

CITY OF BILLINGS

CITY OF BILLINGS VISION STATEMENT:

**“THE MAGIC CITY: A DIVERSE, WELCOMING COMMUNITY WHERE PEOPLE PROSPER
AND BUSINESS SUCCEEDS.”**

AGENDA

COUNCIL CHAMBERS

May 26, 2015

6:30 P.M.

CALL TO ORDER: Mayor Hanel

PLEDGE OF ALLEGIANCE: Mayor Hanel

INVOCATION: Mayor Hanel

ROLL CALL: Councilmembers present on roll call were:

MINUTES: May 11, 2015

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 in at the cart located at the back of the council chambers or at the podium. 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. **SID 1382 Colton Boulevard.** (Opened 5/12/2015) Recommend delay of award until June 8, 2015.

2. **W.O. 12-31, Yegen Drain Improvements, Phase I.** (Opened 5/26/2015) Recommend delay of award until June 8, 2015.
 3. **W.O. 14-14, Reflections at Copper Ridge Pond Improvements.** (Opened 5/26/2015) Recommend delay of award until June 8, 2015.
 4. **W.O. 15-25, 44th Street West Multi-Use Path.** (Opened 5/26/2015) Recommend delay of award until June 8, 2015.
 5. **W.O. 15-08, Exposition Gateway.** (Opened 5/19/2015) Recommend delay of award until June 8, 2015.
- B. Amendment #2, W.O. 14-09, Briarwood Reservoir,** Professional Services Contract, Kadrmass, Lee & Jackson, \$43,100.
- C. Amendment #2, W.O. 15-06, Poly Drive, 32nd to 38th Streets West,** Professional Services Contract, DOWL HKM, \$305,715.
- D. Acknowledge Receipt of Petition to Annex #15-08:** approximately 19 acres located at the southwest corner of the intersection of Elysian Road and East Lane; Elysian School, owner; and set a public hearing date of June 8, 2015.
- E. Easement** with City High Ditch Water Users Association for Arrowhead School Trail.
- F. Easement** with Montana Dakota Utilities for construction of gas line across City property near Bench Boulevard and Mary Street.
- G. Easements** with Resource, Support & Development, Inc.; Colt Communications LLC; and Gary & Barbara Klipstein and Karen & Gregory Robey for W.O. 13-15 Calhoun Road Improvements.
- H. Easements** with Westfeeds, Inc. for W.O. 12-31, Yegen Drain Improvements, Phase I.
- I. Acceptance of Quitclaim Deed** for portions of Central Avenue road right-of-way that has been annexed into the City of Billings, from Yellowstone County.
- J. Donation** to Billings Public Library from Billings Public Library Foundation in honor of Foundation Founder, Royal C. Johnson; \$25,000.

- K. Second and Final Reading Ordinance expanding Ward I (Annexation #15-01)** for portions of 6th Avenue North, 4th Avenue North, 3rd Avenue North, 2nd Avenue North, 1st Avenue North, Main Street (Exposition Drive) and some alleys in the area of East Billings.

- L. Resolution of Intent** to create SID 1398, Mountain View Boulevard Improvements (street and storm drain), and set a public hearing date of June 22, 2015.

- M. Resolution of Intent** to create SILMD 317, Exposition Gateway, and set a public hearing date of June 22, 2015.

- N. Final Plat Approval**
 - 1. Cenex Park Subdivision, Lot 10-A-1, Block 3

 - 2. Millennium Market Subdivision, Amended Lots 2A-1 and 3A, Block 1

 - 3. Goodwin Acres Subdivision, Amended Lot 1A of Amended Lots 1-2

 - 4. North Pointe Square Subdivision, 2nd Filing

- O. Bills and Payroll:**
 - 1. April 27, 2015

 - 2. May 4, 2015

REGULAR AGENDA:

- 2. PUBLIC HEARING AND RESOLUTION** authorizing filing of the annual Federal Transit Administration Section 5307 Grant. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

- 3. PUBLIC HEARING AND RESOLUTION** adopting water and wastewater rate and fee schedule effective July 1, 2015. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

- 4. PUBLIC HEARING AND RESOLUTION** establishing Collection, Disposal, and Landfill Fees effective July 1, 2015. Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

5. **PUBLIC HEARING AND RESOLUTION** creating SILMD 315, Bench Boulevard (Clevenger Park). Staff recommends approval. (Action: approval or disapproval of staff recommendation.)

6. **PUBLIC HEARING AND SPECIAL REVIEW #924:** a special review to allow four, nine-plex multi-family buildings in a Residential 6000 zone on Lot 4, Block 1, Chalice Acres Subdivision, generally located west of 1442 Bench Boulevard. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission recommendation.)

7. **PUBLIC HEARING AND SPECIAL REVIEW #927:** a special review to locate an all-beverage liquor license without gaming in a Highway Commercial zone located on Lot 7, Block 1, Montana Sapphire Subdivision, generally located at 4020 Montana Sapphire Drive. Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria. (Action: approval or disapproval of Zoning Commission 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 in at the cart located at the back of the council chambers or at the podium.*)

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: 05/26/2015

TITLE: Delay of Bid Award SID 1382 Colton Boulevard Bid Award

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

SID 1382 will construct Colton Boulevard between Zimmerman Trail and 38th Street West. The project was bid on May 12th. Staff recommends that the City Council delay bid award until the June 8th City Council meeting, which will allow enough time to sell the SID bonds that finance the project.

ALTERNATIVES ANALYZED

There is no alternative to delaying award of SID 1382.

FINANCIAL IMPACT

The total estimated costs of the Improvements are \$1,278,302.11. The costs of the Improvements are to be paid from the following sources: (1) \$382,000.00 of Special Improvement District bonds; (2) \$251,040.71 of cash contribution by Boyer Land LLC, the owner of 9 lots in the District; and (3) \$654,261.40 of cash contribution by the City of Billings. The contribution from the city is comprised of \$65,000 water funds, \$100,000 storm drain funds and \$489,261.40 gas tax.

RECOMMENDATION

Staff recommends that the City Council delay award of a construction contract for SID 1382 until the June 8th meeting.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Delay of Bid Award W.O. 12-31 Phase I Yegen Drain Improvements

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The purpose of W.O. 12-31 Phase I Yegen Drain Improvements is to add stormwater capacity to the Yegen Drain from Minnesota Avenue to the outfall in the Yellowstone River. The project includes removing accumulated sediments, straightening the existing channel to improve flow, and removal of trees/brush within the channel.

The project was advertised on May 14th and 21st in the Billings Times and on the City's Website. Bids were opened May 26th, 2014, and by law, Council must act on the bid opening at this meeting. The bids were opened the same day as the Council meeting due to the holiday, which doesn't allow staff adequate time to review the bids. Therefore, staff requests that the City Council delay awarding a contract until the June 8th Council meeting.

ALTERNATIVES ANALYZED

City Council may delay action on this bid award until the June 8, 2015 Council meetings. There are no viable alternatives to this action.

FINANCIAL IMPACT

There is no financial impact associated with the delay of this bid award.

RECOMMENDATION

Staff recommends that Council delay award of a construction contract for W.O. 12-31 Phase I Yegen Drain Improvements until the June 8, 2015, Council meeting.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Delay of Bid Award for W.O. 14-14, Reflections at Copper Ridge Pond Improvements

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

W.O. 14-14 Reflections at Copper Ridge Pond Improvements is a construction project that will improve the existing stormwater detention pond located within Reflections at Copper Ridge Subdivision.

The project was advertised on May 14th, and 21st in the Billings Times and on the City's Website. Bids were opened May 26th, 2015, and by law Council must act on the bid opening at this meeting. The bids were opened the same day as this Council meeting due to the Memorial Day holiday which does not allow staff adequate time to review the bids. Therefore, staff requests that the City Council delay awarding a contract until the June 8th council meeting.

ALTERNATIVES ANALYZED

The Council may delay action for bid award on this project until the June 8, 2015 Council meeting. There are no viable alternatives to this action.

FINANCIAL IMPACT

There is no financial impact associated with delay of this bid award.

RECOMMENDATION

Staff recommends that Council delay award of a construction contract for W.O. 14-14 Reflections at Copper Ridge Pond Improvements until the June 8, 2015, Council meeting due to the bids being opened the same day as the Council meeting.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Delay of Bid Award for W.O. 15-25, 44th Street West Multi-Use Path

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

W.O. 15-25 - 44th Street West Multi-Use Trail is a CTEP project that will construct a multi-use trail along the east side of 44th Street West from King Avenue West to the existing trail network within the Shiloh Conservation Area.

The project was advertised on April 30th, May 7th, 14th, and 21st in the Billings Times and on the City's website. Bids were opened May 26th, 2015, and by law, Council must act on the bid opening at this meeting. The bids were opened the same day as this Council meeting due to the Memorial Day holiday, which does not allow staff adequate time to review the bids. Staff requests that the City Council delay awarding a contract until the June 8th council meeting.

