial uses, (ii) creating a sense of community by linking walking trails in the development to surrounding open space, (iii) creating more mixed-use neighborhoods by offering residential living adjacent to and within walking distance of commercial services, and (iv) developing more self-contained neighborhoods by offering many amenity spaces within the proposed project to attract and satisfy area seniors.

Goals of the Economic Development Element are met by: (i) improving the quality of life for residents by offering a senior housing option that currently does not exist in the City of Billings, and (ii) increasing the visual appeal of highway corridors by setting an excellent example of high quality multi-family development.

June 29, 2012
Ms. Nicole Cromwell
Page 2

Goals of the Open Space and Recreation Element are met by: (i) providing a trail link from the proposed project to the adjacent open space, and (ii) increasing recreation options for residents, specifically the seniors of the proposed project that will have many regularly scheduled social activities and planned trips throughout the area.

Goals of the Transportation Element are met by: (i) reducing greenhouse gas emissions by locating the project adjacent to many commercial and recreational facilities as well as including many such activities on-site, (ii) promoting healthy lifestyles by linking trails on-site to those available in adjacent open space, (iii) encouraging alternate transportation modes, including providing a small bus for regularly scheduled trips for shopping and activities, and (iv) reducing traffic congestion through use of the bus rather than single-occupant vehicles.

Attached hereto is all information required to complete this Zone Change Application, including:

- 1) Check in the amount of \$1,040.00 for a commercial zone change (please provide a receipt when available via email to keithj@inlandconstruction.com or via U.S. Mail);
- 2) Check in the amount of \$45.00 for the refundable deposit for zoning request signage;
- 3) Completed Application Form (note that George Warner will hand deliver an original with the Owner's signature);
- 4) Completed Pre-Application Statement of Owner(s) or Agent(s) and required attachments, including:
 - a. Zone Change Plan - numbered (2) on top of page;
 - b. Subject Property Map - numbered (3) on top of page;
 - c. Roster of persons who attended the Neighborhood Meeting - numbered as (6);
 - d. Neighborhood Notice - numbered as (7); and
 - e. Synopsis of the meeting results - numbered as (8).
- 5) Declaration of Covenants, Conditions, Restrictions and Reciprocal Easements recorded against the property [Note that height limits detailed on Page 11 for Lots 5, 6 & 7 will need to be revised to correlate to the maximum height limits otherwise allowed in the HC zone and for the specific Retirement Housing designation. Montana Sapphire, LLC has agreed to modify said height restrictions if allowable by the City.]; and
- 6) Subdivision Improvements Agreement recorded against the property.

Should you require any additional information, please contact me at (509) 321-3218. We look forward to the Zoning Commission Public Hearing on August 7, 2012.

Sincerely,



Keith James
Development Manager



Inland Group

Comprehensive Multifamily Construction & Development Services

August 6, 2012

Nicole Cromwell
City of Billings
4th Floor, Parmly Library
510 North Broadway
Billings, MT 59101

**Re: Delay of Zone Change Request
Lots 6 & 7 - Montana Sapphire Subdivision**

Dear Nicole,

Thank you for your continued assistance and direction regarding the Zone Change Application for Lots 6 and 7 of the Montana Sapphire Subdivision. While we have determined that lot depths are not adequate to accommodate our typical building layout, the land owner, Montana Sapphire, LLC has determined that it desires to keep the zone change application active.

As you know, we recently submitted a Zone Change Application for Lot 4 of Montana Sapphire and it makes sense to have the Zoning Commission and the City Council review the Zone Change request for all of the lots (Lot 6, 7 & 4) together in one process. Accordingly, please delay the Public Hearing for Montana Sapphire Lots 6 & 7 until the September 4, 2012 public hearing.

Should you have any questions, please contact me at (509) 321-3218. We look forward to presenting at the public hearing for the Zone Change Application for Lot 4, 6 & 7. Thank you.

Sincerely,

Keith James
Development Manager

(6)
SIGN-IN SHEET

Montana Sapphire Lot 64 7 Rezone Neighborhood Meeting
6/25/12 5:30 PM

<u>Name</u>	<u>Address</u>	<u>Phone</u>
1) George Warrner	1215 24th St. W. 59102	406-855-8946
2) Blaine Poppler	5403 KING AVE W	406-671-0399
3) Mack Long	730 Bluegrass Pl	406-208-0707
4) Robert Ketrner	1620 N. Manner Rd Bldg B Spokane Valley, WA 99216	(509) 321-3218
5) Scott Scelfo		
6) Alan Springes		
7) Keith James		

(8a)

**Montana Sapphire Lot 6 & 7 Rezone
Neighborhood Meeting
Monday, June 25, 2012 – 5:30**

Meeting Notes

Total attendees were seven, though just one was not affiliated with either the developer or selling broker (See attached Sign-In Sheet). The one unaffiliated neighbor was Mack Long of CMG Construction on behalf Shiloh Crossing, LLC.

Representatives of the rezone application provided information from a similar project in Boise, ID, including a rendering for Affinity at Billings, a brief narrative, and a sample site plan also from the Boise project (both hand-outs are attached hereto). A brief description of the specific type of independent senior housing and building amenities was provided by Keith James on behalf of the Applicant. Further detail of the target population and day-to-day operations was provided by Scott Scelfo on behalf of the Applicant.

Mr. Long expressed his appreciation for our effort to further develop the area, specifically with the proposed multi-family development for seniors. No concerns with the proposed rezone were raised by Mr. Long or any other attendees and no suggestions for improvements to the sample rendering and site plan were provided.

Agents for the Sellers, George Warmer and Blaine Poppler, provided detail on the requirements of the CC&R's and Subdivision Improvements Agreement applicable to the Montana Sapphire subdivision. A brief discussion was also held regarding the requirements of the Shiloh Corridor Overlay District.

Discussion about potential future users in Montana Sapphire and Shiloh Crossing was engaged between all parties. The status of the St. Vincent Healthcare development plans was also discussed.

Following request for any further comments from any attendees, the meeting was adjourned at approximately 6:05 PM.

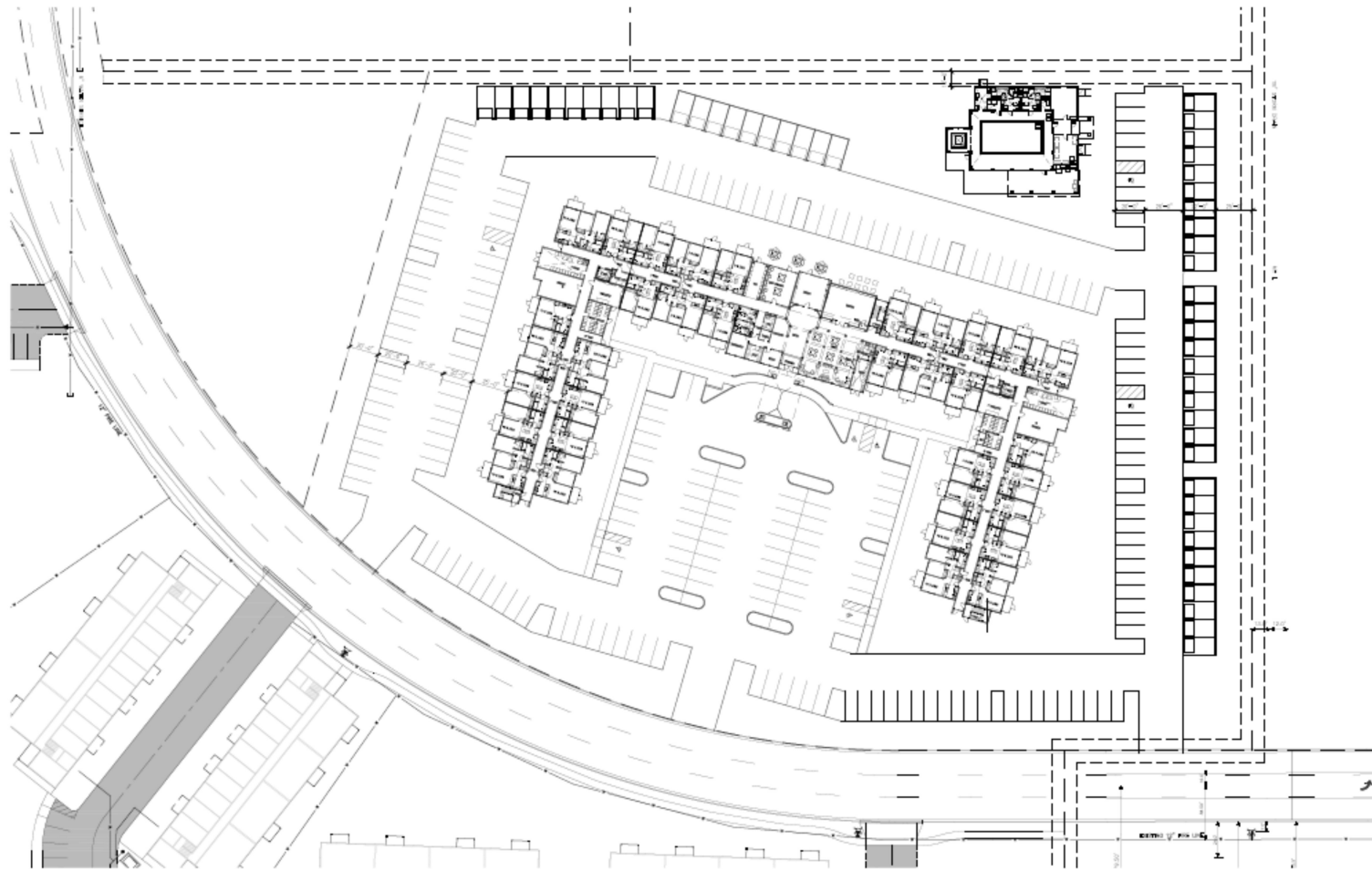
Affinity at Billings



(8b)

The Affinity at Billings site is comprised of three parcels totaling 5.72 acres of land located just west of the intersection of S. Shiloh Road and Montana Sapphire Drive. All three parcels are located in the Montana Sapphire Subdivision and include Lot 5, a 2.138-acre parcel currently zoned Highway Commercial (HC); Lot 6, a 1.8856-acre parcel currently zoned Entryway Light Industrial (ELI); and Lot 7, a 1.6902-acre parcel currently ELI. Multiple-family development is an allowed use in the HC zone, but not in the ELI zone. Accordingly, the Applicant seeks to rezone Lots 6 & 7 from ELI to HC.

The Affinity at Billings is a proposed 4-story, 150-unit independent apartment community for seniors age 55 or older. The common areas and amenities will be specific to seniors, including a community room, internet café, game room, craft room, pub, barber shop and movie theater. A separate single-story pool house may also be provided. Ample parking is to be provided as surface parking on-site and may include covered and enclosed parking options.



1 SITE PLAN
Scale 1"=30'-0"

SITE NOTES

SCALE:	1"=30'-0"
EXISTING ZONING:
PROPOSED ZONING:
TOTAL AREA:	7,2871 ACRES
NUMBER OF DWELLING UNITS:	154
PARKING PROPOSED (1.5 UNITS):	231
	(270 SPACES SHOWN)
MAX. BLD HT PROPOSED (MID-ROOF) SLOPE:	43 FT.

TAC Rick
Sedars
Clapper
Hess

THE ARCHITECTS OFFICE

408 MAIN STREET
BILLING, MONTANA 59102
P (406) 243-1921
F (406) 243-1308
WWW.TACOFFICE.COM

PROJECT

AFFINITY AT BILLINGS
BILLINGS, MONTANA

FILE

DATE: JULY 30, 2012
NO. 12016-41.0

REVISIONS

SHEET

A1.0
SCHEMATIC
SITE PLAN

Concept Site Plan for Lot 4 – 4215 King Avenue West

ORDINANCE NO. 12-_____

AN ORDINANCE AMENDING THE ZONE CLASSIFICATION FOR a 10.85 acre parcel described as Lots 4, 6 and 7, Block 1, Montana Sapphire Subdivision generally located at 4215 King Ave West, 4020 and 4110 Montana Sapphire Drive

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

1. RECITALS. *Title 76, Chapter 2, Part 3, MCA, and Sections 27-302 and 27-1502, BMCC,* provide for amendment to the City Zoning Map from time to time. The City Zoning Commission and staff have reviewed the proposed zoning for the real property hereinafter described. The Zoning Commission and staff have considered the ten (10) criteria required by Title 76, Chapter 2, Part 3, MCA. The recommendations of the Zoning Commission and staff have been submitted to the City Council, and the City Council, in due deliberation, has considered the ten (10) criteria required by state law.
2. DESCRIPTION That a 10.85 acre parcel described as Lots 4, 6 and 7, Block 1, Montana Sapphire Subdivision is presently zoned **Entryway Light Industrial (ELI)** and is shown on the official zoning maps within these zones.
3. ZONE AMENDMENT. The official zoning map is hereby amended and the zoning for **the above described parcels** is hereby changed from **Entryway Light Industrial (ELI) to Highway Commercial (HC)** and from the effective date of this ordinance, shall be subject to all the rules and regulations pertaining to **Highway Commercial (HC)** as set out in the Billings, Montana City Code.
4. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
5. EFFECTIVE DATE. This ordinance shall be effective from and after final passage and as provided by law.

PASSED by the City Council on first reading September 24, 2012.

PASSED, ADOPTED AND APPROVED on second reading October 9, 2012.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: Cari Martin, City Clerk
Zone Change #903 – 4215 King Ave West; 4020 and 4110 Montana Sapphire Drive

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Public Hearing SID 1392 Spread of Assessments

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The assessment for SID 1392 (Yellowstone Family Park) has been completed by the Finance Department and is ready to spread on the 2012 tax rolls. This project is for a playground, a basketball court, walking trails, and extensive landscaping including trees, shrubs and turf grass. This project and bond sale have previously been approved by council.

ALTERNATIVES ANALYZED

The Council must hold a public hearing and then may:

- Approve the resolution; or
- Not approve the resolution. If so, the property owners will not be assessed, and the General Fund will be responsible for paying for the improvements.

FINANCIAL IMPACT

The costs associated with SID 1392 are assessed per lot. The net effective interest rate is 3.908%. Under the State Statute 7-12-4189, the City is required to add ½ of 1% for a total rate of 4.408%. The ½ of 1% will be used as additional security on bond issues, as stated in the final bond resolution. Interest earnings and prior collections are subtracted from the final construction cost and spread to the appropriate properties. Any remaining fund balances are used to call bonds.

RECOMMENDATION

Staff recommends that a public hearing be held and Council pass the proposed resolution on September 24, 2012.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution SID 1392

Attachment A

RESOLUTION 12 _____

A RESOLUTION LEVYING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 1392, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 1392 and;

WHEREAS, it is necessary to levy a special assessment tax upon each benefited property in the district or project area to defray the cost and expenses of said district or project; and

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

SECTION 1: LEVY AND ASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 1392 of the City of Billings, Montana, there is hereby levied and assessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

Tax Code /Owner Name /Legal Description	Assessment Amount	Interest Rate	Years Assessed
A30735 BOYD, JEFFREY S & TRENA L YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 1, Lot 1, 17869 SQUARE FEET	\$3,249.68	4.408	15
A30736 OSTLER, ROBERT & MARA YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 1, Lot 2, 23988 SQUARE FEET	\$3,249.68	4.408	15
A30737 HOVIS, STEPHEN M & CHRIS A YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 1, Lot 3A, AMD 21,036 SF (0	\$3,249.68	4.408	15
A30737A HOVIS, STEPHEN M & CHRIS A YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 1, Lot 3B, AMD 21987 SQ FT	\$3,249.68	4.408	15

A30738	\$3,249.68	4.408	15
KENAMORE, JANE & BRUCE YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 1, Lot 4, LT 4 BLK 1 YELLOW			
A30739	\$3,249.68	4.408	15
VINGOM, TROY L & CARLA L YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 1, Lot 5, 25677 SQUARE FEET			
A30740	\$3,249.68	4.408	15
SINCLAIR, BRADLEY V & KIMBERLY YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 1, Lot 6, 26894 SQUARE FEET			
A30741	\$3,249.68	4.408	15
RONALD J ORMAN BYPASS TRUST YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 1, Lot 7, 26620 SQUARE FEET			
A30742	\$3,249.68	4.408	15
JACOBSON, STEVEN T YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 1, Lot 8, 27757 SQUARE FEET			
A30743	\$3,249.68	4.408	15
LUTEY, DEAN A & MARY ELLEN YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 1, Lot 9, 26655 SQUARE FEET			
A30744	\$3,249.68	4.408	15
O'NEIL, MARTIN & JUDY YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 1, Lot 10, 28993 SQUARE FEE			
A30745	\$3,249.68	4.408	15
MOJO & ASSOCIATES, LLC YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 1, Lot 11, 20360 SQUARE FEE			
A30746	\$3,249.68	4.408	15
HASKELL, SUSAN B YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 1, 18745 SQUARE FEET			
A30747	\$3,249.68	4.408	15
SCHWEND, CHAD B & TANDEEN J YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 2, 18788 SQUARE FEET			
A30748	\$3,249.68	4.408	15
CHRISTOPHERSEN, CHAD W & MARRIAH A YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 3, 19069 SQUARE FEET			
A30749	\$3,249.68	4.408	15
TYSON, CALVIN J & ALEXANDRA L YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 4, 16877 SQUARE FEET			
A30750	\$3,249.68	4.408	15
POWELL, DAVID & DEBORAH YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 5, 17877 SQUARE FEET			
A30751	\$3,249.68	4.408	15
POWELL, DAVID & DEBORAH YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 6, 12461 SQUARE FEET			
A30752	\$3,249.68	4.408	15
KINDELMAN, KENNETH C & PHYLLIS A			

YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 7, 12807 SQUARE FEET			
A30753	\$3,249.68	4.408	15
SORLIE, MARK D & LANETTE M			
YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 8, 14016 SQUARE FEET			
A30754	\$3,249.68	4.408	15
PONTO, DAVID A &			
YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 9A, AMD (11)			
A30755	\$3,249.68	4.408	15
CLUFF, DON B & PEGGY A			
YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 10A1, AMD (11)			
A30757	\$3,249.68	4.408	15
BOSLOUGH, JAMES G & JEANNIE A			
YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 12A, AMD (08)			
A30759	\$3,249.68	4.408	15
FLEURY, DANIL M & DONNA S			
YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 14A, AMD 37,678 SF			
A30760	\$3,249.68	4.408	15
BALSTER, KENNETH L & SUSAN R			
YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 15A, AMD 24,718 SF (
A30761	\$3,249.68	4.408	15
HOLTER, WALLACE V & CARLA J			
YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 16, LT 16 BLK 2 YELL			
A30762	\$3,249.68	4.408	15
HANCOCK, ROBERT & KERRY			
YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 17A, AMD 49,859 SF			
A30763	\$3,249.68	4.408	15
BENTZEL, GEORGE K & NANCY N			
YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 18, 37227 SQUARE FEE			
A30764	\$3,249.68	4.408	15
MCGOVERN, BRIAN C & JANETTE C			
YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 19, 41683 SQUARE FEE			
A30765	\$3,249.68	4.408	15
NEWELL, JAY B & DANNA S			
YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 2, Lot 20, 21622 SQUARE FEE			
A30766	\$3,249.68	4.408	15
COMPTON, JOHN R & NILA A			
YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 3, Lot 1, 17834 SQUARE FEET			
A30767	\$3,249.68	4.408	15
ALLSOP, BARRY D & MALENA M			
YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 3, Lot 2, 15197 SQUARE FEET			
A30768	\$3,249.68	4.408	15
HERTZ, JASON & KRISTA			
YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 3, Lot 3, 14414 SQUARE FEET			