ALTERNATIVES ANALYZED

The Council may delay action for bid award on this project until the June 8, 2015 Council meeting. There are no viable alternatives to this action.

FINANCIAL IMPACT

There is no financial impact associated with delay of this bid award.

RECOMMENDATION

Staff recommends that Council delay award of a construction contract for W.O. 15-25 - 44th Street West Multi-Use Path until the June 8, 2015 Council meeting due to the bids being opened the same day as the Council meeting.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Delay of Bid Award WO 15-08 Exposition Gateway

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The purpose of this project is to reconstruct streets near Exposition Drive between 1st Avenue North and 4th Avenue North in accordance with the Billings Exposition Gateway Concept Plan. The streets included in this project are 3rd Avenue North between Exposition Drive and North 10th Street, 2nd Avenue North between North 9th Street and North 10th Street, North 9th Street between 1st Avenue North and 3rd Avenue North, and North 10th Street between 1st Avenue North and 4th Avenue North. The improvements include water, sanitary sewer, storm drain and street improvements. The project construction was bid on May 19th. Staff recommends delaying the bid award until the June 8th, City Council Meeting to allow time to sell the SID bonds that will partially finance the project.

ALTERNATIVES ANALYZED

There is no alternative to delaying award of a construction contract for WO 15-08.

FINANCIAL IMPACT

The cost of the project will be paid out of the following:

- East Billings TIF Funds \$250,000.00
- East Billings TIF Bonds \$2,800,000.00
- Water Funds \$612,000.00
- Gas Tax \$430,000.00

RECOMMENDATION

Staff recommends delaying award of a construction contract for WO 15-08 until the June 8th meeting.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: W.O. 14-09--Briarwood Reservoir, Professional Services Contract, Amendment No. 2

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The City of Billings and Kadrmas, Lee & Jackson (KLJ) entered into a Professional Services Contract on June 23, 2014. W.O. 14-09 involves constructing a new water tank to serve the Briarwood area. Amendment 1 was approved October 21, 2014, and provided for additional geotechnical field work and evaluation of the poor soil characteristics in the Briarwood area.

From the results of this additional geotech work, it was determined that a drilled-pier foundation system was needed to adequately support the tank. The foundation was designed accordingly, but the construction of this complex foundation will require much more inspection (by qualified personnel) than what was originally anticipated for the project. In addition, due to the City's stringent electrical and instrumentation & control (IC) requirements, additional construction oversight will be needed. Amendment 2 will provide the additional inspection and construction administration for these issues.

For Quality Assurance (QA) testing, the City typically would contract separately with an approved testing firm. However, because of the close coordination needed between the design and testing personnel on this project, KLJ is teaming directly with SK Geotechnical, one of the City's approved testing firms, so Amendment 2 will cover the additional QA services that are not included in the original scope.

More specific details of the services provided by Amendment 2 can be found in the attached copy of the amendment.

ALTERNATIVES ANALYZED

The Council may:

- Approve Amendment No. 2 to the Professional Services Agreement with Kadrmas, Lee & Jackson; or
- Not approve Amendment No. 2 to the Professional Services Agreement and potentially inhibit KLJ's ability to provide all the construction engineering services deemed necessary for the complex site conditions.

FINANCIAL IMPACT

Original Contract Amount	\$ 290,200	
Amendment 1	\$ 5,000	1.72%
Amendment 2	\$ 43,100	14.85%
Revised Total Contract Amount	\$ 338,300	

This project is being funded with a State Revolving Fund (SRF) loan. Amendment 2 increases the contract amount by \$43,100. The approved project budget includes a contingency to pay for unforeseen circumstances characteristic of those included in Amendment 2.

RECOMMENDATION

Staff recommends that Council approve Amendment No. 2 to the Professional Services Contract with Kadrmass, Lee & Jackson for W.O. 14-09--Briarwood Reservoir, in the amount of \$43,100.

APPROVED BY CITY ADMINISTRATOR

Attachments

Amendment 2

AMENDMENT NO. 2
TO
CONTRACT FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES
CITY OF BILLINGS WORK ORDER 14-09,
Briarwood Reservoir Expansion

THIS AGREEMENT, made and entered into on _____, 2015, by and between the following:

CITY OF BILLINGS, a Municipal Corporation,
Billings, Montana 59103,
Hereinafter designated the City

and

Kadrmass, Lee & Jackson, Inc.
PO Box 80303
Billings, Montana 59108
Hereinafter designated the Contractor

WITNESSETH:

WHEREAS, the City and Contractor have entered into a contract dated June 23, 2014, for Contractor to provide professional services to the City for Work Order 14-09, and;

WHEREAS, the City has need for additional professional services, and;

WHEREAS, the City has authority to contract for professional services, and;

WHEREAS, the Contractor represents that he is qualified to perform such services, is in compliance with Montana Statutes relating to the registration of professional engineers and is willing to furnish such services to the City;

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein, or attached and incorporated herein, the Parties hereto agree as follows:

Part I, Section 4.A, is amended as follows:

“...Billings shall pay the Contractor no more than three hundred thirty-eight thousand three hundred and no/100 dollars (\$338,300.00) in accordance with this Section and Appendix B.”

Appendix A Section 3.4, Construction Phase Services, is amended to include Additional Services described in the attached Scope of Work, hereby incorporated as part of Amendment No. 2.

Appendix B, Section 1, Part A, is amended to include:

A. The Engineer shall be paid based upon actual time accrued, but not to exceed the following amounts:

Original contract amount	\$ 290,200
Amendment No. 1: Additional Geotechnical Services	\$ 5,000
Amendment No. 2: Additional Construction Services	\$ 43,100
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Total Professional Services following Amendment No. 2	\$ 338,300

All other terms and conditions of the contract, as amended, to which this amendment applies, shall remain in full effect.

CONSULTANT

NAME: Kadrmass, Lee & Jackson, Inc.

BY: _____

TITLE: _____

DATE: _____

CITY OF BILLINGS, MONTANA

BY: _____

TITLE: _____

DATE: _____

Amendment No. 2 Scope of Work

City of Billings Work Order #14-09 Briarwood Reservoir Expansion

I. DESCRIPTION

Contract Amendment No. Two (2) is for Additional Services not included in the original contract dated June 23, 2014 or Amendment 1 dated October 21, 2014. Services included generally consist of additional construction phase tasks related to geotechnical engineering, quality assurance, structural inspections, electrical components and leak detection systems.

II. SERVICES TO BE PERFORMED

A. Geotechnical Consulting, Special Inspections and Quality Assurance (QA)

The following services are included.

- Engineering consulting and construction administration
- Drilled pier observations
- Impermeable liner installation inspection
- Void form infiltration inspection
- QA compaction testing
- QA concrete testing

Drilled pier observations will need to be performed on a full-time basis and remaining services can be performed on a periodic basis. A brief discussion of the major components is described in further detail below.

Engineering consulting and construction administration will consist of review of several geotechnical and foundation related submittals and attendance of a construction meetings. Anticipated submittals that will need to be reviewed will consist of the following.

- Contractor's foundation design
- Concrete mix design
- Impermeable liner product and installation design
- Void form product and installation design

Drilled pier observations include performing observations during the drilled pier installation and construction. These services will consist of observing the drilled pier excavation and documenting the diameter, depth, soil, and bedrock conditions encountered. Other inspections include reinforcing steel cage, concrete placement methodology, and forming of the upper

portion of the drilled piers. It is anticipated these services will need to be performed on a full-time basis.

Impermeable liner installation special inspection services will be completed during installation of the impermeable liner. In particular, it will be documented that the liner is installed in accordance with the manufacturer's guidelines and with geotechnical report recommendations, that it is placed at the required location and limits, and that the drilled pier penetrations through the liner are properly sealed.

Void form installation special inspection services relate to installation of the recommended void forms beneath the concrete slab. In particular, it will be documented that the void forms are installed in accordance with the manufacturer's installation guidelines, and document the product installation, paying particular attention to penetrations, joints, and areas where concrete could come in contact with the expansive subgrade and concrete slab if improper void form construction occurs.

QA Testing. The project specifications indicate the contractor will be responsible for concrete testing services. It is assumed the contractor will also be required to perform their own Quality Control (QC) compaction testing services. QA testing services will be to evaluate that the contractor's methods and testing results are being properly performed and in accordance with the project specifications and geotechnical report.

Reporting. Results of special inspection and testing services will be provided electronically as they are completed.

B. Electrical, Controls and Leak Detection Systems

Additional services are required for satisfactory installation of systems related to electrical controls, communications tower, ultrasonic level sensors and leak detection components. The services generally are described as follows.

- Submittal review
- RFI coordination with contractor and suppliers
- On-site construction observation
- Coordination with City staff
- Start-up system testing and trouble shooting

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: W.O. 15-06 Poly Drive, 32nd to 38th Streets West - Professional Services Contract Amendment #1

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The professional services contract with DOWL for design of Work Order 15-06 Poly Drive, 32nd Street West to 38th Street West, was approved at the October 14th, 2014, City Council Meeting. Construction was bid on April 28th, 2015 and a contract was awarded by Council at the May 11th, 2015 Council Meeting. This professional services contract amendment will provide for construction staking, construction inspection, construction administration services, materials testing, and design work that could be added as a result of new information from exploratory excavation surveys.

ALTERNATIVES ANALYZED

The Council may:

- Approve Professional Services Contract Amendment #1 in the amount of \$305,715.00; or
- Do not approve Professional Services Contract Amendment #1 which would not allow this work to be completed.

FINANCIAL IMPACT

This Contract Amendment #1 is for \$305,715.00 and brings the total professional services contract with DOWL to \$577,175.00. Funding for this project is from property owner assessments, sewer, gas tax, and arterial funds. There is sufficient funding in the budget for this amendment.

RECOMMENDATION

Staff recommends that City Council approve Professional Services Contract Amendment #1 with DOWL in the amount of \$305,715.00 for W.O. 15-06, Poly Drive, 32nd Street West to 38th Street West.

APPROVED BY CITY ADMINISTRATOR

Attachments

Amendment

AMENDMENT NO. 1
TO
CONTRACT FOR PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES
CITY OF BILLINGS WORK ORDER 15-06,
Poly Drive (32nd Street West to 38th Street West)

THIS AGREEMENT, made and entered into on _____, 2015, by and between the following:

CITY OF BILLINGS, a Municipal Corporation,
Billings, Montana 59103,
Hereinafter designated the City

and

DOWL
222 North 32nd Street, Suite 700
Billings, Montana 59101
Hereinafter designated the Contractor

WITNESSETH:

WHEREAS, the City and Contractor have entered into a contract dated October 14th, 2014, for Contractor to provide professional services to the City for Work Order 15-06, and;
WHEREAS, the City has need for additional professional services, and;

WHEREAS, the City has authority to contract for professional services, and;

WHEREAS, the Contractor represents that he is qualified to perform such services, is in compliance with Montana Statutes relating to the registration of professional engineers and is willing to furnish such services to the City;

NOW, THEREFORE, in consideration of the terms, conditions, covenants and performance contained herein, or attached and incorporated herein, the Parties hereto agree as follows:

Add the following to Item C of Section 1., Definitions:

C.1) DOWL HKM will be doing business as DOWL.

Add the following to Appendix A, Scope of Work:

The following tasks will be undertaken by DOWL. Any item not specifically discussed or as otherwise noted are assumed to be a City of Billings (City) responsibility or beyond the services listed in this scope.

Task 600 – Construction Administration & Materials Testing

- 1) This scope and the associated professional fee assume:
 - a. One (1) construction contract/Contractor for this project, with a construction contract duration of 150 calendar days.
 - b. Engineer shall consult with the City and act as representative for the City as defined in the construction contract documents, which will incorporate the MPWSS, and specifically the General Conditions contained therein as modified by the City of Billings Standard Modifications, latest edition.
 - c. The extent and limitation of the duties, responsibilities, and authority of the Engineer will be as assigned in the construction contract documents and shall not be modified, except as Engineer may otherwise agree in writing.
- 2) The City will schedule and conduct a pre-construction conference and publish meeting minutes. DOWL will address contractor questions. DOWL will attend a pre-construction field review with contractors as necessary.
- 3) Attend a “Meet the Contractor” public meeting. The contractor will schedule and conduct the meeting.
- 4) Take pre-construction photos and videos of the project areas.
- 5) Provide full-time construction observation utilizing a Resident Project Representative (RPR) to assist the Engineer in observing progress, quality of work, and conformance to the contract documents and other applicable codes and standards. One (1) full-time RPR will be on-site for 40 hours per week, 5 days a week for 22 weeks. An additional 2 hours per week is assumed for the RPR to address unforeseen issues that require additional attention. Inspection activities will include review of all major work items in the construction documents, including traffic control set-ups and sediment and erosion control plans. The RPR will prepare daily inspection reports, daily quantity summaries, weekly progress reports, weekly workforce and equipment reports, and other reports as required. Quantities for assessments on the curb/gutter, sidewalk, and driveway will be tabulated for each assessed property. RPR responsibilities are further defined in the General Conditions contained in the City of Billings Standard Modifications, latest edition.
- 6) Develop and implement a quality assurance testing plan for materials testing in accordance with the City of Billings Standard Modifications, latest edition. DOWL will conduct a pre-construction testing meeting with RPRs, field testing personnel, and lab manager to coordinate testing requirements. DOWL will provide qualified personnel, equipment, and supplies for field testing of materials throughout construction. Monitor

and collect results from contractor's separate quality control materials testing program. Monitor and collect results from contractor's separate quality control materials testing program.

- 7) Attend and conduct a weekly construction meeting with the City and contractor. Allow up to 3 hours per week for the weekly construction meeting and any related follow-up activities.
- 8) Review contractor's submittals, such as shop drawings, samples, equipment, mix designs, aggregates, and other data, for conformance to the contract documents. This review does not include or extend to contractor's means, methods, techniques, sequences, procedures, or safety programs.
- 9) Respond to contractor requests for information. Issue necessary clarifications and interpretations of the contract documents. Notify the City immediately of any contract problems or deviations from the approved contract documents. Issue notices as required by the construction contract. Recommend and prepare Work Change Directives and Change Orders for the City as necessary. Change orders that require additional design or construction services by Engineer will be considered Additional Services and compensated in accordance with the provisions of this Contract. The Additional Services will require prior approval from the City.
- 10) Receive, review, and transmit to City all contractor requests for City staff involvement and approvals, such as valve and hydrant operation requests, water quality sampling requests, traffic control reviews, etc. Assure required advance notice requirements are being met by contractor for all requests to the City for reviews, inspections, operations, and testing.
- 11) The City will host and maintain the project website. The City will prepare weekly website and email informational update content, including current project maps and work descriptions.
- 12) Make visits to the site at intervals appropriate to various stages of construction to observe, as an experienced and qualified design professional, the progress of the contractor's work. Visits by the Engineer shall be limited to spot checking and similar methods of general observation of the work as assisted by the RPR.
- 13) Review and recommend monthly contractor payment requests.
- 14) Conduct substantial completion and final inspections with City and contractor. Prepare and monitor punchlist items required for completion of the work by contractor.
- 15) Provide project management and internal quality assurance throughout this task.

Task 700 – Construction Staking

- 1) Project Coordination and Management – Collect survey requests and schedule survey staff to perform work in a timely manner.
- 2) One surveyor to attend weekly construction meetings, as needed.. Two (2) hours per week for the weekly construction meeting through the contract duration is assumed to cover travel, meeting time and any follow-up activities related to the meeting.

- 3) Set Preliminary Field Control – Control set for topographic survey for design will be verified. Offsets (hub and lath) to baseline will be staked once at 100-foot intervals on one side of the roadway. Baseline offsets will be placed as far away from construction activities as feasible and will show hub elevation, stationing, and appropriate finished grade cut/fills to the roadway section.
- 4) Street monuments have been surveyed as part of the design survey. DOWL will reset street monuments after street reconstruction, providing offsets for monument box installation. Monument boxes and brass cap encased in concrete are to be set by others. DOWL will stamp brass cap and file corner records related to the reset monuments.
- 5) DOWL will stake the project once for each of the following construction activities:
 - a) Slope staking and street baseline staking at 50-foot intervals.
 - b) Bluetop top of subgrade at 100-foot intervals on the baseline only.
 - c) Bluetop base course at 50-foot intervals. Bluetopping will be baseline only as the curb and gutter will set the edge elevations.
 - d) Curb and gutter staking (all types) at 25-foot intervals 2-foot offset to back of curb, PCs, PTs, and critical vertical geometry.
 - e) Driveway/approach horizontal staking
 - f) ADA Ramp horizontal staking of curves, tangents, and radius points.
 - g) Control for paving shall be provided by others.
 - h) Storm Drain – Stake manholes and inlets only, and provide temporary benchmarks adjacent to the work.
 - i) Sanitary Sewer – Stake manholes only, and provide temporary benchmarks adjacent to the work.
 - j) Water Line – Stake offset pipe centerline and provide vertical benchmark elevation, including identifying new features (valves, fittings, fire hydrants).
 - k) Electrical – stake horizontal position of traffic signal poles and posts, pull boxes and service points.
 - l) Signing – Stake sign foundation location behind sidewalk by station only. Offset to be determined by others.
 - m) Pavement Marking – Provide sufficient control to complete Work. Control will be provided at beginning and end points and at transition locations. All symbols will be marked at the center of the symbol.
 - n) Retaining Wall(s) - Station and offset horizontal location.

Task 701 – Miscellaneous Staking & Survey

- 1) At the request of the City of Billings, DOWL will address miscellaneous staking requests for fence corners, property lines, and utilities (power, communications, natural gas, etc) up to a maximum 98 2-man crew hours and 24 professional hours.