A30769	\$3,249.68	4.408	15
WILBERT, KENNETH L & JEANNIE E YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 3, Lot 4, 13954 SQUARE FEET			
A30770	\$3,249.68	4.408	15
SOENNICHSEN, PENNY A & YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 3, Lot 5, 15653 SQUARE FEET			
A30771	\$3,249.68	4.408	15
BEETER, ROGER J & NANCY YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 3, Lot 6, 16050 SQUARE FEET			
A30772	\$3,249.68	4.408	15
KIMMEL, COREY J & KIMBERLY A YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 3, Lot 7, 10250 SQUARE FEET			
A30773	\$3,249.68	4.408	15
YAZAK, DANIEL L & SHARON O YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 3, Lot 8, 10084 SQUARE FEET			
A30774	\$3,249.68	4.408	15
ROGER BEETER LLC & (ETAL) YELLOWSTONE RIDGE SUB, S29, T01 N, R25 E, BLOCK 3, Lot 9, 12254 SQUARE FEET			
C03212	\$3,249.68	4.408	15
MCFARLANE, GLENN W & ANNE L YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 1, Lot 1, 2003 ANNEX			
C03213	\$3,249.68	4.408	15
LARSEN, DAVID & NANCY J YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 1, Lot 2, 2003 ANNEX			
C03214	\$3,249.68	4.408	15
WRAY JEFFREY P YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 1, Lot 3, 2003 ANNEX			
C03215	\$3,249.68	4.408	15
WEINREIS, SUSAN E YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 1, Lot 4, 2003 ANNEX			
C03216	\$3,249.68	4.408	15
CHRISTIANSSEN, HUGO & JEAN A YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 1, Lot 5, 2003 ANNEX			
C03217	\$3,249.68	4.408	15
MICHAUD, KAREN L YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 1, Lot 6, 2003 ANNEX			
C03218	\$3,249.68	4.408	15
DAVEY, CARLOS A & AMBER USSIN YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 1, Lot 7, 2003 ANNEX			
C03219	\$3,249.68	4.408	15
GIBSON, WILLIAM R & JULIE A YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 1, Lot 8, 2003 ANNEX			
C03220	\$3,249.68	4.408	15
BLACKKETTER, BRUCE L & DOREAN I			

YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 1, Lot 9, 2003 ANNEX			
C03221	\$3,249.68	4.408	15
BRAY, WILLIAM K			
YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 1, Lot 10, 2003 ANNE			
C03222	\$3,249.68	4.408	15
SWAIN, JOSHUA J			
YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 1, 2003 ANNEX			
C03223	\$3,249.68	4.408	15
FINNEGAN, DONALD J & KAREN L			
YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 2, 2003 ANNEX			
C03224	\$3,249.68	4.408	15
ANDERS, KEVIN C & DENISE L			
YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 3, 2003 ANNEX			
C03225	\$3,249.68	4.408	15
YOCHUM, CONSTANCE S			
YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 4, 2003 ANNEX			
C03226	\$3,249.68	4.408	15
BARNES FAMILY TRUST			
YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 5, 2003 ANNEX			
C03227	\$3,249.68	4.408	15
SCHWARTZ FAMILY TRUST			
YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 6, 2003 ANNEX			
C03228	\$3,249.68	4.408	15
BAKKEN, DAVID L & LINDA G			
YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 7, 2003 ANNEX			
C03229	\$3,249.68	4.408	15
KEENE, DOUGLAS A & DORIS A			
YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 8, 2003 ANNEX			
C03230	\$3,249.68	4.408	15
SLADE, MATTHEW L & ANGELA M			
YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 9, 2003 ANNEX			
C03231	\$3,249.68	4.408	15
TUSSING, RONALD H & DARLENE R			
YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 10, 2003 ANNE			
C03232	\$3,249.68	4.408	15
OLSEN, ROBERT L & CAROLE A			
YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 11, 2003 ANNE			
C03233	\$3,249.68	4.408	15
SMITH, SCOTT P & MARCIE JENAY			
YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 12, 2003 ANNE			
C03234	\$3,249.68	4.408	15
SMITH, SCOTT P & MARCIE J			
YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 13, 2003 ANNE			

C03235	\$3,249.68	4.408	15
DAVISON, MATTHEW J & BARBARA G YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 14, 2003 ANNE			
C03236	\$3,249.68	4.408	15
LIND, SAMUEL C & CHANTELLE G YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 15, 2003 ANNE			
C03237	\$3,249.68	4.408	15
COOKMAN, JOHN E II & KASEY N YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 16, 2003 ANNE			
C03238	\$3,249.68	4.408	15
HANSEN, MARY L YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 17, 2003 ANNE			
C03239	\$3,249.68	4.408	15
WILD, DOUG & AMANDA YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 18, 2003 ANNE			
C03240	\$3,249.68	4.408	15
VOGEL, MEREDITH A YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 19, 2003 ANNE			
C03241	\$3,249.68	4.408	15
YANC, WALTER J & GERALDINE M YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 20, 2003 ANNE			
C03242	\$3,249.68	4.408	15
HARGROVE, DANIEL & RUTH YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 21, 2003 ANNE			
C03243	\$3,249.68	4.408	15
WESLEY AND JONNIE BUDKE LIVING TRUS YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 22, 2003 ANNE			
C03244	\$3,249.68	4.408	15
PORTER, KIRK A & NANCY K YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 23, 2003 ANNE			
C03245	\$3,249.68	4.408	15
BRUYERE, TRAVIS A & EMILY A YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 24, 2003 ANNE			
C03246	\$3,249.68	4.408	15
ZAGEL, BRUCE R & KATHLEEN R YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 25, 2003 ANNE			
C03247	\$3,249.68	4.408	15
SAUERS, DANIEL R & SUSAN M YELLOWSTONE CLUB ESTATES 1ST, S30, T01 N, R25 E, BLOCK 2, Lot 26, 2003 ANNE			
C03248	\$3,249.68	4.408	15
WILKINSON, JOAN R YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 1, 2003 ANNEX			
C03249	\$3,249.68	4.408	15
REGER, DEBORAH C & JAMES R			

YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 2, 2003 ANNEX			
C03250	\$3,249.68	4.408	15
MCDERMOTT, ROBERT W & SHARON M			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 3, 2003 ANNEX			
C03251	\$3,249.68	4.408	15
MARVIN C KASTROP TRUST &			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 4, 2003 ANNEX			
C03252	\$3,249.68	4.408	15
GROTZ, DOUGLAS W & JAN M			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 5, 2003 ANNEX			
C03253	\$3,249.68	4.408	15
OKERMAN, MICHAEL &			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 6, 2003 ANNEX			
C03254	\$3,249.68	4.408	15
NEWMAN, KELLY & MARIE			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 7, 2003 ANNEX			
C03255	\$3,249.68	4.408	15
RICHTER, FRANK C			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 8, 2003 ANNEX			
C03256	\$3,249.68	4.408	15
KELLER, SUSAN K			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 9, 2003 ANNEX			
C03257	\$3,249.68	4.408	15
STOCKTON, DAN E JR & JANA			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 10, 2003 ANNE			
C03258	\$3,249.68	4.408	15
KAZMIERSKI FAMILY TRUST			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 11, 2003 ANNE			
C03259	\$3,249.68	4.408	15
CARLSON, BRUCE R & JUDITH A			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 12, 2003 ANNE			
C03260	\$3,249.68	4.408	15
DANIELSEN, STANLEY R & FAY S			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 13, 2003 ANNE			
C03261	\$3,249.68	4.408	15
ADAM, ROGER L & BETH E			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 14, 2003 ANNE			
C03262	\$3,249.68	4.408	15
STANLEY, BARBARA T &			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 15, 2003 ANNE			
C03263	\$3,249.68	4.408	15
OLSON, MERRY LEE &			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 16, 2003 ANNE			

C03264	\$3,249.68	4.408	15
MCCALLA, SYLVIA P & ROGER O YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 3, Lot 17, 2003 ANNE			
C03265	\$3,249.68	4.408	15
PITTACK, VAN E & CHERYLE J YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 4, Lot 1, (2003 ANNE			
C03266	\$3,249.68	4.408	15
HASTINGS, PATRICIA A YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 4, Lot 2, (2003 ANNE			
C03267	\$3,249.68	4.408	15
MAIER, DENNIS W & SUSAN G YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 4, Lot 3, (2003 ANNE			
C03268	\$3,249.68	4.408	15
STRONG, DOUGLAS W YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 4, Lot 4, (2003 ANNE			
C03269	\$3,249.68	4.408	15
JACOBSEN, JOHN W & JOAN E HANSEN YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 4, Lot 5, 2003 ANNEX			
C03270	\$3,249.68	4.408	15
HARDY, GREGORY N & CAROL J YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 4, Lot 6, (2003 ANNE			
C03271	\$3,249.68	4.408	15
NICHELSON, PHILLIP H & SHARON L YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 4, Lot 7, (2003 ANNE			
C03272	\$3,249.68	4.408	15
HUSCHKA, STEVE & MARY YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 4, Lot 8, (2003 ANNE			
C03273	\$3,249.68	4.408	15
BERGESON, ROBERT W & LINDA R YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 4, Lot 9, (2003 ANNE			
C03274	\$3,249.68	4.408	15
WEDUL, ARVID B & EXEL L YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 4, Lot 10, (2003 ANN			
C03275	\$3,249.68	4.408	15
BROWN, RANDOLPH A & DIANA C YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 4, Lot 11, (2003 ANN			
C03276	\$3,249.68	4.408	15
STENSRUD, DAVID A YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 1, 2003 ANNEX			
C03276A	\$3,249.68	4.408	15
SOAPE, ELIZABETH MARIE YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 2, 2003 ANNEX			
C03276B	\$3,249.68	4.408	15
GRILL, CARMELLA CAMPANIAN & LEWIS J			

YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 3, 2003 ANNEX			
C03277	\$3,249.68	4.408	15
HEIKEN, STEVEN L & JEANETTE L			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 4, 2003 ANNEX			
C03277A	\$3,249.68	4.408	15
WAYLAND, KIRK R & JEANETTE V			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 5, 2003 ANNEX			
C03277B	\$3,249.68	4.408	15
RODRIGUEZ, DANIEL V & TERESA M			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 6, 2003 ANNEX			
C03278	\$3,249.68	4.408	15
JUDSON, GREGORY L & HARMONY G			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 7, 2003 ANNEX			
C03278A	\$3,249.68	4.408	15
FRALEY, BRENDA L			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 8, 2003 ANNEX			
C03278B	\$3,249.68	4.408	15
HITE, LARRY R & LOXIE L			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 9, (03)			
C03279	\$3,249.68	4.408	15
SPEARE, WILLIAM J & LISA A			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 10, 2003 ANNE			
C03279A	\$3,249.68	4.408	15
CLARK, FLORENCE L & (ETAL)			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 11A, 2003 ANN			
C03279B	\$3,249.68	4.408	15
LOVELESS, DOUGLAS M			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 12A, 2003 ANN			
C03280	\$3,249.68	4.408	15
MOATS, GERALD W & CYNTHIA A			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 13, 2003 ANNE			
C03280A	\$3,249.68	4.408	15
DAUGHTON, BRUCE & MARY PAT			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 14, 2003 ANNE			
C03280B	\$3,249.68	4.408	15
WARD, RONNIE L & BRENDA K			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 15, 2003 ANNE			
C03280C	\$3,249.68	4.408	15
ZUCK, DARLENE			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 16, 2003 ANNE			
C03281	\$3,249.68	4.408	15
GUYER, JAMES W &			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 17, 2003 ANNE			

C03281A	\$3,249.68	4.408	15
SADO, STEVEN J & CAROL A YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 18A, 2003 ANN			
C03281B	\$3,249.68	4.408	15
REASNOR, BRYANT M & AMANDA J YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 19A, 2003 ANN			
C03281C	\$3,249.68	4.408	15
STONE, WEBSTER R YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 5, Lot 20A, LT 20A B			
C03282	\$3,249.68	4.408	15
EISELE, BARTON G & SHIRLEY L YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 1, 2003 ANNEX			
C03282A	\$3,249.68	4.408	15
DAVIS, EDWARD L & EARLENE W YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 2, 2003 ANNEX			
C03282B	\$3,249.68	4.408	15
DURRETT, STEVEN D & JULIE L YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 3, 2003 ANNEX			
C03283	\$3,249.68	4.408	15
AUKER, GEORGE H & LAURA A YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 4, 2003 ANNEX			
C03283A	\$3,249.68	4.408	15
TEMPLET, JOSEPH L JR & MARIE E YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 5, 2003 ANNEX			
C03283B	\$3,249.68	4.408	15
BARTON, CLYDE W & CASSIDY YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 6			
C03284	\$3,249.68	4.408	15
EGGEBRECHT, JASON C YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 7, 2003 ANNEX			
C03284A	\$3,249.68	4.408	15
GUY C GLENN TRUST & YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 8, 2003 ANNEX			
C03284B	\$3,249.68	4.408	15
TAYLOR, JOYCE LEE YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 9, 2003 ANNEX			
C03285	\$3,249.68	4.408	15
WALKER, CAROL A & YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 10, 2003 ANNE			
C03285A	\$3,249.68	4.408	15
STARR, DAVID L & JOEY G YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 11, 2003 ANNE			
C03285B	\$3,249.68	4.408	15
PFAFF, GARY A & MARLENE R			

YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 12, 2003 ANNE			
C03286	\$3,249.68	4.408	15
VOLEK, STEPHEN F & CHRISTINA F			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 13, 2003 ANNE			
C03286A	\$3,249.68	4.408	15
GODWIN, DAVID J & AMY L			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 14, 2003 ANNE			
C03286B	\$3,249.68	4.408	15
HOEFLE, COLE J & VALORY A			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 15, 2003 ANNE			
C03287	\$3,249.68	4.408	15
BALLANTYNE, FRANCES			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 16, 2003 ANNE			
C03287A	\$3,249.68	4.408	15
YOUNG, BEVERLY L			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 17, 2003 ANNE			
C03287B	\$3,249.68	4.408	15
GUNN, ROBERT & KARI			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 18, 2003 ANNE			
C03288	\$3,249.68	4.408	15
BLATTER, SHANLEE			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 19, 2003 ANNE			
C03288A	\$3,249.68	4.408	15
RENN, RICHARD H			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 20, 2003 ANNE			
C03288B	\$3,249.68	4.408	15
COMPTON, BRYAN & GWEN			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 6, Lot 21, 2003 ANNE			
C03289	\$3,249.68	4.408	15
LAPITO, GABRIEL EDWARD & BRANDI LEE			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 1, 2003 ANNEX			
C03290	\$3,249.68	4.408	15
JOHNSON, TYLER A			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 2, 2003 ANNEX			
C03290A	\$3,249.68	4.408	15
PIERSON, CANDYE F			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 3, 2003 ANNEX			
C03290B	\$3,249.68	4.408	15
HALSTVEDT, JOHN L & MARY B			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 4, 2003 ANNEX			
C03291	\$3,249.68	4.408	15
BOFTO, DAVID A & LINKA K			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 5, 2003 ANNEX			

C03291A	\$3,249.68	4.408	15
JEZIORSKI, DANIEL J & JUNE M YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 6, 2003 ANNEX			
C03291B	\$3,249.68	4.408	15
BACH, DONALD G & KRISTINE A YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 7, 2003 ANNEX			
C03292	\$3,249.68	4.408	15
GULLARD FAMILY TRUST YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 8, 2003 ANNEX			
C03292A	\$3,249.68	4.408	15
SMITH, RONDA S YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 9, 2003 ANNEX			
C03292B	\$3,249.68	4.408	15
WAGGONER, CAROLINE YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 10, 2003 ANNE			
C03293	\$3,249.68	4.408	15
WARD, RICHARD A YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 11, 2003 ANNE			
C03293A	\$3,249.68	4.408	15
ALLEN, KAREN Y YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 12, 2003 ANNE			
C03294	\$3,249.68	4.408	15
DONAHUE, BRIAN T & TONI M YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 13, 2003 ANNE			
C03295	\$3,249.68	4.408	15
MOSBAUGH, KEITH R & JOANNE E YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 14A, LT 14A B			
C03296	\$3,249.68	4.408	15
HARDY BUILDERS INC YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 15A, LT 15A B			
C03297	\$3,249.68	4.408	15
GALLUP, LARRY J & MELODY YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 16, 2003 ANNE			
C03298	\$3,249.68	4.408	15
WILLIAMS, DANIEL R & LISA M YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 17, 2003 ANNE			
C03299	\$3,249.68	4.408	15
CAMPBELL, ROSS & ROBIN YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 18, 2003 ANNE			
C03300	\$3,249.68	4.408	15
HADDENHORST, GEORGE W & YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 19, 2003 ANNE			
C03301	\$3,249.68	4.408	15
RUTLEDGE, DAVID S & JANETTE G			

YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 20, 2003 ANNE			
C03302	\$3,249.68	4.408	15
DOLAN, EUGEN J & MARIETTA			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 7, Lot 21, 2003 ANNE			
C03303	\$3,249.68	4.408	15
MILLER, RICHARD A & CAROL L			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 1, 2003 ANNEX			
C03304	\$3,249.68	4.408	15
MARTS, STEVEN T & KAREN J			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 2, 2003 ANNEX			
C03305	\$3,249.68	4.408	15
KAREN STENSRUD TRUST, THE			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 3, 2003 ANNEX			
C03306	\$3,249.68	4.408	15
PATTEE, MARK E & TERI L			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 4, 2003 ANNEX			
C03307	\$3,249.68	4.408	15
SHINN, ROBERT J & MARILYN B			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 5, 2003 ANNEX			
C03308	\$3,249.68	4.408	15
MCGOVERN, LAWRENCE T & JOANNE P			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 6, 2003 ANNEX			
C03309	\$3,249.68	4.408	15
HANSEN, WAYNE L & CLARE P			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 7, 2003 ANNEX			
C03310	\$3,249.68	4.408	15
JOHNSON, JEFFREY S &			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 8, 2003 ANNEX			
C03311	\$3,249.68	4.408	15
PAUL AND KATHRYN M LAVEAU LIVING TR			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 9, 2003 ANNEX			
C03312	\$3,249.68	4.408	15
BUTLER, LOWELL L & KATHLEEN A			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 10, 2003 ANNE			
C03313	\$3,249.68	4.408	15
ROSATTI, ROBERT J & MARIAN M			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 11, 2003 ANNE			
C03314	\$3,249.68	4.408	15
CURRY, CHERIE L & PAT A			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 12, 2003 ANNE			
C03315	\$3,249.68	4.408	15
REINEKING, JEFF E & PATRICIA			
YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 13, 2003 ANNE			

C03316	\$3,249.68	4.408	15
JOHNS, MERLE P & DIANE M YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 14, 2003 ANNE			
C03317	\$3,249.68	4.408	15
SMOOT, SUZANNE L YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 15, 2003 ANNE			
C03318	\$3,249.68	4.408	15
SCHABACKER, MICHAEL H & REBECCA YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 16, 2003 ANNE			
C03319	\$3,249.68	4.408	15
SCHEIDERER, JAYSON S & ANGELA M YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 17, 2003 ANNE			
C03320	\$3,249.68	4.408	15
TOMASZEWSKI, MACIEJ & NINA YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 18, 2003 ANNE			
C03321	\$3,249.68	4.408	15
BERNHARDT, KATHLEEN L YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 19, 2003 ANNE			
C03322	\$3,249.68	4.408	15
DAVID G NIGH REVOCABLE LIVING TRUST YELLOWSTONE CLUB ESTATES 2ND, S30, T01 N, R25 E, BLOCK 8, Lot 20, 2003 ANNE			
C03323	\$3,249.68	4.408	15
KING, MICHAEL G & SANDRA M YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 1, 2003 ANNEX			
C03323A	\$3,249.68	4.408	15
FRANKS FAMILY TRUST YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 2, 2003 ANNEX			
C03324	\$3,249.68	4.408	15
GROSULAK, DUANE D & ANN F YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 3, 2003 ANNEX			
C03325	\$3,249.68	4.408	15
ZAVITZ, RICHARD J & YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 4, 2003 ANNEX			
C03326	\$3,249.68	4.408	15
NORWOOD, E EARL YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 5, 2003 ANNEX			
C03327	\$3,249.68	4.408	15
MELZER, RICHARD B & ELIZABETH T YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 6, 2003 ANNEX			
C03328	\$3,249.68	4.408	15
BIRTLES, MICHAEL T & LINDA J YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 7, 2003 ANNEX			
C03329	\$3,249.68	4.408	15
BLACK, WILLIAM S & COLLEEN S			

YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 8, 2003 ANNEX			
C03330	\$3,249.68	4.408	15
MORGAN, PHILIP D & NANETTE M			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 9, 2003 ANNEX			
C03331	\$3,249.68	4.408	15
BROWN, ALMA C &			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 10, 2003 ANNE			
C03331A	\$3,249.68	4.408	15
HEINEMANN, RALPH D & MARILYN J TRTE			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 11, 2003 ANNE			
C03331B	\$3,249.68	4.408	15
BAILEY, ZANE & KRISTA			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 12, 2003 ANNE			
C03332	\$3,249.68	4.408	15
GUTTIEREZ, JEFFERY P & SARAH L			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 13, 2003 ANNE			
C03332A	\$3,249.68	4.408	15
WILSON, JAMES Y & NANCY J			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 14, 2003 ANNE			
C03332B	\$3,249.68	4.408	15
FRANKO, MARTIN H & KATHY JO			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 15, 2003 ANNE			
C03333	\$3,249.68	4.408	15
THOMPSON, THOMAS G &			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 16, 2003 ANNE			
C03333A	\$3,249.68	4.408	15
PETERSEN, SUSAN J &			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 17, 2003 ANNE			
C03334	\$3,249.68	4.408	15
BURKE, JACK G & LAURIE L			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 18, 2003 ANNE			
C03335	\$3,249.68	4.408	15
GRAHAM, CHRISTOPHER & JANA			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 19, 2003 ANNE			
C03336	\$3,249.68	4.408	15
CAROL W ROBERTS TRUST, THE			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 20, 2003 ANNE			
C03337	\$3,249.68	4.408	15
TIDSWELL, DANIEL E & ANGELA D			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 21, 2003 ANNE			
C03338	\$3,249.68	4.408	15
CAVAN. ROBERT H & ALETHA A			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 9, Lot 22, 2003 ANNE			

C03339	\$3,249.68	4.408	15
LANGEMEIER, MARILYN YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 1, (2003 ANN			
C03340	\$3,249.68	4.408	15
DIERCKS, JILL A YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 2, (2003 ANN			
C03340A	\$3,249.68	4.408	15
HARVEY, BRIAN & SARAH E YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 3			
C03340B	\$3,249.68	4.408	15
MICHAEL, DANIEL W & KATHY S YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 4, (2003 ANN			
C03340C	\$3,249.68	4.408	15
MURPHY, GREGORY G & KATHERINE K YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 5, (2003 ANN			
C03341	\$3,249.68	4.408	15
WESTERLUND, CHRISTOPHER R YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 6, (2003 ANN			
C03341A	\$3,249.68	4.408	15
LARSEN, ROSE M YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 7, (2003 ANN			
C03341B	\$3,249.68	4.408	15
AUGUSTINE, KEVIN & KATHY YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 8, (2003 ANN			
C03342	\$3,249.68	4.408	15
CAHILL, PATRICK J & EDNA R YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 9, (2003 ANN			
C03343	\$3,249.68	4.408	15
GOETZ, JEREMY & ELIZABETH R YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 10, (03 ANNE			
C03343A	\$3,249.68	4.408	15
HAYNES, MARK J & MARA L YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 11, (2003 AN			
C03344	\$3,249.68	4.408	15
HANNAH, SHANE & AMANDA YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 12, (2003 AN			
C03345	\$3,249.68	4.408	15
BUKOWSKI, GENE W & CYNTHIA L YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 13, (2003 AN			
C03345A	\$3,249.68	4.408	15
DEGNAN, CAROL W YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 14, (2003 AN			
C03345B	\$3,249.68	4.408	15
MAYER, TAYLOR A & KRISTIN L			

YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 15, (2003 AN			
C03346	\$3,249.68	4.408	15
MARCIA A HURLBURT REVOCABLE TRUST			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 16, (2003 AN			
C03346A	\$3,249.68	4.408	15
MCNALLY, JUDY C			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 17, (2003 AN			
C03346B	\$3,249.68	4.408	15
CARLSON, CYNTHIA K			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 18, (2003 AN			
C03347	\$3,249.68	4.408	15
FUNYAK, KEVIN M & JAMI L			
YELLOWSTONE CLUB ESTATES 3RD, S30, T01 N, R25 E, BLOCK 10, Lot 19, (2003 AN			
C03348	\$3,249.68	4.408	15
SURWILL, BENEDICT J III & (ETAL)			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 11, Lot 1, 2003 ANNE			
C03349	\$3,249.68	4.408	15
RUEHR REVOCABLE TRUST			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 11, Lot 2, 2003 ANNE			
C03350	\$3,249.68	4.408	15
LAPITO, LEO B & SUSAN E			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 11, Lot 3, 2003 ANNE			
C03350A	\$3,249.68	4.408	15
HELLINGER, ROBERT & LARENA MARIKO			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 11, Lot 4, 2003 ANNE			
C03351	\$3,249.68	4.408	15
KREITZBERG, PATSY LEE			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 11, Lot 5, 2003 ANNE			
C03352	\$3,249.68	4.408	15
ROCKY MOUNTAIN AIRCRAFT LEASING LLC			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 11, Lot 6, 2003 ANNE			
C03353	\$3,249.68	4.408	15
STRATFORD, DOROTHY			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 11, Lot 7, 2003 ANNE			
C03354	\$3,249.68	4.408	15
SCHWARTZ, ROGER A & CECILIA N			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 11, Lot 8, 2003 ANNE			
C03355	\$3,249.68	4.408	15
COOKE, CAROLEE F			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 12, Lot 1, (2003 ANN			
C03356	\$3,249.68	4.408	15
STOCKTON, MYKEL			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 12, Lot 2, (2003 ANN			

C03357	\$3,249.68	4.408	15
JOCKERS, NANCY L YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 12, Lot 3, (2003 ANN			
C03358	\$3,249.68	4.408	15
MARILYN D WEBER TRUST YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 12, Lot 4, (2003 ANN			
C03359	\$3,249.68	4.408	15
HALVERSON, JAMES R YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 12, Lot 5, (2003 ANN			
C03360	\$3,249.68	4.408	15
HANSTROM, MARY ELIZABETH YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 12, Lot 6, (2003 ANN			
C03361	\$3,249.68	4.408	15
DOROTHY A SCHNEIDER TRUST YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 12, Lot 7, (2003 ANN			
C03362	\$3,249.68	4.408	15
BLOOM, KATHLEEN STEVENS YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 12, Lot 8, (2003 ANN			
C03363	\$3,249.68	4.408	15
TYPANSKI, ANTHONY F & VIRGINIA A YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 12, Lot 9, 2003 ANNE			
C03364	\$3,249.68	4.408	15
GRAY, MICHAEL J & REBECCA J YELLOWSTONE CLUB ESTATES 5TH, S30, T01 N, R25 E, BLOCK 13, Lot 1A, AMND 41			
C03367	\$3,249.68	4.408	15
TP RENOVATORS LLC YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 13, Lot 4A, 2003 ANN			
C03373	\$3,249.68	4.408	15
O'BRIEN, JOHN M & PEGGY J YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 14, Lot 1, 2003 ANNE			
C03373A	\$3,249.68	4.408	15
O'BRIEN, JOHN M & PEGGY J YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 14, Lot 2, (2003 ANN			
C03373B	\$3,249.68	4.408	15
O'BRIEN, JOHN M & PEGGY J YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 14, Lot 3, 2003 ANNE			
C03373C	\$3,249.68	4.408	15
CLARK, ERNEST E YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 14, Lot 4, 2003 ANNE			
C03373D	\$3,249.68	4.408	15
O'BRIEN, JOHN M & PEGGY J YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 14, Lot 5, 2003 ANNE			
C03374	\$3,249.68	4.408	15
RICHARDS, GARY C &			

YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 15, Lot 1, 2003 ANNE			
C03374A	\$3,249.68	4.408	15
FINCHER, BARBARA W & WAYNE C			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 15, Lot 2, 2003 ANNE			
C03374B	\$3,249.68	4.408	15
LEICHNER, JOHN A & SANDY			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 15, Lot 3, 2003 ANNE			
C03374C	\$3,249.68	4.408	15
NELSON, DAVID E & LAILA L			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 15, Lot 4, 2003 ANNE			
C03375	\$3,249.68	4.408	15
GRIMSLEY, PATRICK F & LISA A			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 15, Lot 5, 2003 ANNE			
C03376	\$3,249.68	4.408	15
HALVERSON, JAMES R			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 15, Lot 6, 2003 ANNE			
C03377	\$3,249.68	4.408	15
CRIBB, EDMUND & JOAN D			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 15, Lot 7, 2003 ANNE			
C03377A	\$3,249.68	4.408	15
BANK OF NEW YORK MELLON, THE			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 15, Lot 8, 2003 ANNE			
C03377B	\$3,249.68	4.408	15
MCCARTHY, VICTORIA A & MICHAEL J			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 15, Lot 9, 2003 ANNE			
C03377C	\$3,249.68	4.408	15
CLARK, ERNEST E & DOROTHY A			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 15, Lot 10, 2003 ANN			
C03377D	\$3,249.68	4.408	15
FRY, ROBERT M			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 15, Lot 11, 2003 ANN			
C03378	\$3,249.68	4.408	15
BARTHOLOMEW, CRAIG D & DARCY J			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 16, Lot 1, 2003 ANNE			
C03379	\$3,249.68	4.408	15
MANNING, THOMAS G & CHRISTINE M			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 16, Lot 2, 2003 ANNE			
C03380	\$3,249.68	4.408	15
JUDGE, MICHAEL J & ROSEMARY F			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 16, Lot 3, (03)			
C03381	\$3,249.68	4.408	15
O'BRIEN, JOHN M & PEGGY J			
YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 16, Lot 4, 2003 ANNE			

C03381A	\$3,249.68	4.408	15
MCNEA, MELVIN L & MILDRED E YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 16, Lot 5, 2003 ANNE			
C03382	\$3,249.68	4.408	15
BUTLER, HOWARD T YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 16, Lot 6, 2003 ANNE			
C03383	\$3,249.68	4.408	15
MUNDT, REBECCA RUTH YELLOWSTONE CLUB ESTATES 4TH, S30, T01 N, R25 E, BLOCK 16, Lot 7, 2003 ANNE			
C05693	\$3,249.68	4.408	15
LINDELL, SCOTT & JILL YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 1, (2003 ANN			
C05694	\$3,249.68	4.408	15
KING, JACK E & MARY SUSAN YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 2, (2003 ANN			
C05695	\$3,249.68	4.408	15
JOHN W & CAROL L H GREEN TRUST YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 3, (2003 ANN			
C05696	\$3,249.68	4.408	15
CUNNINGHAM, KENNETH W III YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 4, (2003 ANN			
C05697	\$3,249.68	4.408	15
SHIRLEY, CLINT F YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 5, (2003 ANN			
C05698	\$3,249.68	4.408	15
DAWSON, TODD E & MICHELLE D YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 6, (2003 ANN			
C05699	\$3,249.68	4.408	15
MYSSE, ARNE R & VIKKI L YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 7, (2003 ANN			
C05700	\$3,249.68	4.408	15
FRANK, MERLE B & YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 8, (2003 ANN			
C05701	\$3,249.68	4.408	15
HAWKER, JOHN J & GLENDA J YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 9, (2003 ANN			
C05702	\$3,249.68	4.408	15
HELEN R EASTWOOD TRUST YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 10, (2003 AN			
C05703	\$3,249.68	4.408	15
HELLENTHAL, STEVEN R & MARY E YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 11, (2003 AN			
C05704	\$3,249.68	4.408	15
HAHN, ELWOOD B & SHARON A			

YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 12, (2003 AN			
C05705	\$3,249.68	4.408	15
WING, CHERYL S			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 13, (2003 AN			
C05706	\$3,249.68	4.408	15
TONN, BRUCE L			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 14, (2003 AN			
C05707	\$3,249.68	4.408	15
FRANK, HAROLD G & EDITH A			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 15, (2003 AN			
C05708	\$3,249.68	4.408	15
SWAIN, BRIAN K & MARIANNE D			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 16, (2003 AN			
C05709	\$3,249.68	4.408	15
HABECK, CHARLES J			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 17, (2003 AN			
C05710	\$3,249.68	4.408	15
CASSELMAN, JAMES			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 18, (2003 AN			
C05711	\$3,249.68	4.408	15
PUERINGER, ROBERT JOSEPH &			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 19, (2003 AN			
C05712	\$3,249.68	4.408	15
DAINES, DAVID T & MARIBETH W			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 20, (2003 AN			
C05713	\$3,249.68	4.408	15
FERGUSON, KEVIN & STACY			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 21, (2003 AN			
C05714	\$3,249.68	4.408	15
BIGGS, BRIAN & JANET			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 22, (2003 AN			
C05715	\$3,249.68	4.408	15
PIATKOWSKI, JOHN MARK & CARI E			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 23, (2003 AN			
C05716	\$3,249.68	4.408	15
SMITH, CARY L & SUSAN B			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 24, (2003 AN			
C05717	\$3,249.68	4.408	15
NIELSEN, MICHAEL D			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 25, (2003 AN			
C05718	\$3,249.68	4.408	15
LAURA J LACEY REVOCABLE TRUST			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 26, (2003 AN			

C05719	\$3,249.68	4.408	15
HOEFLE, CODY B & KATELYN R YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 27, (2003 AN			
C05720	\$3,249.68	4.408	15
FELDHAKE, PATRICK R & JULIE L YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 28, (2003 AN			
C05721	\$3,249.68	4.408	15
GALLAGHER, MITCHELL E & RITA E YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 29, (2003 AN			
C05722	\$3,249.68	4.408	15
HILDEBRAND, J SCOTT & KOYE K YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 20, Lot 30, (2003 AN			
C05723	\$3,249.68	4.408	15
HEADRICK, DAVID P & SHAY M YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 21, Lot 1, (2003 ANN			
C05724	\$3,249.68	4.408	15
JENKINS, THERESA J YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 21, Lot 2, (2003 ANN			
C05725	\$3,249.68	4.408	15
PURINTON FAMILY TRUST YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 21, Lot 3, (2003 ANN			
C05726	\$3,249.68	4.408	15
HATCH, GEORGE F & AMY A YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 21, Lot 4, (2003 ANN			
C05727	\$3,249.68	4.408	15
LORI A BELL REVOCABLE TRUST YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 21, Lot 5, (2003 ANN			
C05728	\$3,249.68	4.408	15
LAMOTTE, GREGORY & MAY YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 21, Lot 6, (2003 ANN			
C05729	\$3,249.68	4.408	15
FRIDERES, CHRIS & SHANNON YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 21, Lot 7, (2003 ANN			
C05730	\$3,249.68	4.408	15
BOSCHINI, FERNANDO G & PATRICIA R YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 4, (ANNEX 03			
C05731	\$3,249.68	4.408	15
CATLIN, DANIEL A & KRISTY L YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 5, (ANNEX 03			
C05732	\$3,249.68	4.408	15
MACKIN, ROBERT & YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 9, (2003 ANN			
C05733	\$3,249.68	4.408	15
PATRICK, ROBERT S & ROBIN ZYNDA			

YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 10, (2003 AN			
C05734	\$3,249.68	4.408	15
VONHAGEN, RICHARD L & HARRIETT			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 11			
C05735	\$3,249.68	4.408	15
REINEKING, JON K & GLENDA R			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 14, (ANNEX 0			
C05736	\$3,249.68	4.408	15
REINEKING, JON K & GLENDA R			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 15, (2003 AN			
C05737	\$3,249.68	4.408	15
STACEY, CALVIN J & TAMERA M C			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 16, (2003 AN			
C05738	\$3,249.68	4.408	15
O'KEEFE, MICHAEL A & LINDA J			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 17, (2003 AN			
C05739	\$3,249.68	4.408	15
PETRICCIONE, LUKE L & DONNA J			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 18, (2003 AN			
C05740	\$3,249.68	4.408	15
SCHMITT, MICHAEL E & LORI A			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 19, (2003 AN			
C05741	\$3,249.68	4.408	15
BUSH, MICHAEL S			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 27, (2003 AN			
C05742	\$3,249.68	4.408	15
PESTLE, DANIEL S & REBECCA L			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 28, (2003 AN			
C05743	\$3,249.68	4.408	15
ORTT, BRYANT R & MARGARET E			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 29, (2003 AN			
C05744	\$3,249.68	4.408	15
WARREN D BOWMAN TRUST AGREEMENT &			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 36, (2003 AN			
C05745	\$3,249.68	4.408	15
BALLARD, DAVID W & LYNDA M			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 37, (2003 AN			
C05746	\$3,249.68	4.408	15
MICHELOTTI, ROBERT G JR & CONNIE M			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 38, (2003 AN			
C05747	\$3,249.68	4.408	15
HAGSTROM, JOSHUA A			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 22, Lot 39, (2003 AN			

C05748	\$3,249.68	4.408	15
SANDERS, DOUGLAS E & CINDY YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 24, Lot 3, (ANNEX 03			
C05749	\$3,249.68	4.408	15
MARSHALL, ROBERT A & CAROL M YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 1, (2003 ANN			
C05750	\$3,249.68	4.408	15
BOHL, ROSEZELLA YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 2, (2003 ANN			
C05751	\$3,249.68	4.408	15
BATTENSCHLAG, NELSON & LUCINDA M YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 3, (2003 ANN			
C05752	\$3,249.68	4.408	15
DEWEY, DAVID & LISA A YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 4, (2003 ANN			
C05753	\$3,249.68	4.408	15
MULLOWNEY, PATRICK J & IRIS K YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 5, (2003 ANN			
C05754	\$3,249.68	4.408	15
LUCAS, MATTHEW S MAUREEN YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 6, (2003 ANN			
C05755	\$3,249.68	4.408	15
SUTTON, HAROLD & SUSAN YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 7, (2003 ANN			
C05756	\$3,249.68	4.408	15
BOYER, JAMES W & JOANN YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 8A, AMND			
C05758	\$3,249.68	4.408	15
COLE, WILLIAM A & ANNE R YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 9A, LT 9A &			
C05759	\$3,249.68	4.408	15
STARR FAMILY TRUST YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 11, (2003 AN			
C05760	\$3,249.68	4.408	15
NELSON, MICHAEL L & YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 12, (2003 AN			
C05761	\$3,249.68	4.408	15
BC FAMILY TRUST YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 13, (2003 AN			
C05762	\$3,249.68	4.408	15
SELENSKY, RICHARD F & AMY E YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 14, (2003 AN			
C05763	\$3,249.68	4.408	15
PLATH, R RUSSELL & SUSAN L			

YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 15, (2003 AN			
C05764	\$3,249.68	4.408	15
SCHNEIDER, BRANDON			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 16, (2003 AN			
C05765	\$3,249.68	4.408	15
WHISENHUNT, DAVID E & CINDY L			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 17, (2003 AN			
C05766	\$3,249.68	4.408	15
CYNTHIA R WOODS REVOCABLE TRUST			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 18, (2003 AN			
C05767	\$3,249.68	4.408	15
RICHERT, RANDALL J & DEBORAH L			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 19, (2003 AN			
C05768	\$3,249.68	4.408	15
GIBBS, REGINALD L & JULIE A			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 20, (2003 AN			
C05769	\$3,249.68	4.408	15
NOBLE, DUSTIN			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 21, (2003 AN			
C05770	\$3,249.68	4.408	15
BRONSON, GEORGE M & GAIL F			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 22, (2003 AN			
C05771	\$3,249.68	4.408	15
JOHNSON, LLOYD W & DELORES			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 23, (2003 AN			
C05772	\$3,249.68	4.408	15
PETERSON, DALE M & JUDITH G			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 24, (2003 AN			
C05773	\$3,249.68	4.408	15
HOEFLE, CHARLES B & KRISTIN M			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 25, (2003 AN			
C05774	\$3,249.68	4.408	15
HATZELL, ERIC JOSEPH & JAE ANNE			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 26, (2003 AN			
C05775	\$3,249.68	4.408	15
EILEEN A ZINS REVOCABLE TRUST			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 27, (2003 AN			
C05776	\$3,249.68	4.408	15
LAWSON, JACK T			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 28, (2003 AN			
C05777	\$3,249.68	4.408	15
ROGERS, GUY W & JULIE K			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 29, (2003 AN			

C05778	\$3,249.68	4.408	15
REICHERT, TIM & CARRIE M YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 30, (2003 AN			
C05779	\$3,249.68	4.408	15
GAINAN, MICHAEL G & LYNETTE M YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 31, (2003 AN			
C05780	\$3,249.68	4.408	15
GASKIN, KEVIN & LISA A YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 32, (2003 AN			
C05781	\$3,249.68	4.408	15
STEDMAN, DENNIS W & KATHERINE A YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 33, (2003 AN			
C05782	\$3,249.68	4.408	15
SPIELMAN, JAMES P & CAROL V YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 34, (2003 AN			
C05783	\$3,249.68	4.408	15
KHOE, DAVID R & KARI M YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 35, (2003 AN			
C05784	\$3,249.68	4.408	15
RYAN, WILLIAM O & BEVERLY A YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 25, Lot 36, (2003 AN			
C05785	\$3,249.68	4.408	15
WILLIAMSON, BOBBY E & CAROLINE J YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 1, (2003 ANN			
C05786	\$3,249.68	4.408	15
FOLLETT, MICHAEL R & JILL M YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 2, (2003 ANN			
C05787	\$3,249.68	4.408	15
CHRISTENSEN REVOCABLE TRUST YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 3, (2003 ANN			
C05788	\$3,249.68	4.408	15
OLCOTT FAMILY TRUST YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 4, (2003 ANN			
C05789	\$3,249.68	4.408	15
SWEENEY, KEVIN C & MARY E YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 5, (2003 ANN			
C05790	\$3,249.68	4.408	15
LUSSE, ARTHUR W & KATHERINE W YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 6, (2003 ANN			
C05791	\$3,249.68	4.408	15
STINEHAGEN, JAMES & CHRYSTL YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 7, (2003 ANN			
C05792	\$3,249.68	4.408	15
GESUALE, MICHAEL & ROBERTA K			

YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 8, (2003 ANN			
C05793	\$3,249.68	4.408	15
QUARLES, TIMOTHY D			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 9, (2003 ANN			
C05794	\$3,249.68	4.408	15
ERHARDT, EMIL & AUDREY			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 10, (2003 AN			
C05795	\$3,249.68	4.408	15
BOYER, JAMES W & JOANN			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 11, (2003 AN			
C05796	\$3,249.68	4.408	15
EBZERY, THOMAS E & JULIE H			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 12, (2003 AN			
C05797	\$3,249.68	4.408	15
FORSYTH, JAMES W & CHANTELLE			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 13, (2003 AN			
C05798	\$3,249.68	4.408	15
ALWEIS, SHELDON			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 14, (2003 AN			
C05799	\$3,249.68	4.408	15
BLOSSOM, MARK E			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 15, (2003 AN			
C05800	\$3,249.68	4.408	15
EVANS, ALAN R & SHARON F			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 16, (2003 AN			
C05801	\$3,249.68	4.408	15
RILEY, EDWARD J & CASEY J			
YELLOWSTONE CLUB ESTATES 6TH, S30, T01 N, R25 E, BLOCK 26, Lot 17, (2003 AN			
C11621	\$3,249.68	4.408	15
CLAWSON, LINDA SCHERR & JOHN E			
WEDGE WOOD CONDOMINIUM, S30, T01 N, R25 E, UNIT A, 12.5% COMMON AREA INTERE			
C11622	\$3,249.68	4.408	15
STUDER, DEAN P & CONSTANCE TRUSTEES			
WEDGE WOOD CONDOMINIUM, S30, T01 N, R25 E, UNIT B, 12.8% COMMON AREA INTERE			
C11623	\$3,249.68	4.408	15
HOLMES, MAURICE L & MARTHA B			
WEDGE WOOD CONDOMINIUM, S30, T01 N, R25 E, UNIT C, 12.5% COMMON AREA INTERE			
C11624	\$3,249.68	4.408	15
HOYER, PAUL V & FREDRIKKE W			
WEDGE WOOD CONDOMINIUM, S30, T01 N, R25 E, UNIT D, 12.5% COMMON AREA INTERE			
C11625	\$3,249.68	4.408	15
LANGLAS, DAVID C & VIRGINIA N			
WEDGE WOOD CONDOMINIUM, S30, T01 N, R25 E, UNIT E, 12.5% COMMON AREA INTERE			

C11626	\$3,249.68	4.408	15
VANDERLOOS, WILLIAM E & LUCREATIA D			
WEDGE WOOD CONDOMINIUM, S30, T01 N, R25 E, UNIT F, 12.5% COMMON AREA INTERE			
C11627	\$3,249.68	4.408	15
OVERTURF, TERRY F			
WEDGE WOOD CONDOMINIUM, S30, T01 N, R25 E, UNIT G, 12.5% COMMON AREA INTERE			
C11628	\$3,249.68	4.408	15
KAY L HARDY LIVING TRUST			
WEDGE WOOD CONDOMINIUM, S30, T01 N, R25 E, UNIT H, 12.5% COMMON AREA INTERE			
D04629B	\$3,249.68	4.408	15
HUPPERT, FRED T			
S29, T01 N, R25 E, C.O.S. 1197, PARCEL 2B1, AMND TR 2B (03)			
D04645A	\$3,249.68	4.408	15
COOKE, CAROLEE F			
S30, T01 N, R25 E, C.O.S. 836, PARCEL 10A, AMND TR:10			

SECTION 2: DISPOSITION OF COLLECTION. All monies collected from the assessment shall be paid into a special improvement district or project Fund. Assessments become delinquent based on the semi-annual due dates of real property taxes, currently December 1 and June 1 of each year.

SECTION 3: NOTICE AND HEARING. On Monday, September 24, 2012 at 6:30 p.m., or as soon thereafter as the matter was considered on the agenda of the City Council at a regular meeting held in the Council Chambers of the Police Facility, 220 N. 27th St., Billings, Montana, the City Council held a public hearing to hear comments and/or objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice with at least six (6) days separating each publication in a newspaper of general paid circulation with a periodicals mailing permit. The final publication was made at least 10 days prior to the public hearing per MCA 7-12-4177.

SECTION 4: EFFECTIVE DATE. This resolution shall be effective upon adoption.

ADOPTED AND APPROVED this 24th day of September, 2012.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Public Hearing SID 1393 Spread of Assessments

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The initial assessment for SID 1393 (Fritz Subdivision) has been completed by the Finance Division and is ready to spread on the 2012 tax rolls based on the Engineer's estimates. This project is for curb & gutter, storm drain, and necessary street improvements fronting lots along Eldora Lane, Cottonwood Boulevard, Kelly Lane, and Kenneth Street. This project and bond sale have previously been approved by council.

ALTERNATIVES ANALYZED

The Council must hold a public hearing and then may:

- Approve the resolution; or
- Not approve the resolution. If so, the property owners will not be assessed, and the General Fund will be responsible for paying for the improvements.

FINANCIAL IMPACT

The costs associated with SID 1393 are assessed per lot. The net effective interest rate is 4.25 %. Under the State Statute 7-12-4189, the City is required to add ½ of 1% for a total rate of 4.75 %. The ½ of 1% will be used as additional security on bond issues, as stated in the final bond resolution. Interest earnings and prior collections are subtracted from the final construction cost and spread to the appropriate properties. Any remaining fund balances are used to call bonds.

RECOMMENDATION

Staff recommends that a public hearing be held and Council pass the proposed resolution on September 10, 2012.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution SID 1393

Attachment A

RESOLUTION 12 _____

A RESOLUTION LEVYING A SPECIAL ASSESSMENT TAX UPON ALL BENEFITED PROPERTY IN A SPECIAL IMPROVEMENT DISTRICT OR PROJECT KNOWN AS 1393, IN THE CITY OF BILLINGS, MONTANA.

WHEREAS, the City created a special improvement district or project known as 1393 and;

WHEREAS, it is necessary to levy a special assessment tax upon each benefited property in the district or project area to defray the cost and expenses of said district or project; and

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

SECTION 1: LEVY AND ASSESSMENT. That for the purpose of defraying the cost and expense of making improvements in a special improvement district or project known as 1393 of the City of Billings, Montana, there is hereby levied and assessed upon each lot or parcel of land described below, owned by persons respectively indicated, a special assessment tax payable in semi-annual installments with interest. Each lot and parcel assessed and the owner thereof is hereinafter described:

Tax Code /Owner Name /Legal Description	Assessment Amount	Interest Rate	Years Assessed
C00323 MORGAN, LONDON FRITZ SUBD, S23, T01 N, R26 E, BLOCK 1, Lot 3, 2ND AMND BLK 1 & 4	\$8,750.00	4.750	15
C00323A KALLIAS, PHIL J FRITZ SUBD, S23, T01 N, R26 E, BLOCK 1, Lot 4, 2ND AMEND BLKS 1 & 4	\$8,750.00	4.750	15
C00323B DAVIS, ADAM S & STEPHANIE A FRITZ SUBD, S23, T01 N, R26 E, BLOCK 1, Lot 5, 2ND AMEND B:1 & 4	\$8,750.00	4.750	15
C00323C COLE, CORY A & KATRINA M FRITZ SUBD, S23, T01 N, R26 E, BLOCK 1, Lot 6, 2ND AMD BLK 1 & 4	\$8,750.00	4.750	15

C00323D	\$8,750.00	4.750	15
TILLINGER, GERALD L FRITZ SUBD, S23, T01 N, R26 E, BLOCK 1, Lot 7, 2ND AMEND BLKS 1 & 4			
C00323E	\$8,750.00	4.750	15
SINHOLD, PETRA E FRITZ SUBD, S23, T01 N, R26 E, BLOCK 1, Lot 8 - 9, 2ND AMND B:1 & 4			
C00323F	\$8,750.00	4.750	15
DOWNING, TIMOTHY J & TRACY L FRITZ SUBD, S23, T01 N, R26 E, BLOCK 1, Lot 9, 2ND AMND BLK 1 & 4			
C00323G	\$8,750.00	4.750	15
NEPRUD, DUANE A & LaRAE L FRITZ SUBD, S23, T01 N, R26 E, BLOCK 1, Lot 10, 2ND AMEND BLKS 1 & 4			
C00323H	\$8,750.00	4.750	15
MOHLER, MARK E & SUSAN M FRITZ SUBD, S23, T01 N, R26 E, BLOCK 1, Lot 11			
C00324G	\$12,083.33	4.750	15
MAICHEL, ELMER L & SHIRLEY T FRITZ SUBD, S23, T01 N, R26 E, BLOCK 2, Lot 8			
C00324H	\$12,083.33	4.750	15
BENJAMIN, RICHARD C & COLLEEN E FRITZ SUBD, S23, T01 N, R26 E, BLOCK 2, Lot 9			
C00327	\$12,083.34	4.750	15
STONEBRAKER, PATRICK S & ELIZABETH FRITZ SUBD, S23, T01 N, R26 E, BLOCK 3, Lot 1			
C00328	\$8,750.00	4.750	15
DENNIS, EILEEN A FRITZ SUBD, S23, T01 N, R26 E, BLOCK 3, Lot 2			
C00329	\$8,750.00	4.750	15
DINSMORE, CANDACE FRITZ SUBD, S23, T01 N, R26 E, BLOCK 3, Lot 3			
C00331	\$8,750.00	4.750	15
ASKIN, TANYA FRITZ SUBD, S23, T01 N, R26 E, BLOCK 3, Lot 5			
C00332	\$8,750.00	4.750	15
PUDER, GEORGE H III & CARLYNE R FRITZ SUBD, S23, T01 N, R26 E, BLOCK 3, Lot 6			
C00339	\$8,750.00	4.750	15
BUNCH, TERRENCE L JR & FRITZ SUBD, S23, T01 N, R26 E, BLOCK 4, Lot 1, 2ND AMND BLK 1 & 4			
C00339B	\$8,750.00	4.750	15
NANTES, FRANCISCO & TONI G FRITZ SUBD, S23, T01 N, R26 E, BLOCK 4, Lot 3, 2ND AMND BLK 1 & 4			
C00340	\$8,750.00	4.750	15
ALLARD, LYLE W			

FRITZ SUBD, S23, T01 N, R26 E, BLOCK 4, Lot 4, 2ND AMND BLK 1 & 4

C00340A \$8,750.00 4.750 15

ZINDLER, KATIE

FRITZ SUBD, S23, T01 N, R26 E, BLOCK 4, Lot 5, 2ND AMEND BLKS 1 AND 4

SECTION 2: DISPOSITION OF COLLECTION. All monies collected from the assessment shall be paid into a special improvement district or project Fund. Assessments become delinquent based on the semi-annual due dates of real property taxes, currently December 1 and June 1 of each year.

SECTION 3: NOTICE AND HEARING. On Monday, September 24, 2012 at 6:30 p.m., or as soon thereafter as the matter was considered on the agenda of the City Council at a regular meeting held in the Council Chambers of the Police Facility, 220 N. 27th St., Billings, Montana, the City Council held a public hearing to hear comments and/or objections to the adoption of this resolution. The City Clerk published notice of the public hearing twice with at least six (6) days separating each publication in a newspaper of general paid circulation with a periodicals mailing permit. The final publication was made at least 10 days prior to the public hearing per MCA 7-12-4177.

SECTION 4: EFFECTIVE DATE. This resolution shall be effective upon adoption.

ADOPTED AND APPROVED this 24th day of September, 2012.

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Public Hearing & Resolution for Weed Assessments

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The annual weed assessments have been completed by the Finance Division and are ready to be spread on the tax rolls by the attached resolution.

Pursuant to BMCC 25-304, property owners are notified in writing and given seven (7) days from the date of the notice of noncompliance to exterminate or remove the weeds or tall grass. If owners fail to cut the vegetation, the City may cut it and assess the costs to the real property, together with an additional administrative cost of 25% of the cost of removal and a \$25 penalty.

If the charges are not paid within a given time, the costs and penalties constitute a lien on the property and special assessments may be levied. The General Fund initially pays the costs, so the collected assessments reimburse those expenses.

The attached list of properties had weeds removed from them during the growing season, the owners didn't pay the charges and the properties may be assessed to recover the costs, penalty and fee.

ALTERNATIVES ANALYZED

The Council must hold a public hearing and then may:

- Approve the resolution; or
- Not approve the resolution, in which case the property owners will not be assessed, and the General Fund will be responsible for paying for the weed removal.

FINANCIAL IMPACT

The assessments total \$11,979.40 and the payments will reimburse the General Fund.

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and pass the attached assessment resolution.

APPROVED BY CITY ADMINISTRATOR

Attachments

Weed Abatement Resolution

RESOLUTION NO. 12 _____

A RESOLUTION LEVYING A SPECIAL TAX UPON PROPERTY WITHIN THE CITY OF BILLINGS, MONTANA, TO DEFRAY THE COST OF CUTTING AND/OR EXTERMINATING WEEDS.

WHEREAS, Billings, Montana City Code, Section 25-307, provides that the City Clerk shall prepare and present a resolution containing a list of all parcels of land in the City, from which and adjacent to which, the weeds were cut, exterminated and/or removed, and such list shall contain opposite the number of such lots or description of such parcels of land, the name of the owner, if known, and the amount of cost for cutting and removing such weeds.

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

1. LEVYING OF SPECIAL TAX. That for the purpose of collecting funds to defray the cost of cutting and removing of weeds, there is hereby levied and assessed a special tax upon the owners and the lots or parcels described on the list attached hereto.
2. ASSESSMENT AND COLLECTION. Said tax shall be placed upon the assessment rolls and collected in the same manner as other taxes.
3. DISPOSITION OF COLLECTIONS. All monies collected from taxes shall be paid to the General Fund of the City of Billings.
4. NOTICE OF HEARING. On **Monday , September 24th , 2012**, at 6:30 o'clock p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council will hear objections to the final adoption of this resolution. The City Clerk published notice hereof twice, on September 13th and September 20th, 2012 in the Billings Times.
5. EFFECTIVE DATE. This resolution shall be effective upon adoption.

ADOPTED and APPROVED by the City Council on the **24th** day of **September, 2012**

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, MAYOR

ATTEST:

BY: _____
Cari Martin, CITY CLERK

<u>Property Owner</u>	<u>Address</u>	<u>Tax ID#</u>	<u>Balance Due</u>
Donald Jones	609 1st St W	A15715	\$ 233.75
Lusicha Gorman	22 7 th St West	A04397	\$ 233.75
Arthur W. Jackson III	702 25 th St West	A10306	\$ 290.00
Arthur W. Jackson III	702 25 th St West	A10306	\$ 290.00
Branda M. Frigon	129 Broadwater	A17909	\$ 205.63
Kenmark Corporation	5849 Foxtail Loop N	C14872D	\$ 290.00
Jon K. Reineking	1475 S 32 nd St	A33294	\$ 402.50
Ivan Arne	723 S 33 rd St	A01673	\$ 290.00
Robert G. Walker	3150 Fairmeadow Dr	A23667	\$ 149.38
Weber Investment Group	3416 6 th Ave S	A01624	\$ 290.00
Levern D. Seal	24 S 29 th St	A00001	\$ 177.50
Raymond Weber Unified Credit Trust	3010 Boulder Ave	A18637	\$ 290.00
Marvin K. Mauch	113 Jackson St	A14693	\$ 346.25
Leslie Kraft	2223 Alderson Ave	A02389	\$ 177.50
Georgia Lea Kuntz	630 Highland Park	A08992	\$ 290.00
Mark Hastings	1205 8 th St West	A15564	\$ 177.50
James & April Hickman	824 Wyoming Ave	A05484	\$ 233.75
Todd Benson	536 Broadwater Ave	A18868	\$ 233.75
Galt Acquisitions & Holdings, LLP	4819 Midland Rd	A30490	\$ 290.00
Don Bosco Louis	1732 Avenue D	A09773	\$ 233.75
Cathy Renee Bradley	2301 Lampman Dr	C01733	\$ 149.38
South Billings Center LLC	King Avenue East	A34234	\$ 177.50
South Billings Center LLC	Unassigned	A34215	\$ 177.50
South Billings Center LLC	King Avenue East	A34235	\$ 177.50
South Billings Center LLC	King Avenue East	A34236	\$ 177.50
South Billings Center LLC	King Avenue East	A34237	\$ 177.50
South Billings Center LLC	King Avenue East	A34238	\$ 177.50
South Billings Center LLC	Unassigned	A34239	\$ 177.50
South Billings Center LLC	Unassigned	A34240	\$ 177.50
South Billings Center LLC	Unassigned	A34241	\$ 177.50
South Billings Center LLC	Unassigned	A34242	\$ 177.50
Thomas J. Mason	816 Parkhill Dr	A16047	\$ 177.50
Kenneth B. Middleton	847 Governors Blvd	A19971	\$ 177.50
Bradley K. Redlich	1015 McKenney Rd	A13918C	\$ 290.00
Kevin R. Ranes	119 Adams St	A14761A	\$ 121.25
Montana Board of Housing BTS, Inc., dba Classic Design Homes	735 Terry Ave 3012 Western Bluffs Blvd	A18930A A33997	\$ 346.25 \$ 149.38
Judy L. Eames	4304 Stone St	A12509	\$ 290.00
Shawna R. Rogers	441 Blossom Place	C09651	\$ 290.00

Cassandra Walks Over Ice	2976 Monad Rd	C07886	\$ 290.00
Cal Nathan Kunkel	5900 Foxtail Loop	A34396	\$ 114.69
Cal Nathan Kunkel	5901 Foxtail Loop	A34306	\$ 114.69
Cal Nathan Kunkel	5903 Foxtail Loop	A34305	\$ 114.69
Cal Nathan Kunkel	5907 Foxtail Loop	A34314	\$ 114.68
James & Betty Crittenden	215 Miles Ave	A15902	\$ 177.50
Jovanovich Enterprises, LLC	5516 Laurel Rd	A31687	\$ 430.63
Elaine Hanson	727 Mattson Lane	C12049	\$ 177.50
Joseph Schillinger	115 N 22 nd St	A00572	\$ 515.00
Douglas G & Susan M Kirby	4325 Rio Vista Dr	A28427	\$ 515.00

TOTAL TO BE
ASSESSED

\$ 11,455.65

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Public Hearing and Resolution for Abatement Assessments

PRESENTED BY: Patrick M. Weber Finance Director

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The emergency abatement assessment resolution has been completed by the Finance Division and is ready to be spread on the tax rolls. The following are the three properties which have abatement fees assessed:

4209 Audobon Way \$ 1,250.74 Court ordered abatement signed by Judge on 11/10/11, complaint originated on 8/10/11. Violations included open storage of junk & debris and off-street parking of an inoperable vehicle.

3915 Pine Cove \$ 405.84 Court ordered abatement signed by Judge on 2/16/12, complaint originated on 10/17/11. Violations included open storage of junk & debris and off-street parking of an inoperable vehicle.

916 N. 19th Street \$ 955.94 Court ordered abatement signed by Judge on 2/16/12, complaint originated on 3/30/11. Violations included open storage of junk & debris and off-street parking of an inoperable vehicle and parking on the front/side yard.

Emergency Abatement - Pursuant to BMCC 18-306, 18-308 Whenever a public nuisance exists which constitutes an emergency presenting imminent danger of serious injury to persons or property. Nonpayment of fees associated with the emergency abatement shall constitute a lien on the non complying real property and will be taxed as a special assessment against the real property.

ALTERNATIVES ANALYZED

The Council must hold a public hearing and then may:

- Approve the resolution; or
- Not approve the resolution, in which case the property owners will not be assessed, and the General Fund will be responsible for paying for the abatement.

FINANCIAL IMPACT

The assessments total \$ 2,612.52 and the payments will reimburse the General Fund. The following are the three properties to be assessed:

4209 Audobon Way \$ 1,250.74

3915 Pine Cove \$ 405.84

916 N. 19th Street \$ 955.94

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and pass the attached assessment resolution.