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Annexation #15-08: Acknowledge receipt of petition and set a public hearing date

PRESENTED BY: Candi Millar, Planning & Community Services Department Director

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

Elysian School submitted a petition to annex land that it owns to the City of Billings under Section 7-2-4600, MCA. The subject property is a parcel totaling about 19 acres. The property is located at the southwest corner of the intersection of Elysian Road and East Lane and has the existing school on the property as well as some vacant land for future school facility expansion. The property owner is requesting annexation in order to obtain City services as the school is completing a large expansion project to accommodate a larger student population. The property is currently zoned Public, which is the correct zoning for a school use.

The property is located within the five-year annexation area of the City's Limits of Annexation Map and appears to meet some of the City's criteria in its Annexation Policy. A detailed review and analysis of the Annexation Policy criteria will be provided in the Council's public hearing memo. The City Council's policy is to consider annexations at two separate Council meetings. At the first meeting, the Council acknowledges receipt of a petition and sets a public hearing date. At the second meeting, the Council conducts the hearing and decides if it will annex the property.

ALTERNATIVES ANALYZED

Section 7-2-4600, MCA, allows owners of more than 50% of the property to petition the City for annexation. The only alternative that is consistent with City Council policy is to acknowledge receipt of the petition and set a public hearing date.

FINANCIAL IMPACT

Analysis by City staff of how City services may be provided to this property and a recommendation on the annexation will be prepared and presented at the public hearing.

RECOMMENDATION

Staff recommends that the City Council acknowledge receipt of the annexation petition and schedule a public hearing for June 8, 2015 to consider annexing this property.

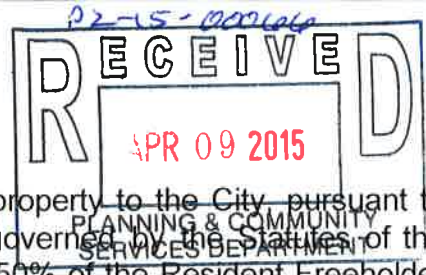
APPROVED BY CITY ADMINISTRATOR

Attachments

Annexation Petition

Annexation Exhibit

Applicant Area Map Exhibit



NOTICE TO PETITIONER

This is a Petition to the City of Billings requesting the annexation of property to the City pursuant to MCA Title 7, Chapter 2, Part 46. Procedures for annexation are governed by the Statutes of the State of Montana. This Petition requires the signatures of more than 50% of the Resident Freeholder Electors to be considered for annexation.

INSTRUCTIONS

1. All items must be completed or provided. Please type or print. You may attach additional pages if more space is needed.
2. Prepare a map drawn to a scale adequate and legible to show the property requesting annexation and all other property within one-quarter (1/4) mile.

The map must show:

- a. The present and proposed boundaries of the municipality;
 - b. The present streets, major trunk water mains and sewer mains;
 - c. The zoning of the property requesting annexation and the property immediately adjacent to it.
3. The Petition should be submitted to the Planning Department, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m., located on the 4th Floor of Parmly Billings Library at 510 North Broadway, Billings, Montana. Upon presentation, the Petition will be checked for completeness. Once accepted, the Petition will be routed to the following City Departments: Public Works, City-County Planning, Public Utilities, Fire Department, City Attorney, Police Department, and Finance Department. If no problems with the Petition have been noted by the departments, the City Clerk will schedule the Petition for City Council action.
 4. By filing the petition for annexation, the Petitioner(s) agree that only those City services which are available to the general area shall be provided to Petitioner, and that additional services as may become available to the general area shall be made available to Petitioner(s) in the same manner as said services are made available to other residents of the City. Petitioner(s) specifically waive the right to the report and plans for extension of services as provided in MCA Title 7, Chapter 2, Part 47.
 5. A description of the territory to be annexed to the City is legally described on a document attached hereto.

RESIDENT FREEHOLDER ELECTORS

Date	Print Name	Name Signature	Address
<i>4/9/15</i>	<i>Bob Whitlow Elysian School</i>	<i>Bob Whitlow Elysian School</i>	<i>6416 Elysian Rd, Billings, MT</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____



P2-15-00066

(Should be completed prior to obtaining signatures of resident freeholder electors)
DESCRIPTION OF THE TERRITORY TO BE ANNEXED TO THE CITY OF BILLINGS

Legal Description	Tax Code	Address of General Location	Use of Property	Legal Property Owners	Address	Phone
COS 852 Amended Tract 1A	D00862	6416 Elysian Rd	School	School Dist #23	6416 Elysian Rd	656-4101

ALL ITEMS BELOW SHALL BE COMPLETED BY STAFF

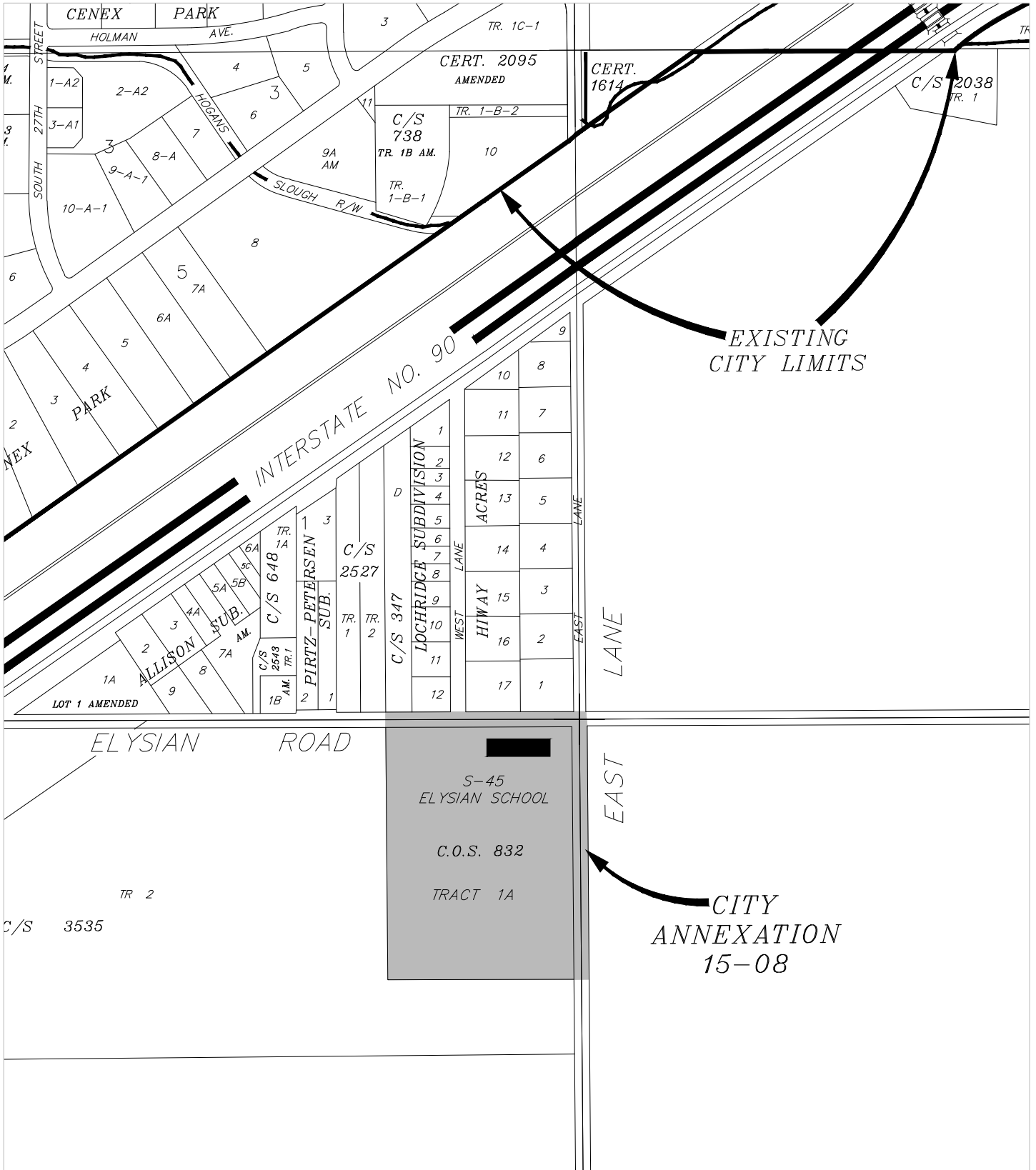
Date Submitted: 4/9/15

Received By: WAF

Petition Number: AN# 15-08

Fee Paid: \$1,054.00
 includes \$45.00 sign deposit

ANNEXATION 15-08 EXHIBIT "A"