APPROVED BY CITY ADMINISTRATOR

Attachments

Abatement Resolution

RESOLUTION NO. 12 _____

A RESOLUTION LEVYING A SPECIAL TAX UPON PROPERTY WITHIN
THE CITY OF BILLINGS, MONTANA, TO DEFRAY THE COST OF
ABATEMENT OF DANGEROUS BUILDINGS.

WHEREAS, Billings, Montana City Code, Section 18-301, et seq. sets forth the procedures to be followed (a) to designate property within the City of Billings as a nuisance, and (b) to abate such a nuisance when it constitutes an emergency.

WHEREAS, Section 18-308 provides that the property owner will be sent an abatement expense report for the subject property and will be given notice that any assessment that is not paid shall become a lien upon the property and is enforceable in the same manner as the nonpayment of property taxes. The owner of the property described on Exhibit A has been sent an assessment notice for abatement expenses incurred pursuant to Section 18-301, et seq., but the property owner has not reimbursed the City for its expenses set forth in the report or any part thereof. Further, City policy dictates that the City Clerk shall prepare and present a Resolution containing a list of the properties to be assessed, the recorded owners, and the amount of the cost for abatement and demolition.

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

1. LEVYING OF SPECIAL TAX. That for the purpose of collecting funds to defray the cost of abatement and demolition of dangerous structures, there is hereby levied and assessed a special tax upon the owners and the lots or parcels described on the list attached hereto.

2. ASSESSMENT AND COLLECTION. Said tax shall be placed upon the assessment rolls and collected in the same manner as other taxes.

3. DISPOSITION OF COLLECTIONS. Pursuant to Section 18-308(7)(g) BMCC, monies collected from taxes shall be paid into a special abatement fund established to account for costs, collections, and transactions necessary to the efficient operation of the Nuisance Abatement program. Assessment funds collected will be returned to the designated abatement account for future use on other involuntary property abatements or for transfer back to the city general fund.

4. NOTICE OF HEARING. On Monday, **September 24, 2012**, at 6:30 o'clock p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana,

the City Council will hear objections to the final adoption of this resolution. The City Clerk published notice hereof twice, on September 13th and September 20th, 2012 in the Billings Times.

5. EFFECTIVE DATE. This resolution shall be effective upon adoption.

ADOPTED and APPROVED by the City Council on the **24th** day of **September, 2012**

CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, MAYOR

ATTEST:

BY: _____
Cari Martin, CITY CLERK

Exhibit A

Last Name	First Name	Address	Tax Code	Assessed Amount
Bohl	Carol	4209 Audubon Way	C09130	\$1,250.74
Legal Description: Lillis Heights Subd, S28, T01 N, R25 E, Block 15, Lot 10				
Hamer	James	3915 Pine Cove Rd	C03148B	\$405.84
Legal Description: Palisades Park Subd 2 nd Filing, S28, T01 N, R25 E, Block 5, Lot 8				
Kindsfather	Cy Jens	916 N 19 th St	D05805	\$955.94
Legal Description: Burnstead Subd, S33, T01 N, R26 E, Lot 14, S 57.5FT				

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Public Hearing for the FY2011-2012 Draft Comprehensive Annual Performance Evaluation Report (CAPER) Community Development Block Grant (CDBG) and HOME

PRESENTED BY: Brenda Beckett

Department: Planning & Community Services

Information

PROBLEM/ISSUE STATEMENT

Each year the City of Billings is required to report on the results of its federally funded CDBG and HOME programs and submit a report to HUD within 90 days of the end of the program year, June 30, 2012. As part of this report process, the City of Billings must make the report available for public comment for a minimum 15-day period and hold a public hearing on this performance during this period. The public hearing will be undertaken in conjunction with the public review and comment period extending from September 7 through September 24, 2012. A notice of the availability of the draft report has been published and provided to community partners. No further action is required.

ALTERNATIVES ANALYZED

Alternatives to the public hearing, which is required for receipt of federal CDBG and HOME funds, have not been considered.

FINANCIAL IMPACT

The Annual Performance Report reports on the City's progress in achieving the goals of its Five Year Consolidated Plan. The period covered by this year's report represents progress under the City's one-year Action Plan for fiscal year 2011-2012. The City received \$646,256 in new federal CDBG funding and \$473,640 in new HOME funding for FY2011-2012 activities.

RECOMMENDATION

Staff recommends that Council hold a public hearing on September 24, 2012 to receive input on the City's Draft Comprehensive Annual Performance Evaluation Report. No further action is required.

APPROVED BY CITY ADMINISTRATOR

Attachments

Draft CAPER Excerpt

SF272 CDBG

SF272 HOME

SF272 CDBG-R

FY2011-2012 Year Two

*of the FY2010-2014
Consolidated Plan*

City of Billings Comprehensive Annual Performance Evaluation Report



Community Development Division
PO Box 1178
Billings, Montana 59103

DUNS #194782780

www.ci.billings.mt.us

406.657.8281

Montana Relay: 711

SECTION I - Executive Summary

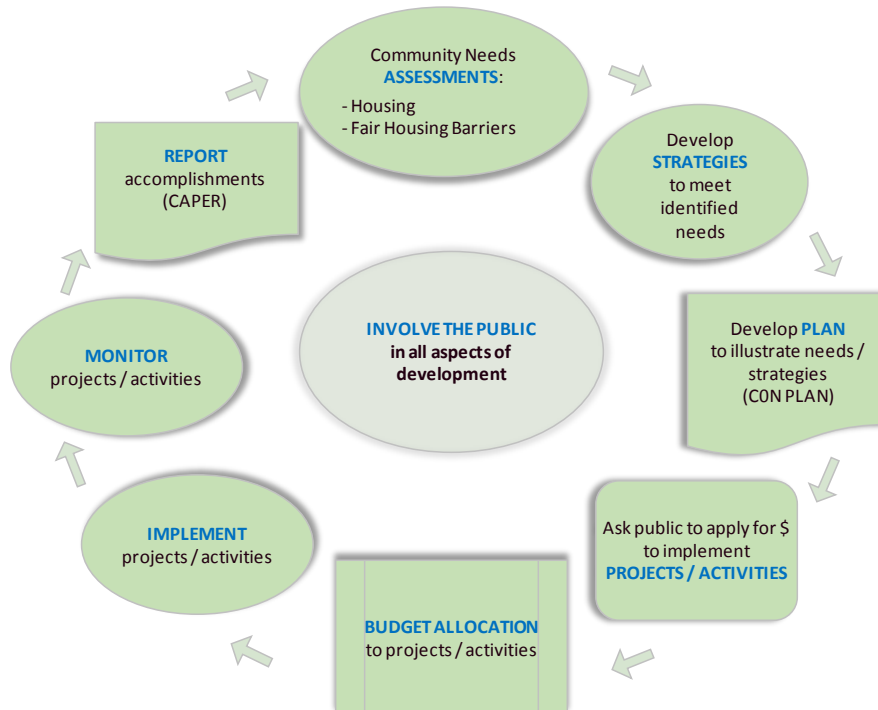
Introduction

Presented herein is the City of Billings FY 2011-2012 Comprehensive Annual Performance and Evaluation Report (CAPER) for the City's federally funded Community Development Block Grant (CDBG) and HOME Investment Partnership Programs (HOME). The FY 2011-2012 CAPER covers the period from July 1 to June 30 and reports on the City of Billings' progress in meeting the goals established in the [FY 2010-2014 Consolidated Plan](#) and the [City's Annual Action Plan](#). Reports utilized to develop the City's Consolidated Plan are also online, including the [Billings Housing Needs Assessment](#) and the [Analysis of Impediments to Fair Housing Choice](#). The City's general website address is www.ci.billings.mt.us.

The City's Consolidated Plan is a strategic planning document that identifies housing and community development needs and proposes strategies to address those needs with available resources. The Consolidated Plan initiative of the U.S. Department of Housing & Urban Development (HUD) combines the planning, application and reporting requirements of CDBG and HOME programs. Consolidated Plans and CAPERs are also submitted by the cities of Great Falls and Missoula and by the State of Montana. The State's Plan covers areas of Montana, outside Billings, Great Falls, and Missoula.

CDBG and HOME programs covered by the Consolidated Plan must primarily benefit low income persons and are intended nationally to provide decent housing, a suitable living environment, and expand economic opportunities for lower-income individuals. The needs and strategies described in the City's Consolidated Plan outline a specific course of action for the community's housing and community development activities. The City's plan sets forth goals and objectives that are used to measure progress in achieving the strategies described in the plan. The CAPER provides a report on the City's progress in meeting established goals and objectives.

Consolidated Planning Process



The consolidation of the submission and reporting requirements for the CDBG and HOME programs allows the City of Billings to report on its various housing and community development activities in an effective and coordinated manner. It also reduces the duplication of effort for planning and reporting for these programs and affords the opportunity for citizen participation on the CDBG and HOME programs to take place in a comprehensive context.

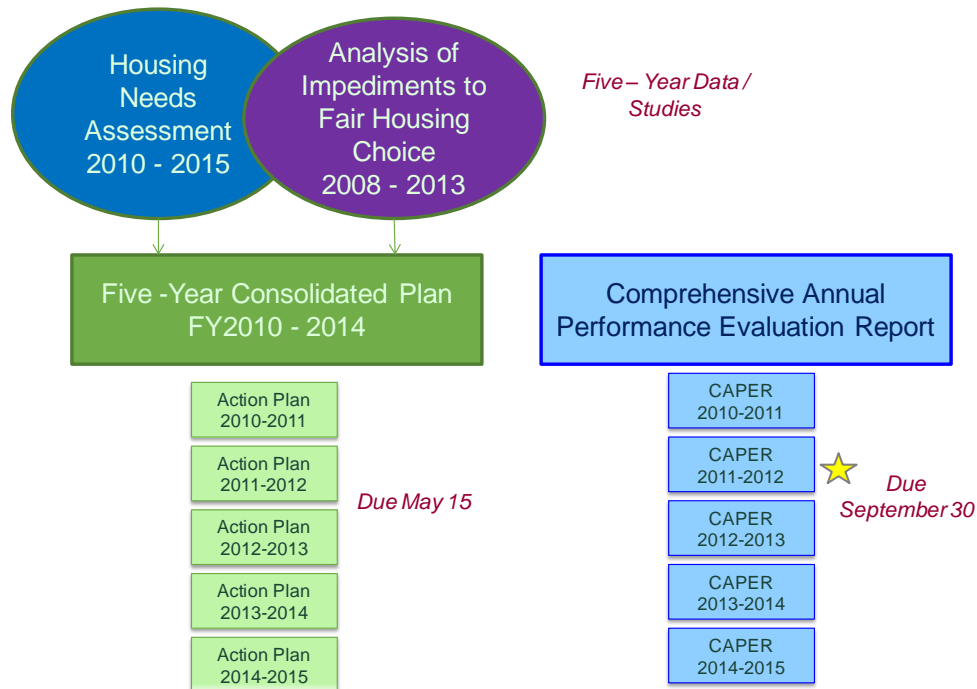
The structure and content of the Consolidated Plan and this CAPER are based on specific HUD requirements. Many terms used in this document are specific to the CAPER process and HUD programs, and the reader may consult the City of Billings Community Development office for assistance with interpretation. Although the Consolidated Plan initiative also covers the Emergency Shelter Grant program (ESG) and Housing Opportunities for Persons with AIDS program (HOPWA), the City of Billings is not an Entitlement City or Participating Jurisdiction for these programs and, as such, strategies for these programs are not included in the City’s Consolidated Plan or CAPER.

Summary of FY 2010-2014 Consolidated Plan

The Billings City Council approved the FY 2010-2014 Consolidated Plan on April 26, 2010. The development process included the completion of the *Billings Housing Needs Assessment* completed by City-County Planning Division and an *Analysis of Impediments to Fair Housing Choice* completed by Montana State University - Billings.

Significant Aspects of the Process

The City utilizes significant public comment processes and coordinates input from various organizations and groups in order to maximize collaborative efforts while developing and implementing the Consolidated Plan. Both the *Housing Needs Assessment* and the *Analysis of Impediments to Fair Housing Choice* are utilized by City staff as **primary planning tools** for the development and implementation of Consolidated Plan activities.



Consolidated Plan Strategies

The following strategies were adopted by the City in its five-year Consolidated Plan to address Billings' housing and community development needs based on needs identified in the *Housing Needs Assessment and Analysis of Impediments to Fair Housing Choice*.

Strategy A. Promote the preservation of the existing supply of safe, affordable housing in the community:

- Provide direct, affordable financing and assistance to allow low and moderate-income homeowners to perform needed repairs to their homes.
 - Substantial housing rehabilitation for homeowner occupied, single-family units through the City's Housing Rehabilitation Program.
 - Emergency repairs and improvements to single-family and manufactured / mobile-home units through the City's Minor Home Repair program.
 - Provide lead-safe painting program for owner-occupied single-family and manufactured / mobile homes through the City's Painting Program.
- Provide affordable financing and assistance through partnerships to encourage developers and agencies to make needed repairs to existing housing stock for accessibility, safety and affordability, particularly for special needs populations.
 - Wheelchair and accessibility ramps for the disabled.
 - Rehabilitation for single and multi-family units serving special needs populations, including the homeless, the elderly and the disabled.

Strategy B. Promote new affordable housing opportunities:

- Encourage the development of new affordable single-family, multi-family, and special needs housing in the community through private developers and nonprofit organizations.
 - New construction and rehabilitation of housing units through the City's Affordable Housing Development Program.
 - Complete Kings Green Subdivision single-family development.
 - Support the efforts of the Housing Authority of Billings to increase and maintain the affordable housing stock in the community through the implementation of their five year plan.
 - Meet Community Housing Development Organization commitment and expenditure deadlines, as required by the HOME program.
- Providing affordable financing and support to increase access to homeownership and further homeownership opportunities.
 - Facilitate access to homeownership through the City's First Time Homebuyer Program.
 - Facilitate affordable financing through the use of the Montana Board of Housing mortgage program.
 - Encourage homeowner education throughout the community and specifically for participants of the First Time Homebuyer Program.
 - Support the efforts of the Billings Partners for American Indian Homeownership to increase homeownership opportunities for American Indians in Billings.

Strategy C. Work as an active partner with nonprofits, neighborhood groups, and others to address housing and community development specific to lower income and special needs households:

- Support partnerships and regular meetings to facilitate community participation and collaboration.
 - Provide staff support and facilitation for the following focus / community needs groups:
 - Affordable Housing Task Force.
 - Adjacent Neighborhood Committee.
 - Billings Partners for American Indian Homeownership.
 - Complete the *Analysis of Impediments to Fair Housing Choice* by December 2013 to implement activities for 2014-2019.
- Support task force newsletters and further capacity-building for self-sustainability.
- Encourage activities that promote fair housing and increase awareness of the rights of protected classes.
 - Continue to support organizations with an interest in fair housing in applying for the Fair Housing Initiatives Program grant and facilitate the application if necessary to ensure an application is submitted to HUD annually on behalf of the citizens of Billings.
- Encourage housing, community development organizations, social service agencies and businesses to work together to build strong community structures to better address needs and to respond to opportunities.
 - Provide staff support and facilitation for the Mayor’s Committee on Homelessness.
 - Assist in the implementation of Welcome Home Billings, the City’s ten-year plan to impact homelessness.

Strategy D. Promote the preservation and revitalization of the community’s older neighborhoods:

- Preserve the housing stock in older lower income neighborhoods.
- Encourage infill development of vacant lots and redevelopment of substandard properties in lower income neighborhoods:
 - Provide financing through the Affordable Housing Development Program.
 - Promote the redevelopment of the 27th Street Corridor for remaining properties purchased through the CDBG and Tax Increment District programs.
 - Support activities that provide amenities, neighborhood stabilization and maintain infrastructure needs of older lower income neighborhoods.

Strategy E. Provide assistance to agencies serving lower income households and special needs populations to assist the homeless, the elderly, and those with disabilities.

- Provide CDBG Public Service funding to nonprofit organizations to provide basic needs assistance, job training and employment opportunities.
 - Provide CDBG Public Service funding allocation for basic needs assistance and supportive services.

Major Initiatives & Highlights

The City made significant strides in meeting the needs established through the Consolidated Plan through various strategies identified below.

Strategies	FY2011-2012 Accomplishments
A: Promote the preservation of the existing supply of safe, affordable housing in the community.	43 units were rehabilitated through City-supported programs.
	Of these units, 22 received energy-efficiency improvements.
	16 units resulted in accessibility improvements for the disabled.
B: Promote new affordable housing opportunities.	21 households achieved home ownership through the City's First Time Homebuyer program.
	The City has assisted a total of 545 households achieve homeownership since the mid-1990s.
	193 households received pre-purchase homebuyer education.
C: Active partnerships with non-profits, neighborhood groups and others to address housing and community development specific to lower income and special needs households.	<p>City staff facilitated the following partnerships:</p> <ul style="list-style-type: none"> - Affordable Housing Task Force - Adjacent Neighborhood Committee (<i>moved to Planning Division this year</i>) - Billings Partners for American Indian Homeownership - Neighborhood Task Forces (<i>moved to Planning Division this year</i>) - Mayor's Committee on Homelessness
	7 AmeriCorps*VISTA members were placed in Billings to support poverty / homelessness impact initiatives in addition to 12 Summer Associate members. A total of 43 members have been placed in Billings since 2007 and total project financial impact is valued at \$2.2 million.
D: Promote the preservation and revitalization of the community's older neighborhoods.	A community garden was established in a low income area in the Billings Heights; <i>Whitetail Run Community Garden</i> .
E: Provide assistance to agencies serving lower income and special needs populations, particularly the homeless, the elderly, minorities and those with disabilities.	A total of 2 organizations were funded through Public Service Activities.
	1,500 individuals were served through Public Service activities this year, including reports from three-year grantees.

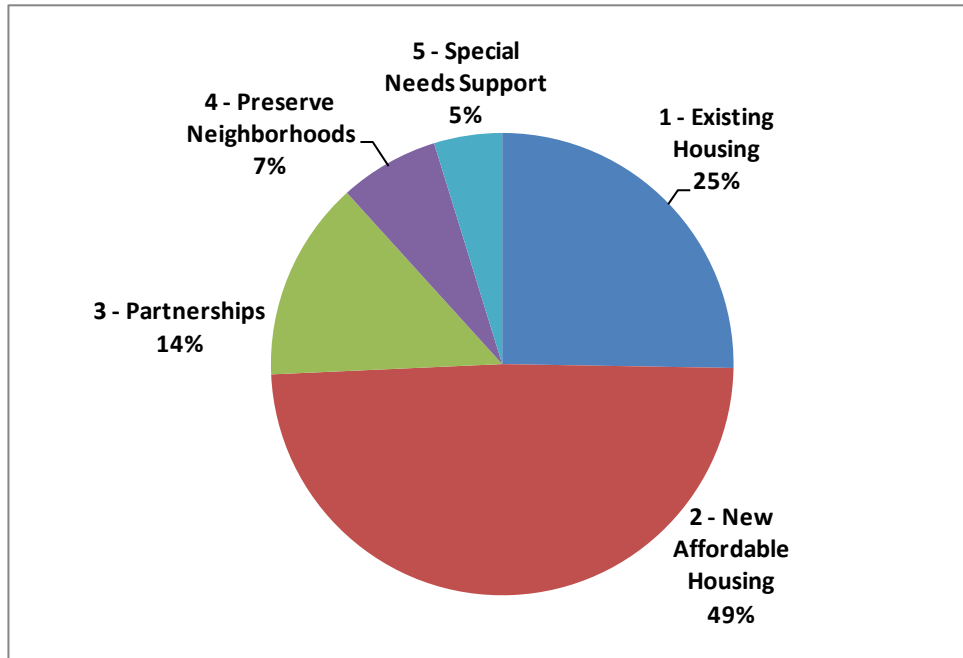
SECTION II - Funding Resources & Distribution Summary

CDBG & HOME Funding, Expenditure Limits

The Community Development Division received funding from CDBG and HOME based on Federal formula grants as an entitlement. All funding has been committed and City staff has drawn \$### for eligible expenditures for activities conducted within the City of Billings limits.

Source		Amount	Committed	Expended in FY2011-2012*
CDBG	New Entitlement	\$646,256	100%	\$791,986
	Program Income	\$72,025		
	Reprogrammed Funding	\$12,063		
	TOTAL BUDGET:	\$730,344		
HOME	New Entitlement	\$473,640	100%	\$594,400
	Program Income	\$0		
	Recaptured / Repayment	\$162,211		
	TOTAL BUDGET:	\$635,851		
CDBG-R	Formula Grant of \$190,430 in FY2008-2009		100%	\$9,246
<i>Totals include amounts spent during the current fiscal year, including expenditures from previous years' allocations.</i>				

Funding Commitments for CDBG and HOME by Consolidated Plan Strategy



CDBG & HOME Administration / Public Service Allocations

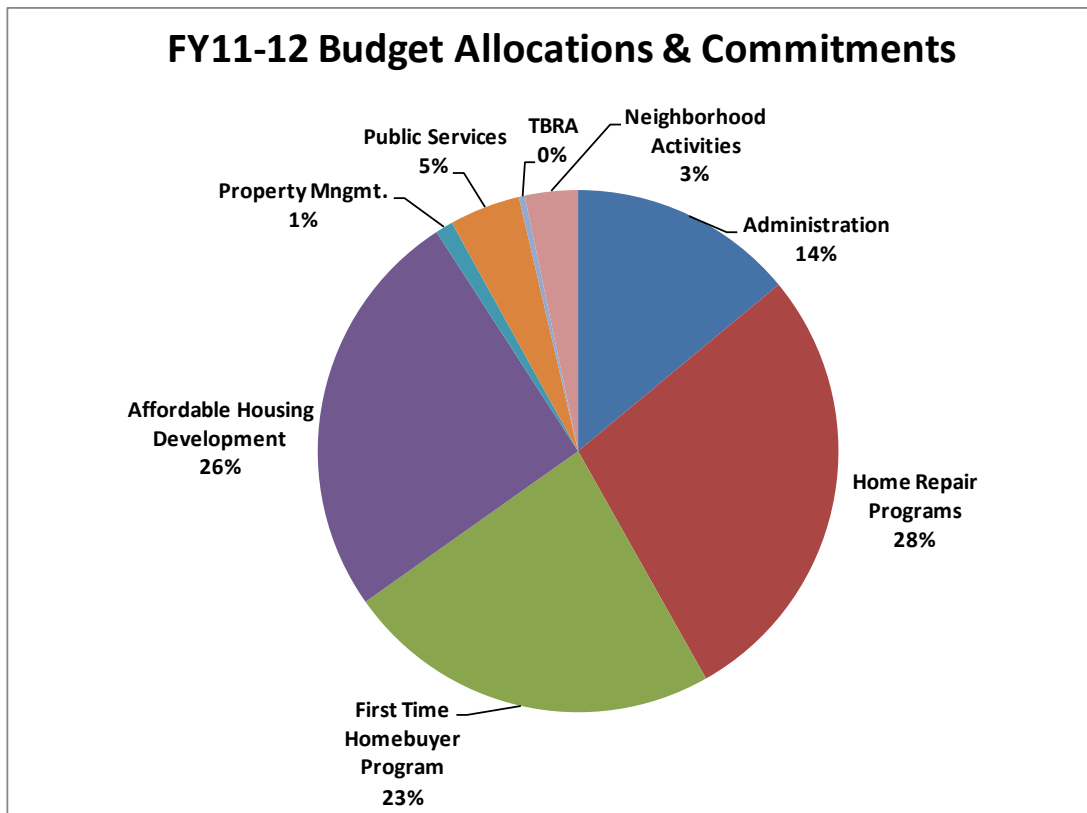
CDBG administration and planning activities were budgeted at \$143,656 which is 20% of the new CDBG allocation (\$646,256) in addition to eligible program income left over from the previous year and including income from the current year (\$72,025). The proposed budget also includes \$12,063 in projects which were cancelled or completed and reimbursements from the Minor Home Repair and Special Assessment Grant programs, which cannot be included in administration cost calculations. One hundred percent of available funding will be targeted to benefit the low to moderate income households.

HOME administration activities were budgeted \$47,364 which includes 10% of new HOME revenue (\$473,640). As First Time Homebuyer funding returned to the City prior to the affordability period expiring is considered “recaptured” funding, no additional “program income” has been received and considered eligible for additional administration expenses.

The amount of funding allocated to CDBG Public Service Activities was \$60,000. This amount is well below the maximum allowable allocation of 15% prior year income (15% of \$112,240 is \$16,836) and the new CDBG allocation (15% of \$646,256 is \$96,938), totaling \$113,774. No additional reprogrammed funding was available from Public Service prior year commitments.

CDBG & HOME Program Allocations

The majority of funding received from CDBG and HOME was allocated home repair programs, including activities such as Housing Rehabilitation loans and Minor Home Repair grants. The First Time Homebuyer program was also highly funded for down payment and closing cost assistance. The Affordable Housing Development program allocation supported site improvements for the final phase of the Kings Green project.





PROJECT SUMMARIES

Housing and Neighborhood Activities

FY2011-2012 Consolidated Plan

#	Organization Name	Project Name	Award Amount
HN-01	City of Billings	CDBG Administration	\$143,656
<p><i>General CDBG administration expenditures and salary and benefits for Community Development Block Grant (CDBG) Program. CDBG resources also provide the resources for administration of other grants related to community development received by the City.</i></p>			
HN-02	City of Billings	HOME Administration	\$47,364
<p><i>General HOME administration expenditures and salary and benefits for the HOME Program Coordinator.</i></p>			
HN-04	City of Billings	Affordable Housing Development - HOME	\$350,000
<p><i>The Affordable Housing Development program provides grants or deferred loans as gap financing to developers for affordable housing projects. These projects can range from multi-family apartments to single-family developments.</i></p>			
HN-06	City of Billings	First Time Homebuyer Program - HOME	\$233,087
<p><i>Assists low to moderate income first time home buyers with down payment and closing costs. Assistance is based on household size and income.</i></p>			
HN-06	City of Billings	First Time Homebuyer Program - CDBG	\$86,285
<p><i>Assists low to moderate income first time home buyers with down payment and closing costs. Assistance is based on household size and income.</i></p>			
HN-07	City of Billings	Minor Home Repair Program	\$30,000
<p><i>The City of Billings offers a Minor Home Repair Program for low and very low income homeowners. This program is intended to revitalize established neighborhoods and preserve the existing affordable housing stock through the completion of emergency repairs to stick built homes and essential repairs to mobile/ manufactured housing.</i></p>			
HN-08	City of Billings	Housing Rehabilitation	\$300,000
<p><i>Housing rehabilitation assistance is available to low and moderate income homeowners and staff costs to implement the program. This program is intended to revitalize established neighborhoods and improve the City's affordable housing stock by providing financing options to eligible homeowners. The Low Interest Loans provide an affordable home improvement financing. options for homeowners who are at or below 80% of the area median income. The Deferred Loans are intended for very low-to-low income applicants (below 60% of the area median income).</i></p>			
HN-10	City of Billings	Property Management	\$15,000
<p><i>Funds will be used to pay existing SIDs and maintain weeds and snow on property previously acquired through the CDBG Program. These properties are primarily located along South 27th Street, the Kings Green Subdivision and the Neighborhood Stabilization Program for property management.</i></p>			
HN-11	City of Billings	Special Assessment Grants Program	\$35,000
<p><i>Funds will be used to provide grant funds to lower income households impacted by Special Improvement District assessments for public improvements in lower income areas, such as curb, gutter & sidewalk projects. As Special Improvement Districts are formed and assessed to property taxes, these funds are utilized to pay off SIDs for lower income residents.</i></p>			

#	Organization Name	Project Name	Award Amount
HN-12	Housing Authority of Billings	Section 8 Deposit Assistance	\$5,000
<i>Deposit assistance for housing assistance program participants served by the Housing Authority of Billings.</i>			
HN-13	Rebuilding Together Yellowstone County	Rebuilding Together - 2011 Projects	\$10,000
<i>Funds will be used to assist up to 5 low to moderate income homeowners with home repairs such as weatherization and replacement of furnaces.</i>			
HN-14	Adult Resource Alliance	Minor Home Repair	\$5,000
<i>The Minor Home Repair Program provides low-cost safety-related repairs (e.g. electrical, plumbing, carpentry and disability access) to low-income elderly homeowners.</i>			
HN-15	Housing Authority of Billings	Whitetail Sq. Park / Community Garden	\$45,000
<i>CDBG funds will assist with the specific park / community gardens for the Whitetail Run Subdivision and will be used for the construction of the actual park and community garden elements.</i>			
Total Awards:			\$1,305,392



PROJECT SUMMARIES

Public Service Activities

FY2011-2012 Consolidated Plan

#	Organization Name	Project Name	Award Amount
PS-2	Southside Senior Center	Kitchen Equipment	\$30,000
<i>Funding would be used to purchase equipment for the Southside Senior Center kitchen. The Southside Senior Center is a community center for seniors, families and other organizations. The facility has a congregate meal program and senior activities daily. The non-profit organization is run by a board and is responsible for the upkeep and maintenance of the facility. The Council on Aging used the site for the Meals-On-Wheels Program while they were transitioning into their new kitchen. A larger kitchen would accommodate seniors, as well as other activities, for the center.</i>			
PS-3	Tumbleweed Runaway Program, Inc.	Services for Runaway/Homeless Youth	\$30,000
<i>Funds will be used to provide direct services to homeless, runaway and street youths as well as you at high risk of becoming homeless and/or runaway.</i>			
Total Awards:			\$60,000

Funding Status of CDBG & HOME Accounts

Fiscal Year	CDBG	As of June 30, 2012
2009-2010	Special Assessment Grants	14,331
	Property Management	4,456
	Neighborhood Stabilization	14,775
2010-2011	Special Assessment Grants	35,000
	Senior Helping Hands	9,962
	Family Service, Inc.	21,795
	Property Management	19,800
	Living Independently for Today & Tomorrow	1,250
	Minor Home Repair Program	98
	Community Housing Resource Board	8,338
	Professional Services	13,299
	Interfaith Hospitality Network	7,526
	Easter Seals PLAY Program	6,630
2011-2012	Special Assessment Grants	35,000
	Alliance Minor Home Repair	3,410
	Property Management	15,000
	Housing Rehabilitation Program	21,437
	Rebuilding Together	5,268
	CDBG First Time Homebuyer	8,199
	Tumbleweed Runaway Program	19,674
Fiscal Year	HOME	As of June 30, 2012
2010-2011	Homeward Pre Development Loan	24,975
	Homeward Project	433,975
	First Time Homebuyer Program	5,428
2011-2012	HAB Section 8 Deposit Assistance	1,852
	Kings Green Phase IV	67,789
	First Time Homebuyer Program	25,414

CDBG & HOME Program Income

Program income received during the most recent completed fiscal year over the estimated amounts budgeted in January for the upcoming year will be included as revenue in the next fiscal year. Revenue received for the completed FY 2011-2012 include:

CDBG	
Miscellaneous Revenue (<i>Account 70-16</i>)	\$0
Homebuyer Loan Principal (<i>297 70-22</i>)	\$10,000
Housing Rehab Repayment (<i>296/297 71-20</i>)	\$110,143
Minor Home Repair Repayment (<i>71-22</i>)	\$10,210
Special Assessment Repayment (<i>71-23</i>)	\$0
Loan Interest (<i>276 63-20</i>)	\$5
Interest on Deferred Loans (<i>276/296/297 63-25</i>)	\$78
TOTAL FY 2011-2012 CDBG Program Income	\$199,292
HOME	
First Time Homebuyer Recaptured Funds (<i>71-26</i>)	\$211,979
Repayment Income (<i>71-25</i>)	\$6,500
Repayments (<i>70-24</i>)	\$1,500
TOTAL FY 2011-2012 HOME Program Income	\$219,979

Neighborhood Stabilization Program

The Billings City Council approved a Substantial Amendment to the City of Billings' Annual Action Plan for FY2008-2009 on January 26, 2009 to utilize funds provided under the Housing and Economic Recovery Act of 2008 (HERA) (Pub. L. 110-289, 122 Stat. 2654, enacted July 30, 2008) through the HUD Neighborhood Stabilization Program (NSP). The geographic area covered in the Action Plan and amendment is the City of Billings municipal boundaries, with priority emphasis on areas with a high foreclosure risk in low income task force areas.

The NSP provides \$19.6 million in CDBG funds to the Montana Department of Commerce (MDOC) to acquire and redevelop foreclosed properties that might otherwise become sources of abandonment and blight within communities. In addition, the funds can be used to purchase foreclosed or abandoned homes and to rehabilitate, resell, or redevelop these homes in order to stabilize neighborhoods and stem the decline of house values of neighboring homes.

The City of Billings was awarded \$569,314 from MDOC and has utilized program funding in a manner that complies with regulations established by HUD. This includes obligating funding via contract for service within 18 months of HUD's approval of the MDOC's Action Plan Amendment and full expenditure of obligated funds within 48 months of HUD's approval date.

Neighborhood Stabilization Program Income

Approximately \$300,000 in program income was anticipated from the initial sale of vacant and foreclosed homes to low income households as acquisition funds are repaid to the City. The City received \$179,722 from the sale of two properties during this fiscal year. Funding will be utilized to further the goals of the NSP program until July 30, 2013. Funding received thereafter is subject to the requirements of the CDBG program.

CDBG Stimulus Funding

The City received HUD notice of an additional \$190,430 in stimulus funding (CDBG-R) subsequent to the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) signed into law by President Obama on February 17, 2009. Staff has fully implemented and closed out this program, which provided funding specifically for energy-efficiency and conservation upgrades in addition to providing funding for down payment and closing costs. Ten low-income households have been assisted through this program and have achieved homeownership with cost containment for utilities for years to come. The City fully expended this fund during the fiscal year. Program income is not expected until present homeowners sell or refinance their homes.

Fair Housing Initiatives Program

The City of Billings was awarded \$125,000 through a competitive HUD process to carry out fair housing education and outreach activities from May 1, 2011 through April 30, 2012. Funding for full drawdown of this account was submitted to HUD during this fiscal year and the City does not expect to receive program income for investments made in this program.

SUMMARY OF SPECIFIC OBJECTIVES & ACCOMPLISHMENTS - TABLE 3A

July 1, 2011 through June 30, 2012

<i>Strategy</i>	<i>Objective</i>	<i>Activity</i>	<i>HUD Objective Category</i>	<i>Measurement Type</i>	<i>Five-Year Goals</i>	<i>FY11-12 Goals</i>	<i>FY11-12 Outcomes</i>	<i>% 5-Yr Goal Met</i>	<i>HUD Objectives / Outcomes</i>	<i>Funding Source</i>	
A: Promote the preservation of the existing supply of safe, affordable housing in the community.	Provide direct, affordable financing and assistance to low-income homeowners for the completion of needed repairs.	Housing Rehabilitation Loan Program	Owner Housing	Housing Units	50	10	10	46%	SL-2	CDBG	
		Acquisition / Weatherization	Owner Housing	Housing Units	1	0	0	100%	SL-3	CDBG-R	
		Minor Home Repair Program	Owner Housing	Housing Units	100	5	18	30%	SL-2	CDBG	
		Painting Program	Owner Housing	Housing Units	10	0	0	50%	SL-2	CDBG	
		Neighborhood Stabilization Program	Owner Housing	Housing Units	4	0	0	75%	EO-2	NSP	
	Provide financing and assistance through partnerships to facilitate needed repairs for special needs populations.	Wheelchair and accessibility ramps	Rental & Owner Housing	Ramps - Housing Units	30	0	10	57%	DH-1	CDBG	
		Rehabilitation for special needs populations	Owner Housing	Housing Units	15	3	5	60%	DH-2	CDBG	
	Benchmark Performance Measures	# units rehabilitated through City programs:					-	28	-	-	-
		# units rehabilitated through partnership programs:					-	15	-	-	-
		% of total funding allocated to enhance existing housing:					-	25%	-	-	-
		# units resulting in energy-efficiency improvements:					-	22	-	-	-
# units resulting in ADA improvements:					-	16	-	-	-		

Strategy	Objective	Activity	HUD Objective Category	Measurement Type	Five-Year Goals	FY11-12 Goals	FY11-12 Outcomes	% 5-Yr Goal Met	HUD Objectives / Outcomes	Funding Source
B: Promote new affordable housing opportunities.	Encourage the development of new affordable single-family, multi-family and special needs housing in the community through private developers and non-profit organizations.	Affordable Housing Development Program	Rental & Owner Housing	Housing Units	100	0	0	0%	SL-2	CDBG & HOME
		Complete Kings Green single-family development	Owner Housing	Housing Units	14	10	0	29%	SL-2	HOME
		Support the efforts of the Housing Authority of Billings	Rental & Owner Housing	Five-Year Plan Implemented	1	0	1	100%	DH-2	CDBG & HOME Admin
		Meet CHDO commitment / expenditure deadlines	Rental & Owner Housing	Years in compliance	5	1	1	40%	SL-2	HOME
	Provide affordable financing and support to promote homeownership opportunities.	First Time Homebuyer Program	Owner Housing	Households	175	20	21	35%	SL-2	CDBG & HOME
			Owner Housing	Cumulative Households (June 1, 2009: 484)	659	-	545	-	-	-
		First Time Homebuyers - MBOH Loan Use	Owner Housing	Households	35	3	10	60%	DH-2	-
			Owner Housing	Leveraged Funding	\$4M	\$0.8M	\$1026,364	62%	-	-
		Homebuyer Education	Rental & Owner Housing	Households	1,000	100	193	37%	EO-3	CDBG & HOME
		Billings Partners American Indian Homeownership	Rental & Owner Housing	Homeownership Rate (1992 benchmark: 22%)	40%	No new data available	35%	-	EO-1	CDBG & HOME Admin
	Benchmark Performance Measures	% of total funding allocated to promote new housing opportunity:					-	49%	-	-

<i>Strategy</i>	<i>Objective</i>	<i>Activity</i>	<i>HUD Objective Category</i>	<i>Measurement Type</i>	<i>Five-Year Goals</i>	<i>FY11-12 Goals</i>	<i>FY11-12 Outcomes</i>	<i>% 5-Yr Goal Met</i>	<i>HUD Objectives / Outcomes</i>	<i>Funding Source</i>
C: Active partnerships with non-profits, neighborhood groups and others to address housing and community development specific to lower income and special needs households.	Support partnerships and regular meetings to facilitate community participation and collaboration.	Affordable Housing Task Force	Rental & Owner Housing	Monthly Meetings	50	10	9	38%	DH-2	CDBG & HOME Admin
		Adjacent Neighborhood Committee	Community Development, Special Needs	Quarterly Meetings	20	4	4	40%	SL-1	CDBG Admin
		Billings Partners American Indian Homeownership	Community Development, Special Needs	Monthly Meetings	50	10	10	40%	EO-1	CDBG & HOME Admin
		Analysis of Impediments to Fair Housing Choice completed in December 2013 to implement activities for 2014-2019	Community Development, Special Needs	Analysis / Plan completed	1	-	Contract Completed, AI Pending	0.2%	SL-1	CDBG & HOME Admin
	Support task force newsletters and further capacity-building for self-sustainability.	Task Force newsletter support	Community Development, Special Needs	Newsletters / Post Cards	50,000	2,500	0	28%	SL-1	CDBG Admin
	Encourage activities that promote fair housing and increase awareness of the rights of protected classes.	Continue to support organizations with an interest in fair housing to apply for FHIP, facilitate application if necessary	Community Development, Special Needs	Annual submission of FHIP grant representing residents of Billings	5	0 or 1	1	-	SL-1	CDBG Admin
	Encourage collaboration to better address needs and to respond to opportunities for special needs populations.	Mayor's Committee on Homelessness	Community Development, Special Needs	Meetings	50	6	7	36%	EO-3	CDBG Admin
		Assist in the implementation of Welcome Home Billings, the City's ten-year plan to impact homelessness.	Community Development, Special Needs	Completed FY09-11 & FY11-13 Action Plans	2	1	1	100%	SL-1	CDBG Admin
			Community Development, Special Needs	Completed FY09-11 & FY11-13 Performance Reports	2	1	1	50%	SL-3	CDBG Admin
		Facilitate AmeriCorps*VISTA application and pursue project status	Community Development, Special Needs	Annual submission of VISTA grant application / VISTA member placements	5	1	1	40%	EO-1	CDBG and VISTA Admin