EXISTING
CITY LIMITS

CITY
ANNEXATION
15-08

LOCHRIDGE SUBDIVISION	ACRES
1	8
2	7
3	6
4	5
5	4
6	3
7	2
8	1
9	
10	
11	
12	

S-45
ELYSIAN SCHOOL

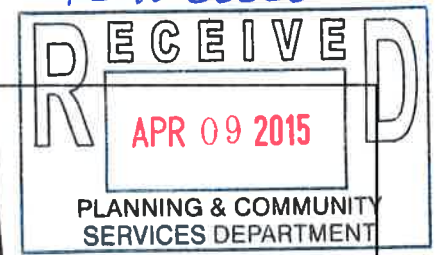
C.O.S. 832

TRACT 1A

C/S 3535

TR 2

P2-15-00066



ELYSIAN SCHOOL

ANNEXATION MAP
WITHIN
YELLOWSTONE COUNTY, MONTANA

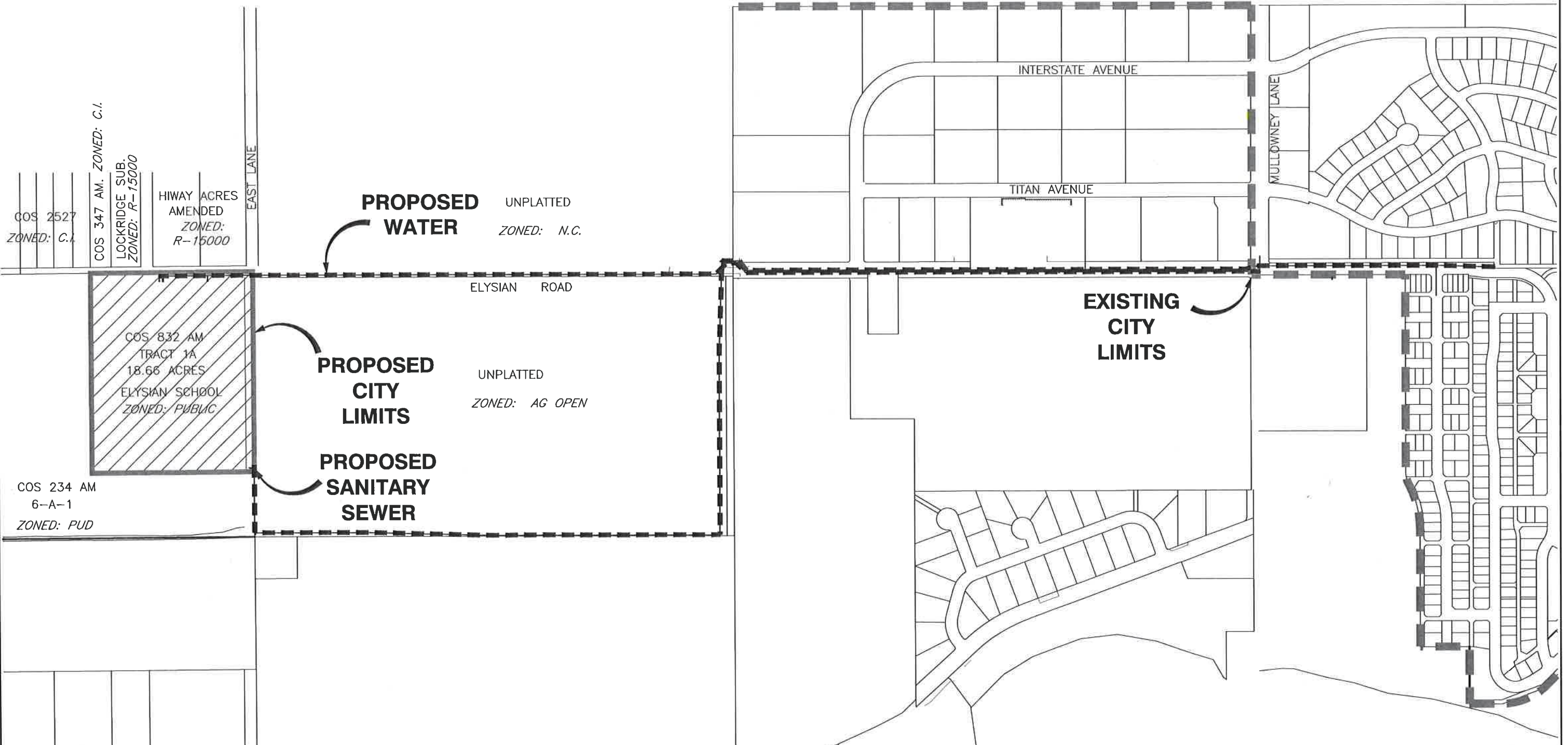
PREPARED FOR : ELYSIAN SCHOOL DISTRICT #23

PREPARED BY : SANDERSON STEWART

APRIL, YEAR
BILLINGS, MONTANA



250 0 250 500
SCALE: 1"=500'



Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Easement Acceptance - Arrowhead School CTEP Project

PRESENTED BY: Candi Millar, Planning & Community Services Department Director

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

This easement will enable construction of one of the remaining Community Transportation Enhancement Program (CTEP) projects proposed for construction this summer. The Arrowhead School Trail will be a 10-foot wide, ADA accessible trail connection through St. John's campus within the established City High Ditch corridor. To construct the trail, an easement between the City of Billings and the City High Ditch Water Users Association needs to be established to place the trail next to the ditch. Staff has been working together with the City High Ditch the last few months to finalize an easement for the construction of this trail. Currently there is a rock path provided by St. John's campus for students to access Arrowhead School. However, the trail is full of goathead weeds that puncture tires, making it difficult for students riding bicycles. In addition, the trail is not ADA accessible.

This easement only refers to the portion of trail on the City High Ditch property on the west side of Mission Way, the corridor continues east of Mission Way on School District #2 property. The City High Ditch Association unanimously approved this easement at its meeting on April 29. The easement must be signed by the Mayor and recorded.

ALTERNATIVES ANALYZED

City Council may:

- Authorize the Mayor to sign the asement between the City of Billings and the City High Ditch Water Users Association, or;
- Not authorize the Mayor to sign the easement between the City of Billings and the City High Ditch Water Users Association. If the easement is not signed by the City, it will create challenges to constructing the trail segment as intended and designed along the ditch corridor.

FINANCIAL IMPACT

There is no financial impact to the City of Billings.

RECOMMENDATION

Staff recommends that the City Council authorize the Mayor to sign the Easement with the City High Ditch Water Users Association.

APPROVED BY CITY ADMINISTRATOR

Attachments

Easement

Location Aerial

MULTI-USE TRAIL EASEMENT

FOR VALUABLE CONSIDERATION, **City High Ditch Water Users Association**, (“Grantor”) PO Box 20358, Billings, MT 59104 does hereby GRANT, to the **CITY OF BILLINGS, MONTANA**, (“Grantee”) a municipal corporation, whose address is Post Office Box 1178, Billings Montana 59103, a perpetual easement to construct, reconstruct, maintain, operate, repair and improve necessary fixtures and appurtenances for a multi-use trail over, across, under and through the following described real property that is located in the City of Billings, Yellowstone County, Montana:

Legal Description: Lot 1, Block 1, Missions United Subdivision, Yellowstone County, Montana, on file in the office of the Clerk and Recorder of said County, under Document No. 3135018.

More commonly referred to as “Property”.

DESCRIPTION OF EASEMENT
SEE ATTACHED EXHIBIT “A”

This easement shall continue from the date it is executed by all parties so long as the need continues to use the property for the above-described purposes, and shall terminate when the City of Billings ceases to use the property to maintain, operate, repair and improve necessary fixtures and appurtenances for the Multi-use Trail.

The City High Ditch Water Users Association will not be liable for damage to the Multi-use Trail or for personal injuries related to trail use. In accepting this easement, the City agrees that any damage or injury done to the multi-use trail by a contractor or employee working for the City High Ditch Water Users Association for the maintenance or improvement of the ditch is the sole responsibility of the City of Billings.

DATED this _____ day of _____, 2015.