Strategy	Objective	Activity	HUD Objective Category	Measurement Type	Five-Year Goals	FY11-12 Goals	FY11-12 Outcomes	% 5-Yr Goal Met	HUD Objectives / Outcomes	Funding Source
C: Active partnerships, continued.	Benchmark Performance Measures	% of total funding allocated to support partnerships:				15%	14%	-	-	-
		% of total funding (or \$ amount) to support fair housing initiatives: <i>Note: An additional \$106,656 has been leveraged to match this grant.</i>				-	\$273,108	-	-	CDBG
		# fair housing complaints referred to HUD (track only if FHIP award is granted):				-	74	-	-	CDBG Admin & FHIP
D: Promote the preservation and revitalization of the community's older neighborhoods.	Preserve housing stock in older, lower-income neighborhoods.	See objectives / activities / goals outlined in Strategy A				-	-	-	SL-1	-
	Infill development of vacant lots and redevelopment of substandard properties.	Affordable Housing Development Program	Rental & Owner Housing	See goals for Strategy B		-	-	-	SL-3	CDBG & HOME
		Redevelopment 27th Street Corridor	Neighborhood Revitalization	Redevelopment Projects	1	1	0	100%	SL-3	CDBG Admin
	Support activities that provide amenities, neighborhood stabilization and maintain infrastructure needs.	Tree Program	Owner Housing	Individuals	50	0	0	0%	SL-3	CDBG
		Neighborhood improvements through the Capital Improvement Plan (CIP)	Infrastructure, Neighborhood Revitalization, Public Facilities	CIP Years Implemented	5	1	1	40%	SL-3	-
		Special Assessment Grants	Owner Housing, Infrastructure	Housing Units	20	4	0	15%	SL-2	CDBG
	Benchmark Performance Measures	% of total funding allocated to preserving older neighborhoods:				3%	7%	-	-	-
E: Provide assistance to agencies serving lower income and special needs populations, particularly the homeless, the elderly, minorities and those with disabilities.	Provide CDBG Public Service funding and HOME Tenant-Based Rental Assistance (TBRA) for deposits to non-profit organizations and provide assistance for supportive services, including job creation.	CDBG Public Service and HOME TBRA funding allocations for basic needs assistance and supportive services	Economic Development, Special Needs, Public Services	Years Funding Committed	5	1	1	40%	EO-1	CDBG & HOME
			Economic Development, Special Needs, Public Services	Organizations	20	2	2	40%	EO-3	CDBG & HOME
	Benchmark Performance Measures	% of total funding to support basic needs of special and lower-income populations:				-	5%	-	-	CDBG & HOME

Benchmarks		Five-Year Goals	FY11-12 Goals	FY11-12 Outcomes	% 5-Yr Goal Met	HUD Objectives / Outcomes	Funding Source
Overall Benchmark Performance Measures	Total Budget Allocated	-	-	\$1,366,195	-	-	-
	Leveraging Ratio for Reporting Year Only	-	-	5.99	-	-	-
	CDBG Timeliness Compliance	< 1.5	< 1.5	0.97	-	-	-
	# active CHDOs	-	-	1	-	-	-
	# of faith-based organizations funded	-	-	0	-	-	-
	% of previous year's HOME funding committed (for FY11-12, measure FY10-11), as of June 30	-	-	100%	-	-	-
	% of HOME CHDO funding reserved, two years ago (for FY11-12, measure FY09-10), as of June 30	-	-	100%	-	-	-
	% of completed HOME rental disbursements to all rental commitments, benchmark subject to HUD adjustment	> 85.5%	> 90.65%	100%	-	-	-
	% of completed CHDO disbursements to all CHDO reservations, benchmark subject to HUD adjustment	> 60.4%	> 67.45%	71.15%	-	-	-
	% of renters below 50% of the area median income	> 70%	> 70%	95.28%	-	-	-
	<i>Note: 90% of rental and TBRA units must assist households less than 60% of the area median income</i>			-	-	-	
	% of occupied HOME rental units to all rental units, benchmark subject to HUD adjustment	> 92.15%	> 93.32%	100%	-	-	-
	Allocation years not distributed for HOME, benchmark subject to HUD adjustment	< 2.98	< 3.260	1.88	-	-	-
# of minority, disabled, elderly and female-headed households served	-	-	2,248	-	-	-	

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\$

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Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Public Hearing and Resolution Relating to Petitions for Reduction of Arterial Construction Fee Assessments

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

The City Council adopted Ordinance 05-5322 on Arterial Construction Fees on April 11, 2005, in part to provide relief to commercially-zoned properties being used solely as owner-occupied single family residences. The City Council adopted Ordinance 08-5478 on September 22, 2008, which allows a Residential Manufactured Home (RMH)-zoned property owner to also petition for a reduction of arterial fee assessments if the parcel is used solely as an owner-occupied single family residence. The relief in both of these situations is in the form of capping the parcel square footage at 9,600 square feet and calculating the assessment based on the R-9600 zoning rate instead of commercial or RMH zoning rates.

As of August 31, 2012, the Public Works Department received four (4) completed and signed petitions involving five (5) parcels. Four (4) of the parcels meet the criteria specified in Ordinance 05-5322 and 08-5478. The parcel with tax code D05201 owned by Melville & Vivian Moats does not meet the criteria because the parcel is not owner occupied and Ordinance 08-5478 only allows parcels used solely as a single family residence to petition for a reduction of their Arterial Construction Fee assessment.

ALTERNATIVES ANALYZED

The Council must hold a public hearing and then may:

- Approve the resolution reducing the Arterial Construction Fee assessments for the four (4) parcels meeting the criteria of Ordinance 08-5478; or
- Not approve the resolution reducing the Arterial Construction Fee assessments for the four (4) parcels meeting the criteria of Ordinance 08-5478.

FINANCIAL IMPACT

By reducing the Arterial Construction Fee assessments on the four (4) parcels meeting the criteria of Ordinance 08-5478, the City will collect \$1,188.69 less for FY 2013 than if the City Council denies the petitions.

RECOMMENDATION

Staff recommends that a public hearing be held and City Council approve the proposed resolution reducing the Arterial Construction Fee assessments for the four (4) parcels meeting the criteria of Ordinance 08-5478.

APPROVED BY CITY ADMINISTRATOR

Attachments

Petitions

Resolution



Petition for Reduction of Arterial Construction Fee Assessments

The City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially zoned properties being used as owner-occupied single family residences. The ordinance states "The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied solely as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year." The City Council adopted Ordinance 08-5478 on September 22, 2008, that also allows Residential Manufactured Home (RMH)-zoned property owners to petition for a reduction of their arterial construction fee assessments if their parcel is being used solely as an owner-occupied single family residence. The relief in both of these situations may be in the form of capping the parcel square footage at 9,600 square feet and calculating the assessment based on R-9600 zoning rates instead of commercial or RMH zoning rates. These ordinance changes are not retroactive.

If your property meets the criteria above, and you wish to petition the City Council for a reduction of your Arterial Construction Fee assessments, please complete this form and return it to the Public Works Department, 2224 Montana Avenue, Billings, MT 59101 **by August 31.**

.....
Date 7-5-12 Tax Code # CO 1454A Taxable Year 2012

Parcel street address 437 Roxy Lane

Parcel legal description Section 15, Township 01 N, Range 96 E
Lot 002 Block: 002 Superior Homes Subd

Parcel zoning classification RMH

By signing below, I certify that I own the parcel identified above, that it is my primary residence, that I use the parcel solely as a single-family residence, and that all information provided on this form is true and correct. I understand that if the information supplied on this form is found to be false, I agree to pay back to the City of Billings the amount of the reduction to the Arterial Construction Fees on this parcel as a result of the false information PLUS penalty and interest. I further understand that I must annually apply for a reduction to the arterial construction fee assessment by August 31 of each year. I agree to notify the Billings Public Works Department immediately should any information provided on this form change.

Property Owner Signature Dennis Bauer Date 7-5-12

Property Owner Name (print legibly) Bauer, Dennis A. + Tracy A

Mailing address 437 Roxy Lane

City Billings State MT. ZIP 59105

Phone Number (optional) 406-245-7119



Petition for Reduction of Arterial Construction Fee Assessments

The City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially zoned properties being used as owner-occupied single family residences. The ordinance states "The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied solely as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year." The City Council adopted Ordinance 08-5478 on September 22, 2008, that also allows Residential Manufactured Home (RMH)-zoned property owners to petition for a reduction of their arterial construction fee assessments if their parcel is being used solely as an owner-occupied single family residence. The relief in both of these situations may be in the form of capping the parcel square footage at 9,600 square feet and calculating the assessment based on R-9600 zoning rates instead of commercial or RMH zoning rates. These ordinance changes are not retroactive.

If your property meets the criteria above, and you wish to petition the City Council for a reduction of your Arterial Construction Fee assessments, please complete this form and return it to the Public Works Department, 2224 Montana Avenue, Billings, MT 59101 **by August 31.**

.....
Date July 18, 12 Tax Code # D-5202 Taxable Year 2012

Parcel street address 2104 BENCH

Parcel legal description Hollings Ranch Sud S15, T01N, R26E, LOT 10

Parcel zoning classification Highway Commercial

By signing below, I certify that I own the parcel identified above, that it is my primary residence, that I use the parcel solely as a single-family residence, and that all information provided on this form is true and correct. I understand that if the information supplied on this form is found to be false, I agree to pay back to the City of Billings the amount of the reduction to the Arterial Construction Fees on this parcel as a result of the false information PLUS penalty and interest. I further understand that I must annually apply for a reduction to the arterial construction fee assessment by August 31 of each year. I agree to notify the Billings Public Works Department immediately should any information provided on this form change.

Property Owner Signature Art Hatveldt Date July 18, 2012

Property Owner Name (print legibly) ART HATVELDT

Mailing address 2104 BENCH

City Billings State Mont ZIP 59105

Phone Number (optional) 259 7090



Petition for Reduction of Arterial Construction Fee Assessments

The City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially zoned properties being used as owner-occupied single family residences. The ordinance states "The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied solely as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year." The City Council adopted Ordinance 08-5478 on September 22, 2008, that also allows Residential Manufactured Home (RMH)-zoned property owners to petition for a reduction of their arterial construction fee assessments if their parcel is being used solely as an owner-occupied single family residence. The relief in both of these situations may be in the form of capping the parcel square footage at 9,600 square feet and calculating the assessment based on R-9600 zoning rates instead of commercial or RMH zoning rates. These ordinance changes are not retroactive.

If your property meets the criteria above, and you wish to petition the City Council for a reduction of your Arterial Construction Fee assessments, please complete this form and return it to the Public Works Department, 2224 Montana Avenue, Billings, MT 59101 **by August 31.**

.....
Date 8/28/12 Tax Code # A11635 Taxable Year 2012

Parcel street address 922 North 30th Street

Parcel legal description Sect 32, Town 01 N, Range 26 E, Lot: 10 Block: 8; N Elev
S32, T01 N, R26 E, Block 8, Lot 10

Parcel zoning classification Medical (Requesting RESIDENTIAL)

*Received
8/28/12*

By signing below, I certify that I own the parcel identified above, that it is my primary residence, that I use the parcel solely as a single-family residence, and that all information provided on this form is true and correct. I understand that if the information supplied on this form is found to be false, I agree to pay back to the City of Billings the amount of the reduction to the Arterial Construction Fees on this parcel as a result of the false information PLUS penalty and interest. I further understand that I must annually apply for a reduction to the arterial construction fee assessment by August 31 of each year. I agree to notify the Billings Public Works Department immediately should any information provided on this form change.

Property Owner Signature *Terry W. Nilson* Date 28 Aug 2012

Property Owner Name (print legibly) Terry W. Nilson

Mailing address 922 N. 30th Street, Billings MT 59101-0742

City _____ State _____ ZIP _____

Phone Number (optional) (406) 252-2500



Petition for Reduction of Arterial Construction Fee Assessments

The City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially zoned properties being used as owner-occupied single family residences. The ordinance states "The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied solely as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year." The City Council adopted Ordinance 08-5478 on September 22, 2008, that also allows Residential Manufactured Home (RMH)-zoned property owners to petition for a reduction of their arterial construction fee assessments if their parcel is being used solely as an owner-occupied single family residence. The relief in both of these situations may be in the form of capping the parcel square footage at 9,600 square feet and calculating the assessment based on R-9600 zoning rates instead of commercial or RMH zoning rates. These ordinance changes are not retroactive.

If your property meets the criteria above, and you wish to petition the City Council for a reduction of your Arterial Construction Fee assessments, please complete this form and return it to the Public Works Department, 2224 Montana Avenue, Billings, MT 59101 **by August 31.**

.....
Date Aug 15-2011 Tax Code # DD-5200-HC Taxable Year 2011
DD-5201-RMH

Parcel street address 2112-MAIN STREET / SHARRON LANE

Parcel legal description DD 5200- HOLLING RANCH Subd Tr/C COS 451-1.21 Acres

DD 5201- HOLLING RANCH Subd Tr/D COS 451 2T10 1.2 Acres

Parcel zoning classification Highway Commercial & Residential Manufactured Home

By signing below, I certify that I own the parcel identified above, that it is my primary residence, that I use the parcel solely as a single-family residence, and that all information provided on this form is true and correct. I understand that if the information supplied on this form is found to be false, I agree to pay back to the City of Billings the amount of the reduction to the Arterial Construction Fees on this parcel as a result of the false information PLUS penalty and interest. I further understand that I must annually apply for a reduction to the arterial construction fee assessment by August 31 of each year. I agree to notify the Billings Public Works Department immediately should any information provided on this form change.

Property Owner Signature M.E. Moats Date Aug 15-11

Property Owner Name (print legibly) Moats, Vivian E. / Melville E. Jr

Mailing address 2112 MAIN STREET

City Billings State MONTANA ZIP 59105

Phone Number (optional) (406) 252-5049

RESOLUTION NO. 12- _____

**A RESOLUTION OF THE CITY OF BILLINGS RESPONDING TO
SUBMITTED PETITIONS FOR REDUCTION OF ARTERIAL
CONSTRUCTION FEE ASSESSMENTS THAT WOULD APPEAR ON
THE OCTOBER 2012 PROPERTY TAX STATEMENTS**

WHEREAS, the City Council adopted Ordinance 05-5322 on April 11, 2005, in part to provide relief to commercially-zoned properties being used solely as owner-occupied single family residences, and

WHEREAS, Ordinance 05-5322 states, *“The City Council may provide an exemption to commercially zoned properties that are currently owner-occupied as a single-family residence. The property owner must annually request the exemption through the Public Works Department by August 31 of each year.”*, and

WHEREAS, the City Council adopted Ordinance 08-5478 on September 8, 2008, in part to provide relief to Residential Manufactured Home (RMH)-zoned properties being used solely as owner-occupied single family residences, and

WHEREAS, the City Council may provide relief to property owners meeting the criteria of Ordinance 05-5322 and Ordinance 08-5478 by capping the parcel square footage at 9,600 square feet and calculating the assessment based on the R-9600 zoning rate instead of commercial or RMH zoning rates, and

WHEREAS, the Public Works Department received four completed and signed petitions involving five properties by the August 31, 2012, deadline and

WHEREAS, the Public Works Department verified that four petitions involving four of the five properties meet the criteria of Ordinance 08-5478, and

WHEREAS, reducing the assessments on these four parcels would affect the Arterial Construction Fee assessments appearing on the tax statements Yellowstone County will print and mail in October 2012, and

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

1. **REDUCTION OF ASSESSMENTS**: The Arterial Construction Fees assessments on the following four (4) parcels shall be adjusted by Public Works Department staff and placed upon the assessment rolls and collected in the same manner as other City of Billings assessments.

<i>TAX CODE</i>	<i>ZONE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>PARCEL ADDRESS</i>	<i>Adjusted Assessment</i>
C01454A	RMH	Bauer	Dennis A. & Taya A.	437 Roxy Lane	\$42.14
D05202	HC	Hatveldt	Art	2104 Bench Blvd	\$42.14
D05200	HC	Moats	Melville E. Jr & Vivian I.	2112 East Main Street	\$42.14
A11635	MCPZD	Nilson	Terry W.	922 North 30th Street	\$30.73

2. **DENIAL OF ASSESSMENT REDUCTION:** There will be no reduction to the Arterial Construction Fees assessments on the following parcel.

<i>TAX CODE</i>	<i>ZONE</i>	<i>LAST NAME</i>	<i>FIRST NAME</i>	<i>PARCEL ADDRESS</i>
D05201	RMH	Moats	Melville E. Jr & Vivian	2112 East Main Street

3. **NOTICE OF HEARING:** On Monday, **September 24, 2012**, at 6:30 p.m., or as soon thereafter as the matter may be considered on the agenda in the Council Chambers of the City Hall, Billings, Montana, the City Council will hear objections to the final adoption of this resolution. The City Clerk is hereby directed to publish notice on September 13, 2012, and September 20, 2012, in the ***Billings Times***.

4. **EFFECTIVE DATE:** This resolution shall be effective upon final adoption.

ADOPTED and APPROVED by the City Council this **24th** day of **September 2012**.

CITY OF BILLINGS:

BY: _____
Thomas Hanel, Mayor

ATTEST:

BY: _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Public Hearing and Resolution to Vacate Alley within Block 228 of Original Townsite of Billings

PRESENTED BY: David Mumford

Department: Public Works

Information

PROBLEM/ISSUE STATEMENT

The Women's Prison has petitioned to vacate the alley within Block 228 of the Original Townsite of Billings between 7th Avenue South and 8th Avenue South. The State is proposing to expand the yard for the Women's Prison and would like to fence off the yard, including the alley. Currently, there is a sanitary sewer line running through the alley. If vacated, the city would retain an easement for the sanitary sewer line. The area of the alley proposed to be vacated is 5,935 square feet.

ALTERNATIVES ANALYZED

The Council may:

- After holding a public hearing, approve the above-mentioned right-of-way vacation; or
- After holding a public hearing, do not approve the above-mentioned right-of-way vacation.

FINANCIAL IMPACT

The State received a letter from Charlie Hamwey with an opinion of value of the alley. Mr. Hamwey's letter indicated land sales in the area between \$3.50/square foot and \$7.00/square foot. Due to the nature of this piece of land, Mr. Hamwey determined a value of \$3.50/square foot in part because the area is encumbered by utilities which will prohibit them from building any kind of permanent structure over the area. The State will be fencing the area, but no buildings will be constructed over it unless the utilities are relocated. The total area of the alley is 5,935 square feet. Total compensation for the alley will be \$20,772.50.

RECOMMENDATION

Staff recommends that Council, after holding a public hearing, approve the resolution vacating the alley within Block 228 of the Original Townsite of Billings at a cost of \$20,772.50.

APPROVED BY CITY ADMINISTRATOR

Attachments

Exhibit of Area of Proposed Vacation

Letter from Charlie Hamwey

Resolution to Vacate

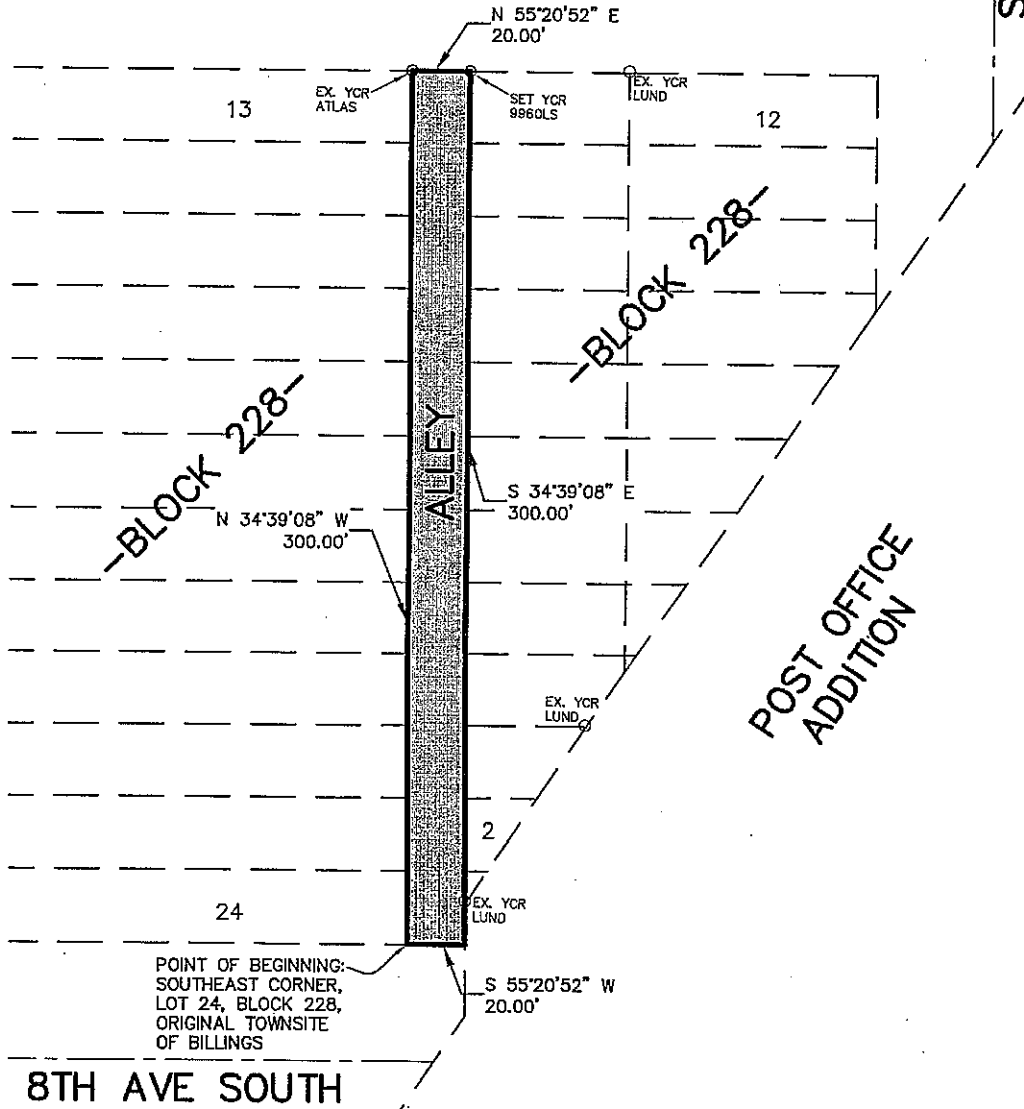
EXHIBIT "A"

ALLEY RIGHT-OF-WAY VACATION WITHIN
BLOCK 228 OF THE ORIGINAL TOWNSITE OF BILLINGS

24 -BLOCK 213- 1

7TH AVE SOUTH

S. 25TH ST.



POINT OF BEGINNING:
SOUTHEAST CORNER,
LOT 24, BLOCK 228,
ORIGINAL TOWNSITE
OF BILLINGS

DESCRIPTION: ALLEY VACATION

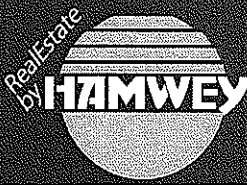
A tract of land situated in the SE1/4 of Section 3, T. 1 S., R. 26 E., P.M.M., in the city of Billings, Yellowstone County, Montana; more particularly described as follows, to-wit:

Beginning at a point which is the southeast corner Lot 24, Block 228, of the Original Townsite of Billings, thence, from said Point of Beginning, along the easterly line of Lots 13 through 24 of said Block 228, N 34°39'08" W a distance of 300.00 feet to the northeasterly corner of Lot 13 of said Block 228; thence, N 55°20'52" W a distance of 20.00 feet to the northwesterly corner of Lot 12 of said Block 228; thence, along the westerly line of Lots 1 through 12 of said Block 228, S 34°39'08" E a distance of 300.00 feet to a point on the westerly line of the Post Office Addition, said point being perpendicular to the southeast corner of said Lot 24; thence S 55°20'52" W a distance of 20.00 feet to the Point of Beginning; said described tract having an area of 6,000 square feet.