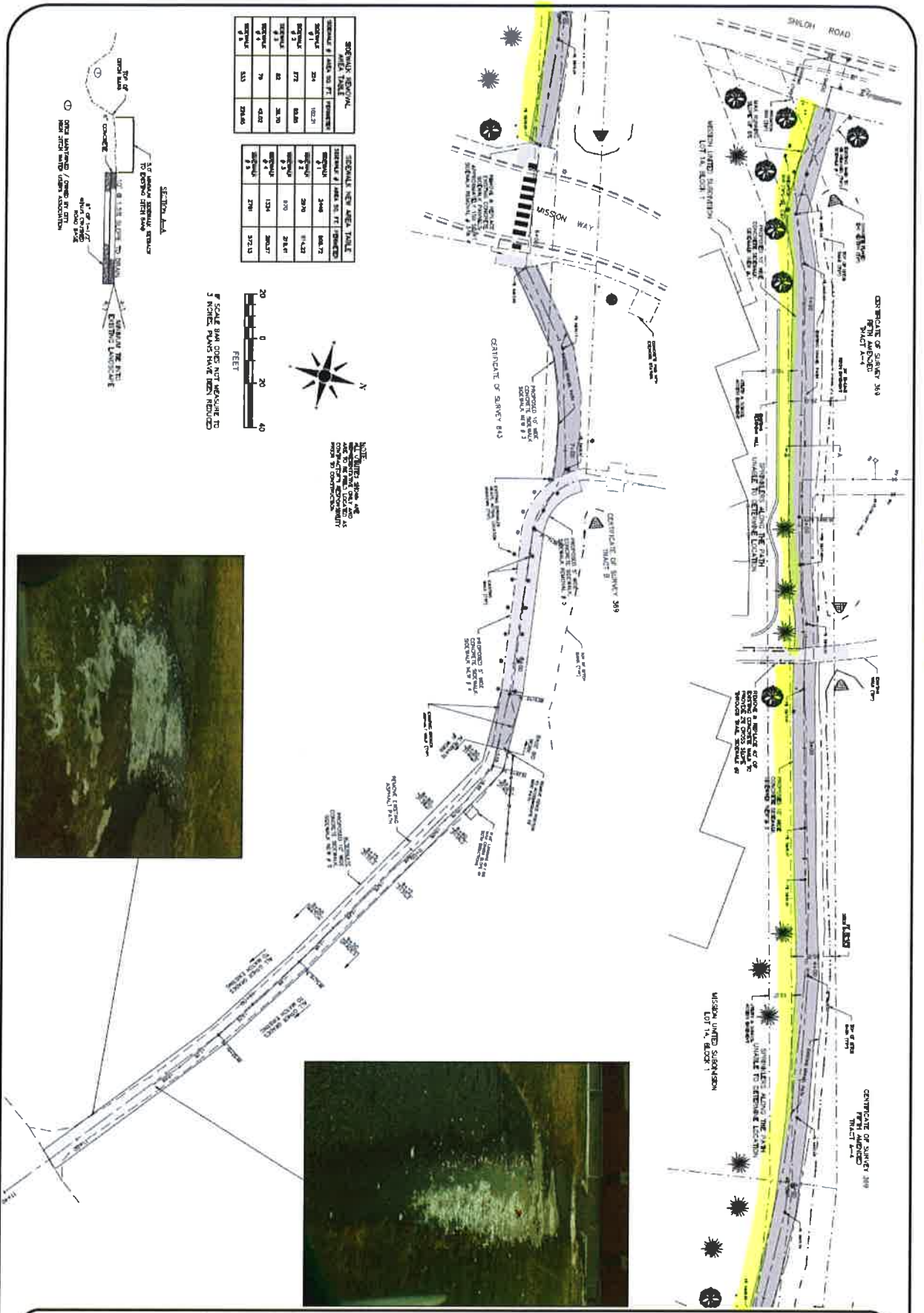
Vince Winterhalter, President
City High Ditch Water Users Association

STATE OF MONTANA)
) : ss
County of Yellowstone)

On this ____ day of _____, 2015 before me a Notary Public for the State of Montana, personally appeared **Vince Winterhalter, City High Ditch Water Users Association**, and acknowledged to me that he executed the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial seal the day and year first above written.

_____ (Signature)



STANDARD ELEVATIONS

STANDARD ELEVATION	AREA TABLE
STANDARD 1	100.00
STANDARD 2	100.00
STANDARD 3	100.00
STANDARD 4	100.00
STANDARD 5	100.00
STANDARD 6	100.00
STANDARD 7	100.00
STANDARD 8	100.00
STANDARD 9	100.00
STANDARD 10	100.00

STANDARD NEW AREA TABLE

STANDARD #	AREA	PERCENTAGE
STANDARD 1	2000	100.00
STANDARD 2	2000	100.00
STANDARD 3	2000	100.00
STANDARD 4	2000	100.00
STANDARD 5	2000	100.00
STANDARD 6	2000	100.00
STANDARD 7	2000	100.00
STANDARD 8	2000	100.00
STANDARD 9	2000	100.00
STANDARD 10	2000	100.00



SCALE BAR DOES NOT MEASURE TO 3 INCHES. PLANS HAVE BEEN REDUCED.



City of Belvidere
Engineering Division
2224 Arrowhead Avenue
Belvidere, IL 60010
Phone (815) 657-8231
Fax (815) 237-0291

Project: W.O. 2013-20 Arrowhead Trail
Sheet: 100 of 100
Date: 11/14/14
Page: 1 of 1

City of Belvidere
Engineering Division
2224 Arrowhead Avenue
Belvidere, IL 60010
Phone (815) 657-8231
Fax (815) 237-0291

W.O. 2013-20 ARROWHEAD TRAIL
SHILOH ROAD TO ARROWHEAD SCHOOL

Aerial of location of ditch and proposed easement.



Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Easement to Montana Dakota Utilities for a Pipeline on City Property

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

Montana Dakota Utilities would like to construct a gas line across City property near Bench Boulevard and Mary Street. This property was railroad right of way and was deeded to the City. Because this is deeded City land instead of right of way, an easement is needed instead of a typical permit as would be needed in the right of way. The land is currently being used as a utility corridor for the City's infrastructure.

ALTERNATIVES ANALYZED

City Council may:

- Approve the easement to MDU, or;
- Disapprove the easement to MDU. If the easement is not approved, MDU will need to find an alternate location to install their gas line.

FINANCIAL IMPACT

The difference between this land and City owned ROW is simply in the details of how it was deeded. The land functions similar to all city ROW and as such, staff recommends charging the standard ROW fee for this easement. The ROW fee is based on length of the gas line and in this situation would be \$215.

RECOMMENDATION

Staff recommends that the City Council grant the easement to Montana Dakota Utilities.

APPROVED BY CITY ADMINISTRATOR

Attachments

MDU Utility Easement

Return to:
City Clerk
City of Billings
PO Box 1178
Billings, MT 59103

CITY OF BILLINGS
PUBLIC WORKS DEPARTMENT

UTILITY RIGHT-OF-WAY EASEMENT

The **City of Billings**, for and in consideration of Two Hundred Fifteen Dollars \$ 215.00 in hand paid by the **Grantee**, the receipt whereof is hereby acknowledged, as agreed, hereby grants and conveys to Montana Dakota Utilities Co, a Division of MDU Resources Group, Inc., **Grantee**, a **Utility Right-of Way Easement** on the following described City property:

A tract of land situated in the NW1/4 of Section 14, T.1N., R.26E., P.M.M., City of Billings, Yellowstone County, Montana, more particularly described as:

Being a portion of the abandoned Northern Pacific Rail Road as depicted on the plat of the Amended Plat of Crist Acres, Recorded April 20, 1956, under Document No. 561946, on file and of record in the Records of Yellowstone County, said portion being adjacent to Lots 17 and 18 of Block 3 of said Crist Acres, easement being 10.0 feet in width, perpendicular and running parallel with said Lots 17 and 18. Beginning at the south Right Of Way line of Crist Drive and continuing south and terminating at the north Right Of Way line of Caroline Street.

This easement to Montana Dakota Utilities Co, a Division of MDU Resources Group, Inc., **Grantee**, is for the purpose of constructing, operating, maintaining, replacing and removing utility systems as described in attached Exhibit(s) concerning the above-described property, together with the right of free ingress and egress over and across said property for the above stated purpose subject to the conditions provided below. However, the **City of Billings** reserves the right to occupy and/or use the property in question for all purposes not inconsistent with the rights herein granted.

It is understood and agreed that the following conditions shall apply to this easement:

1. All utility installation located within this easement shall be located as required by the City of Billings.
2. **Grantee** shall install the underground utility and restore the lot to its original condition as approved by the **City of Billings**. Installation and restoration shall be completed within 45 days after construction.
3. **Grantee** shall notify the Public Works 48 hours in advance of any construction, maintenance or repairs. In the event of an emergency **Grantee** shall provide notice within 24 hours after access.
4. During operations in the easement **Grantee** shall keep site clear of any debris. The area shall be left in a condition equal to or better than the existing condition prior to access satisfactory to the Public Works.
5. **Grantee** shall take all necessary precautions to protect existing infrastructure including but not limited to structures, vegetation, utilities, irrigation, fencing, sidewalks and paths. Any and all damage shall be repaired at **Grantee's** expense to the satisfaction of Public Works. Damage not repaired in a reasonable time period shall be undertaken by Public Works and all expenses shall be billed to the **Grantee**.
6. To allow travel over and across the property by **Grantee**, linear portions of the utility installation shall be ten (10) feet in width (sufficient to allow access to necessary equipment for installation and repair purposes).
7. **Grantee** shall maintain any surface equipment in such a manner as to preserve or enhance the safety and aesthetics of the surrounding area and private housing lots as approved by the City of Billings.
8. All underground wire and cable installation shall be in conduit.
9. The easement shall not be assignable by the Grantee to any other utility for any use other than that specifically described in the easement.
10. Subject to the condition in # 10 above, this easement shall run with the land and be binding upon successors in interest should ownership of said described tract change in the future.
11. **Indemnity and Insurance:** As partial consideration for the permission to obtain this easement across City property, **Grantee** agrees to indemnify, defend and save the City, its officers, agents and employees harmless from any and all losses, damages, judgments, causes of action and liability, including reasonable attorney's fees occasioned by, growing out of, or in any way arising or resulting from any intentional or negligent act or omission on the part of **Grantee** or its contractors, subcontractors, agents or employees. For this purpose, Contractor shall provide City with proof of Commercial General Liability insurance issued by a reliable company or companies for personal injury and property damage, in an amount not less than \$750,000 per claim, and in an amount not less than \$1.5 million per occurrence, and naming the City as an additional insured. The insurance must be in a form suitable to and approved by City.
12. Noncompliance with any of the above terms and conditions, may result in the City exercising any or all available remedies up to and including termination of this easement if **Grantee** fails to initiate action to remedy the non-compliance after fifteen (15) calendar days written notice from the City.

Dated this _____ day of _____, 20_____.

By: _____
Mayor

Attest:

By: _____
City Clerk

State of Montana)
) ss.
County of Yellowstone)

On this ____ day of _____ 20_____, before me, a Notary Public in and for the State of Montana, personally appeared _____ and _____, known to me to be the Mayor and City Clerk of Billings, respectively, and acknowledged to me that they duly executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Notary Public for the State of Montana

Printed Name

Residing at _____

My commission expires _____

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Right-of-Way Easements: W.O. 13-15 Calhoun Road Improvements

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

W.O. 13-15 Calhoun Lane Improvements is a project to reconstruct Calhoun and Simpson and is mostly funded by TIF funds from the South Billings Urban Renewal District (SBURD) The improvements on Calhoun will include a reconstructed street and overlay to provide two travel lanes, a two way left turn lane, and bike lanes between Underpass Ave and King Ave East. Simpson Street improvements will include a reconstructed street. On both streets, new sidewalk and corner radii will be constructed.

There are several areas where right-of-way easements are required to install corner radii and sidewalks, and provide space for fire hydrants. City staff has negotiated with the last of these adjacent property owners and they have agreed to right-of-way easements which are shown on the attached easement exhibits.

ALTERNATIVES ANALYZED

The Council may:

- Approve the right-of-way easements; or
- Disapprove the right-of-way easements. If the right-of-way easements are not approved, several hydrants will have to be relocated, sidewalk cannot be added on Simpson Street or on a lot of Calhoun, and corner radii will have to be constructed that will not meet or barely meet requirements for ADA Accessibility.

FINANCIAL IMPACT

There is no cost to the City for the right-of-way easements for WO 13-15, Calhoun Road improvements.

RECOMMENDATION

Staff recommends that the City Council approve the right-of-way easements for WO 13-15 Calhoun Lane Improvemets.

APPROVED BY CITY ADMINISTRATOR

Attachments

Colt Communications

Klipstein-Robey

RSD Inc

RETURN TO
City Clerk
City of Billings
P.O. Box 1178
Billings, MT 59103

RIGHT-OF-WAY EASEMENT

THIS EASEMENT, made and entered into this day of April 14th, 2015 by and between the following:

Colt Communications LLC Money Purchase Pension Plan
PMD497, 20701 North Scottsdale Road #107
Scottsdale, Arizona 85255,
hereinafter referred to as **GRANTOR**

and

CITY OF BILLINGS, a Municipal Corporation
City Hall – 210 North 27th Street
PO Box 1178
Billings, Montana 59103-1178,
hereinafter referred to as **GRANTEE**

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged;

WITNESSETH THAT GRANTOR does hereby grant, sell, and convey unto the **GRANTEE**, perpetual easement and right-of-way to construct, reconstruct, maintain, operate, repair and improve necessary fixtures and appurtenances for sidewalk, accessibility ramps, street lights, traffic signals, water lines, and fire hydrants over, across, under, and through the real property more particularly described as follows:

Basis of Bearing being the plat of Southwest Billings Subdivision, First Filing, Document No. 1372518.

Said tract being more particularly described as follows:

Being the west 3.0 feet of Tract 1, Certificate of Survey 2350, less that portion conveyed to the City of Billings for Right-Of-Way purposes, Per Warranty Deed Document No. 3467226. Of record at the Yellowstone County Clerk & Recorder, City of Billings, Yellowstone County, Montana

Said tract of land containing 800 square feet more or less.

More commonly referred to as 4513 KING AVENUE EAST

RETURN TO
City Clerk
City of Billings
P.O. Box 1178
Billings, MT 59103

TO HAVE AND TO HOLD unto **GRANTEE** and to its successors and assigns forever.

IN WITNESS WHEREOF, the **GRANTOR** warrants that they have good right to convey, free and clear of all encumbrances, the above-described interests in the real estate described and have hereunto set their hand.



ALMON BLAIN

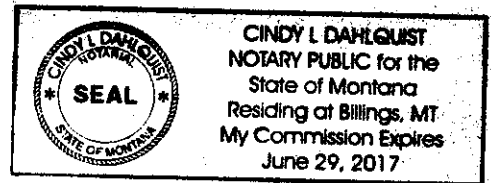
As: Partner

Of: Colt Communications LLC
Money Purchase Pension Plan

STATE OF MONTANA)
 :SS
County of Yellowstone)

On this 14th day of April, 20 15, before me, a Notary Public in and for the State of Montana, personally appeared ALMON BLAIN, as PARTNER of Colt Communications LLC Money Purchase Pension Plan, known to me to be the owners of said property whose names are subscribed to the foregoing instrument, and acknowledged to me that they duly executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Cindy L Dahlgvist



RETURN TO
City Clerk
City of Billings
P.O. Box 1178
Billings, MT 59103

ACKNOWLEDGMENT AND ACCEPTANCE OF CONVEYANCE

The Mayor and City Council of the City of Billings acknowledges receipt of this perpetual easement and hereby accepts the property interest conveyed through this instrument.

THOMAS W. HANEL,
Mayor, City of Billings

ATTEST:

CARI MARTIN, City Clerk

STATE OF MONTANA)
 :SS
County of Yellowstone)

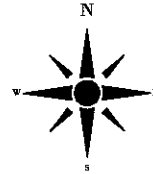
On this _____ day of _____, 20____, before me, a Notary Public in and for the State of Montana, personally appeared THOMAS W HANEL and CARI MARTIN, known to me to be the Mayor and City Clerk of Billings, respectively, and acknowledged to me that they duly executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Notary Public in and for the State of Montana
Printed Name: _____
Residing at _____
My commission expires _____

EXHIBIT A

SIDEWALK EASEMENT
SITUATED IN TRACT 1, CERTIFICATE OF SURVEY 2350,
DOCUMENT NUMBER 1372518
BILLINGS, YELLOWSTONE COUNTY, MONTANA

TRACT A-1 C.O.S. 775



FEET

SIDEWALK EASEMENT DESCRIPTION

A tract of land situated in Tract 1, Certificate of Survey 2350, Document No. 1372518. Of record at the Yellowstone County Clerk & Recorder, City of Billings, Yellowstone County, Montana

Basis of Bearing being the plat of Southwest Billings Subdivision, First Filing, Document No. 1372518.

Said tract being more particularly described as follows:
Being the west 3.0 feet of Tract 1, Certificate of Survey 2350, less that portion conveyed to the City of Billings for Right-Of-Way purposes, Per Warranty Deed Document No. 3467226. Of record at the Yellowstone County Clerk & Recorder, City of Billings, Yellowstone County, Montana

Said tract of land containing 800 square feet more or less.

D-01589
TRACT 1, C.O.S. 2350
LESS KING AVENUE R-0-W
DOCUMENT #3467226
4513 KING AVENUE EAST

LANE
CALHOUN

KING AVENUE EAST

RESERVED FOR CLERK AND RECORDER

LEGEND



SIDEWALK EASEMENT

CITY OF BILLINGS, MONTANA
SIDEWALK EASEMENT EXHIBIT

CITY W.O. 13-15

THIS EXHIBIT IS PREPARED BY THE CITY OF BILLINGS, MONTANA

RETURN TO
City Clerk
City of Billings
P.O. Box 1178
Billings, MT 59103

RIGHT-OF-WAY EASEMENT

THIS EASEMENT, made and entered into this day of _____, 20____, by and between the following:

Gary Leroy and Barbara Jean Klipstein
2404 Rosewyn Lane
Billings, Montana 59102,
hereinafter referred to as **GRANTOR**

Karen L. and Gregory A. Robey
8936 Susanna Drive
Billings, Montana 59101,
hereinafter referred to as **GRANTOR**

and

CITY OF BILLINGS, a Municipal Corporation
City Hall – 210 North 27th Street
PO Box 1178
Billings, Montana 59103-1178,
hereinafter referred to as **GRANTEE**

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged;

WITNESSETH THAT GRANTOR does hereby grant, sell, and convey unto the **GRANTEE**, perpetual easement and right-of-way to construct, reconstruct, maintain, operate, repair and improve necessary fixtures and appurtenances for sidewalk, and accessibility ramps, and fire hydrants over, across, under, and through the real property more particularly described as follows:

A tract of land situated in Tract 1A of Certificate of Survey No. 546 Amended, Document No. 1540312, of record at the Yellowstone County Clerk & Recorder, City of Billings, Yellowstone County, Montana. Basis of Bearings being Certificate of Survey No. 546 Amended, Document No. 1540312.