25 12.5 0 25 50

SCALE: 1" = 50'



1010 Grand Ave.
Billings, Montana 59102
(406) 248-2020
FAX (406) 248-3949
www.hamwey.com

July 24, 2012

RECEIVED

Ira Eakin
Staff Attorney, MDOC
Department of Corrections
P.O. Box 201301
Helena, MT 59620-1301

JUL 26 2012

DEPT. OF CORRECTIONS
LEGAL SERVICES BUREAU

RE: Request to Vacate Public Right of Way
Alley Between 7th Ave. South and 8th Ave. South
Behind Montana Women's Prison; 701 S. 27th Street

Dear Mr. Eakin,

Upon your request I have made a personal inspection of above subject property on May 16, to review the condition and location of the property.

In reviewing the Yellowstone County Court House records this property is owned by the City of Billings and this alley way contains 6,000 sq.ft or 20' X 300'. The alleyway is located behind the Montana Women's Prison.

In determining the value of this subject property I have went back as far as 2006 to review sales that occurred on South 27th St. and also along 1st Ave S. I have also reviewed sales that occurred in the eastern portion of Billings on 2nd, 3rd and 4th Ave S. All of these sales have ranged in value from \$3.50 per sq.ft to \$7.04 per sq.ft.

In determining value of subject property I have reviewed all of the comparable sales. In taking consideration the alley way that belongs to the City of Billings which is between the Women Prison and the Department of Corrections property. It is my opinion that the Estimated Fair Market Value of subject property is \$3.50 per square foot or

\$21,000

If you have any further questions please feel free to call.

Sincerely,

Charlie Hamwey



RESOLUTION NO. 12-_____

A RESOLUTION OF THE CITY OF BILLINGS, MONTANA, DISCONTINUING AND VACATING **alley within Block 228 of the Original Townsite of Billings.**

WHEREAS, a proper petition was filed with the City Council of the City of Billings, Montana, as per Section 22-601 BMCC, requesting discontinuance and vacation of **alley within Block 228 of the Original Townsite of Billings** as described hereinafter; and

WHEREAS, a public hearing was properly noticed and held as required by law.

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

1. **DISCONTINUANCE AND VACATION.** Pursuant to Sections 7-14-4114 and 7-14-4115, M.C.A., **alley within Block 228 of the Original Townsite of Billings** more particularly described as follows:

A tract of land situated in the SE1/4 of Section 3, T. 1 S., R. 26 E., P.M.M., in the city of Billings, Yellowstone County, Montana; more particularly described as follows, to-wit:

Beginning at a point which is the southeast corner of Lot 24 in Block 228 of the Original Town of Billings, Montana; thence, from said Point of Beginning, along the easterly line of Lots 13 through 24 in said Block 228, N 34°39'08" W a distance of 300.00 feet to the northeasterly corner of Lot 13 in said Block 228; thence, N 55°20'52" W a distance of 20.00 feet to the northwesterly corner of Lot 12 in said Block 228; thence, along the westerly line of Lots 1 through 12 in said Block 228, S 34°39'08" E a distance of 286.25 feet to the southerly most corner of Lot 1 in said Block 228; thence S 00°16'38" E a distance of 16.66 feet; thence S 55°20'52" W a distance of 10.60 feet to the Point of Beginning; said described tract having an area of 5,935 square feet.

Is hereby discontinued, abandoned and vacated and shall revert to adjacent property owners within Block 228 of the Original Townsite of Billings.

- 2. PUBLIC INTEREST. The discontinuance, vacation and abandonment of the above described **alley within Block 228 of the Original Townsite of Billings** is in the best interest of the public and can be done without any public detriment.

PASSED by the City Council and APPROVED this 24th day of September 2012.

THE CITY OF BILLINGS:

BY: _____
Thomas W. Hanel MAYOR

ATTEST:

BY: _____
Cari Martin CITY CLERK

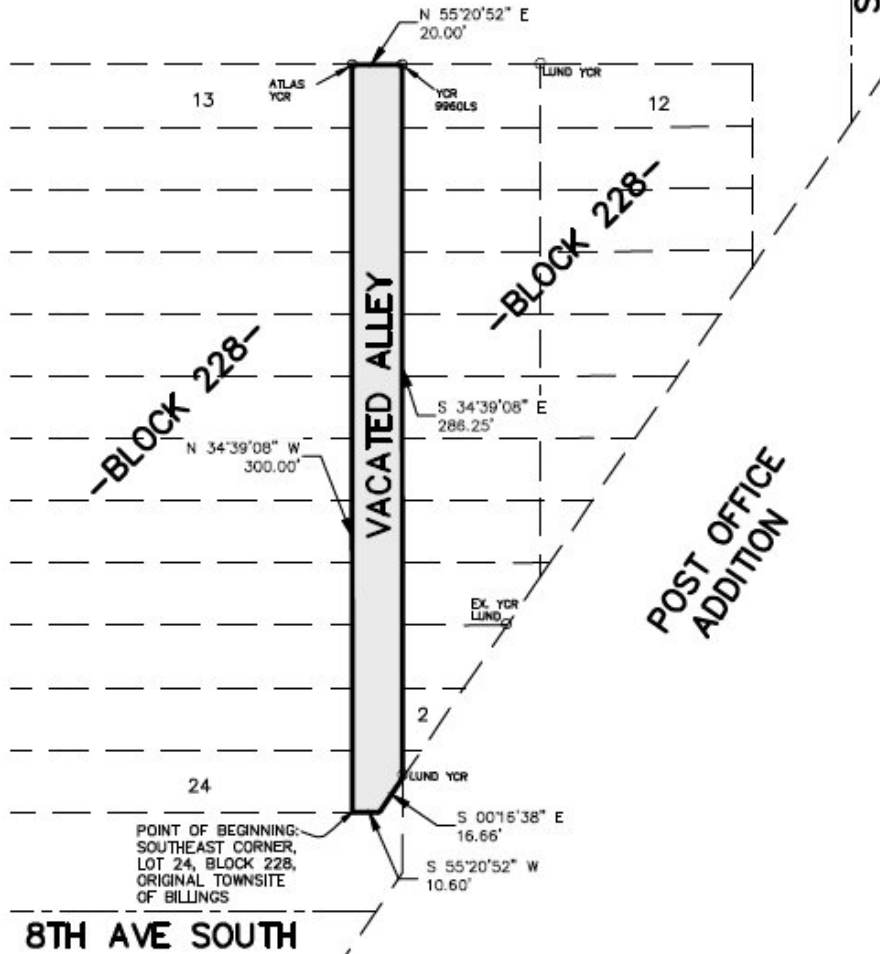
EXHIBIT "A"

ALLEY RIGHT-OF-WAY VACATION WITHIN
BLOCK 228 OF THE ORIGINAL TOWNSITE OF BILLINGS

24 -BLOCK 213- 1

7TH AVE SOUTH

S. 25TH ST.



POINT OF BEGINNING:
SOUTHEAST CORNER,
LOT 24, BLOCK 228,
ORIGINAL TOWNSITE
OF BILLINGS

8TH AVE SOUTH

DESCRIPTION: ALLEY VACATION

A tract of land situated in the SE1/4 of Section 3, T. 1 S., R. 26 E., P.M.M., in the city of Billings, Yellowstone County, Montana; more particularly described as follows, to-wit:

Beginning at a point which is the southeast corner Lot 24 in Block 228 of the Original Town of Billings, Montana; thence, from said Point of Beginning, along the easterly line of Lots 13 through 24 in said Block 228, N 34°39'08" W a distance of 300.00 feet to the northeasterly corner of Lot 13 in said Block 228; thence, N 55°20'52" W a distance of 20.00 feet to the northwesterly corner of Lot 12 in said Block 228; thence, along the westerly line of Lots 1 through 12 in said Block 228, S 34°39'08" E a distance of 286.25 feet to the southerly most corner of Lot 1 in said Block 228; thence S 00°16'38" E a distance of 16.66 feet; thence S 55°20'52" W a distance of 10.60 feet to the Point of Beginning; said described tract having an area of 5,935 square feet.



25 12.5 0 25 50
SCALE: 1" = 50'

PM/11024 11024_WPBSON_ROW-VACATING ATV

DATE: 8/20/12 SHEET 1 of 1

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Public Hearing and First Reading - Anti-Shuffling Ordinance

PRESENTED BY: Chris Mallow

Department: City Hall Administration

Information

PROBLEM/ISSUE STATEMENT

The Parking Advisory Board has recommended the creation of an "Anti-Shuffling Ordinance" in order to provide more complete parking enforcement in Downtown Billings. Parking Advisory Board (PAB) members approved the creation of this ordinance at their June 12, 2012, meeting. The City Council was presented with this recommendation at its July 2, 2012, Work Session as one element of a Park II Refinancing presentation. This ordinance is the final step of that recommendation from the PAB that asked for increasing meter fees; increasing certain parking violation fines; stopping an annual transfer from the Parking Fund to the General Fund; allowing the transfer of \$100,000 from the N. 27th St Urban Renewal District to the Parking Division to off-set a refinanced debt payment on the Park II Expansion; and creating an "Anti-Shuffling" ordinance. Staff has worked with Bonnie Sutherland, Assistant City Attorney, to draft the language of this ordinance.

Shuffling occurs when a vehicle is parked for 2 hours in one 2-hour time-regulated space and then moved to another 2-hour time-regulated parking space within the same block throughout the day. This act reduces the supply of short-term on-street spaces, needed for customer parking, and the demand for all parking spaces downtown, to be limited by Downtown employees and business/property owners. Rich and Associates recommended the creation of this type of ordinance, which is considered a national best-practice for Municipalities.

"Block" means both sides of a single street between two consecutive intersecting streets. For example, both sides of the 2800 block of 2nd Avenue North would be a single block, and both sides of 3rd Avenue between 29th Street and 30th Street would be a single block.

ALTERNATIVES ANALYZED

The recommended changes would increase the Parking Division's ability to provide turnover at all 2-hour time regulated parking spaces and create more efficient parking by penalizing those on engage in "Space Shuffling".

City Council's options are:

1. Accept recommended changes to BMCC 24-456
2. Accept some of the recommended changes to BMCC 24-456
3. Reject recommended changes to BMCC 24-456

FINANCIAL IMPACT

Staff foresees that the creation of the Anti-Shuffling ordinance will increase Parking Violation annual revenue by approximately \$8,000.

BACKGROUND

Parking space shuffling has been a common act in Billings for many years. A significant number of downtown employees and business owners are the habitual offenders as they need a place to park for long periods of time and use the more accessible on-street spaces. The Parking Division already has a Meter Plugging ordinance that prohibits someone from parking at one meter all day and continue to pay the meter every two hours. The Anti-shuffling ordinance will close the last loop-hole in parking regulations and help to move these long term parkers into a more appropriate location, such as a parking garage or 10-hour meter.

STAKEHOLDERS

The Parking Advisory Board members approved proposed rate and fine increases that their June 12, 2012, meeting; this ordinance was part of the proposed fine changes.

Staff conducted three Public Informational meeting on June 26-28, 2012, in hopes of educating the public and gaining feedback about the proposed rate and fine changes.

Staff presented the Anti-Shuffling ordinance at the June 28, 2012, Downtown Billings Association Merchant Meeting as part of the proposed rate and fine changes approved by the Parking Advisory Board.

The public meetings generated no comments about the Anti-Shuffling ordinance but staff did answer some questions about the concept of "Shuffling". Based on those questions, Staff will issue a one-time Shuffling courtesy ticket to each vehicle in order to allow the public to understand the new ordinance language and correct their behavior before a \$25.00 violation is issued.

RECOMMENDATION

Staff recommends that Council adopt the recommended ordinance amending BMCC sec. 24-456, creating an Anti-Shuffling ordinance.

APPROVED BY CITY ADMINISTRATOR

Attachments

Shuffling Ordinance

ORDINANCE NO. 12-_____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING
THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED
BY REVISING SECTION 24-456 OF SAID CODE;
PROHIBITING MOVING ANY VEHICLE ON THE SAME BLOCK
FROM ONE 2-HOUR METERED SPACE TO ANOTHER

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. That section 24-456 of the Billings, Montana City Code be amended to read as follows:

"Sec. 24-456. Violations – Designated.

(a) It is unlawful and a violation of the provisions of this division for any person to:

- 1) Leave a vehicle parked at an expired meter between the times of 8:00 a.m. and 5:00 p.m., weekdays;
- 2) Deposit or cause to be deposited in a parking meter a coin for the purpose of increasing or extending the parking time of any vehicle beyond the legal maximum parking time which has been established for the parking space;
- 3) Park or cause to be parked in any parking meter zone or parking garage a vehicle which does not display a valid and current license plate as required by state law;
- 4) Park or cause to be parked in any parking garage a vehicle which does not have a valid permit paid for within the first ten (10) days of the month. Said valid permit designates rental of the use of a space for parking for one month. Payment of parking fees upon exit from the parking garage shall also constitute a valid permit;
- 5) Park or cause to be parked a vehicle on any street, city parking space, or off-street public parking area designated a permit only parking area during the hours and on the days set forth in an ordinance adopted by the city council except in the following circumstances:

- a. Those vehicles displaying a valid parking permit or a temporary visitor's permit for the area;
- b. An emergency vehicle including but not limited to an ambulance, fire engine or police vehicle; or
- c. A clearly marked business vehicle which is under the control of a person providing a service to persons or property located in the designated permit only parking area including but not limited to a delivery vehicle.

6) On the same day park a vehicle for at least 2 hours at one 2-hour limit space and then move it to another 2-hour limit space on the same block. This prohibition applies between the hours of 8:00 a.m. and 5:00 p.m., except on Saturdays, Sundays, and holidays. "Block" means both sides of a single street between two consecutive intersecting streets. For example, both sides of the 2800 block of 2nd Avenue North would be a single block, and both sides of 3rd Avenue North between 29th Street and 30th Street would be a single block."

- (b) Each meter shall show on its face the maximum parking time allowed per each deposit of coins. When any person violates any of the terms of this division, and such violation continues longer than the maximum time as shown on the face of the meter, then such period of time constitutes a separate violation.

Section 2. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of these ordinances are declared to be severable.

Section 3. Repealer. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 4. Effective Date. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law.

APPROVED on first reading this ____ day of _____, 2012.

ADOPTED and APPROVED on second reading this ____ day of _____, 2012.

CITY OF BILLINGS

By _____
Thomas W. Hanel, Mayor

ATTEST:

By _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 09/24/2012

TITLE: Public Hearing & First Reading Amending Business License Ordinance

PRESENTED BY: Brent Brooks

Department: Legal

Information

PROBLEM/ISSUE STATEMENT

During the September 4, 2012, City Council worksession, proposed amendments to the current City business license ordinance at Section 13-432 of the City Code (BMCC) were presented to and discussed with the City Council. The amendments provide that no City business license will be issued for any business that engages in any activity that violates local, state or federal law. Although the amendments address and prohibit new medical marijuana businesses within the City, the amendments will also apply to any other type of business that violates local, state or federal law. There was also discussion during the September 4, 2012, worksession about a possible amortization or phase-out period of time for compliance by the small number of current medical marijuana businesses with a current business license. An amortization period of two years has been included in the amendments at the end of new subsection (2) in the attached ordinance draft. As briefly discussed with the Council during the worksession presentation, staff believes this amortization is appropriate to include in order to allow any remaining medical marijuana businesses time to comply with the ordinance if the Council approves the amendments. At the conclusion of the September 4, 2012, worksession presentation, Council directed staff to proceed with First Reading and Public Hearing on the proposed amendments which are attached to this staff memo.

ALTERNATIVES ANALYZED

The Council may:

- approve or disapprove of the amendments,
- provide additional amendments, or
- postpone a decision on the amendments until a later date. However, as discussed during the September 4, 2012, worksession, the Council's previous interim zoning ordinance prohibiting any new medical marijuana businesses in all zones expires on November 11, 2012, and a postponement would create a period of time where medical marijuana businesses could obtain a license without the restrictions of either the existing interim ordinance or the proposed business license amendments here.

FINANCIAL IMPACT

There is no significant financial impact if the proposed amendments to ordinance Section 13-432 are adopted.

RECOMMENDATION

Staff recommends that the City Council approve the First Reading of the proposed ordinance amendments as indicated in the attached ordinance draft.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY ADDING A NEW SECTION TO CHAPTER 13, ARTICLE 13-400, DIVISION 3, TITLED “ALL BUSINESSES, OCCUPATIONS, AND PROFESSIONS TO COMPLY WITH LOCAL, STATE, AND FEDERAL LAW”, AND AMENDING B.M.C.C. SECTION 13-432.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1. That B.M.C.C. Section 13-432 be amended as follows:

Sec. 13-432. – Regulation.

Every person conducting a business, occupation or profession within the city shall be subject to reasonable inspection and shall abide by and obey all laws and ordinances ~~of the city~~.

Section 2. That the Billings, Montana City Code be amended by adding a new code section to Chapter 13, Article 13-400, Division 3 titled “All Businesses, Occupations, and Professions To Comply With Local, State, And Federal Law”.

NEW CODE SECTION:

All Businesses, Occupations, and Professions To Comply With Local, State, And Federal Law.

(1) “No Business Tax Determination or Business License shall be issued for any business, occupation, or profession that violates any provision of city, state, or federal ordinance, regulation, law, or statute. The issuance of a Business Tax Determination or acceptance of payment by the City does not authorize any business, occupation, or profession to operate in violation of any provision or local, state, or federal ordinance, regulation, law, or statute. Any such Business Tax Determination or Business License mistakenly issued by the City shall be deemed void from the date of issuance.

(2) All existing businesses with current business tax determinations or licenses shall fully comply with this provision within two (2) years of the effective date of this ordinance. Any such businesses, occupation or profession licensed on the effective date of this ordinance but in violation of this ordinance shall be deemed a legal non-conforming use, and shall be permitted to renew such business tax determination or license for a period of two years from the effective date of this ordinance. Two years from the effective date of this ordinance, any prior issued business tax determination or license which violates this ordinance shall be cancelled and deemed void, no matter when issued or renewed.

Section 3. EFFECTIVE DATE. This ordinance shall be effective November 8, 2012.

Section 4. REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 5. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 24th day of September, 2012.

PASSED, ADOPTED and APPROVED on second reading this 9th day of October, 2012.

CITY OF BILLINGS

By _____
Thomas W. Hanel, Mayor

ATTEST:

By _____
Cari Martin, City Clerk