Said tract being more particularly described as follows;

Commencing at the southeast corner of Tract 1A of said C.O.S. No. 546 Amended; thence S 89°56'00" W along the south line of said Tract 1A for a distance of 30.00 feet to the true Point of Beginning, point also being on the west line of the existing Calhoun Lane road easement; thence S 89°56'00" W along the south line of said Tract 1A for a distance of 2.00 feet; thence N 00°11'00" W and being parallel to the said existing Calhoun Lane road easement for a distance of 132.00 feet, to a point on the north line of said Tract 1A; thence N 89°56'00" E along the said north line for a distance of 2.00 feet, to a point on the said existing Calhoun Lane road easement; thence S 00°11'00" E along the said existing Calhoun Lane road easement for a distance of 132.00 feet to the Point of Beginning.

Said tract of land containing 264 square feet more or less.

More commonly referred to as 506 CALHOUN LN.

RETURN TO
City Clerk
City of Billings
P.O. Box 1178
Billings, MT 59103

TO HAVE AND TO HOLD unto **GRANTEE** and to its successors and assigns forever.

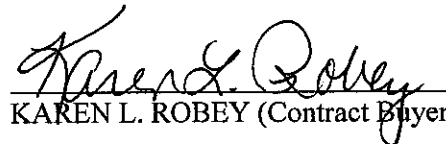
IN WITNESS WHEREOF, the **GRANTOR** warrants that they have good right to convey, free and clear of all encumbrances; the above-described interests in the real estate described and have hereunto set their hand.


GARY LEROY KLIPSTEIN (Co-Owner)


BARBARA JEAN KLIPSTEIN (Co-Owner)

STATE OF MONTANA)
 :SS
County of Yellowstone)

On this 13 day of February, 2015, before me, a Notary Public in and for the State of Montana, personally appeared GARY LEROY KLIPSTEIN and BARBARA JEAN KLIPSTEIN, known to me to be the owners of said property whose names are subscribed to the foregoing instrument, and acknowledged to me that they duly executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

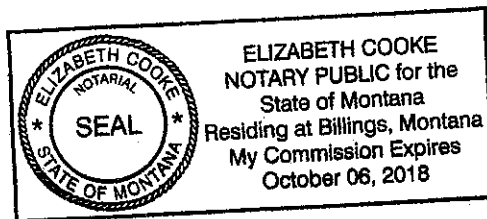

KAREN L. ROBEY (Contract Buyer)


GREGORY A. ROBEY (Contract Buyer)

STATE OF MONTANA)
 :SS
County of Yellowstone)

On this 13 day of February, 2015, before me, a Notary Public in and for the State of Montana, personally appeared KAREN L. ROBEY and GREGORY A. ROBEY, known to me to be the contract buyers of said property whose names are subscribed to the foregoing instrument, and acknowledged to me that they duly executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.





RETURN TO
City Clerk
City of Billings
P.O. Box 1178
Billings, MT 59103

ACKNOWLEDGMENT AND ACCEPTANCE OF CONVEYANCE

The Mayor and City Council of the City of Billings acknowledges receipt of this perpetual easement and hereby accepts the property interest conveyed through this instrument.

THOMAS W. HANEL,
Mayor, City of Billings

ATTEST:

CARI MARTIN, City Clerk

STATE OF MONTANA)
 :ss
County of Yellowstone)

On this _____ day of _____, 20____, 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 of Billings, respectively, and acknowledged to me that they duly executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Notary Public in and for the State of Montana

Printed Name: _____

Residing at _____

My commission expires _____

EXHIBIT A

SIDEWALK AND FIRE HYDRANT EASEMENT SITUATED IN TRACT 1A OF CERTIFICATE OF SURVEY NO. 546 AMENDED, DOCUMENT NUMBER 1540312, BILLINGS, YELLOWSTONE COUNTY, MONTANA

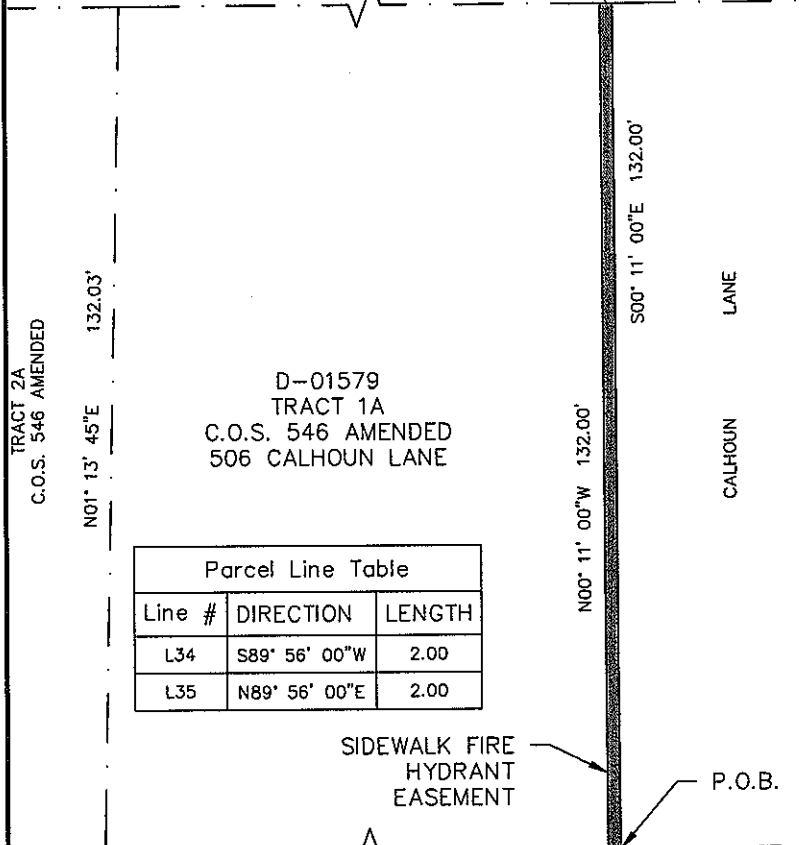


FEET



LOT 12 & E 20' OF 11, BLOCK 3
LUX SUBDIVISION
444 CALHOUN LANE

N 89°56'00" E ALLEY 252.14' L35 N 89°56'00" E 30.00'



D-01579
TRACT 1A
C.O.S. 546 AMENDED
506 CALHOUN LANE

Parcel Line Table		
Line #	DIRECTION	LENGTH
L34	S89° 56' 00"W	2.00
L35	N89° 56' 00"E	2.00

SIDEWALK FIRE
HYDRANT
EASEMENT

P.O.B.

S 89°56'00" W 255.40' L34 S 89°56'00" W 30.00'
C.O.S. 100
516 CALHOUN LANE

SIDEWALK EASEMENT DESCRIPTION

A tract of land situated in Tract 1A of Certificate of Survey No. 546 Amended, Document No. 1540312, of record at the Yellowstone County Clerk & Recorder, City of Billings, Yellowstone County, Montana.

Basis of Bearings being Certificate of Survey No. 546 Amended, Document No. 1540312.

Said tract being more particularly described as follows; Commencing at the southeast corner of Tract 1A of said C.O.S. No. 546 Amended; thence S 89°56'00" W along the south line of said Tract 1A for a distance of 30.00 feet to the true Point of Beginning, point also being on the west line of the existing Calhoun Lane road easement; thence S 89°56'00" W along the south line of said Tract 1A for a distance of 2.00 feet; thence N 00°11'00" W and being parallel to the said existing Calhoun Lane road easement for a distance of 132.00 feet, to a point on the north line of said Tract 1A; thence N 89°56'00" E along the said north line for a distance of 2.00 feet, to a point on the said existing Calhoun Lane road easement; thence S 00°11'00" E along the said existing Calhoun Lane road easement for a distance of 132.00 feet to the Point of Beginning.

Said tract of land containing 264 square feet more or less.

LEGEND

SIDEWALK EASEMENT

CITY OF BILLINGS, MONTANA
SIDEWALK EASEMENT EXHIBIT

CITY W.O. 13-15

THIS EXHIBIT IS PREPARED BY THE CITY OF BILLINGS, MONTANA

RESERVED FOR CLERK AND RECORDER

RETURN TO
City Clerk
City of Billings
P.O. Box 1178
Billings, MT 59103

RIGHT-OF-WAY EASEMENT

THIS EASEMENT, made and entered into this day of 4/20, 2015, by and between the following:

Resource, Support, & Development Inc
2110 Overland Ave Ste 126
Billings, Montana 59102-6486,
hereinafter referred to as **GRANTOR**

and

CITY OF BILLINGS, a Municipal Corporation
City Hall – 210 North 27th Street
PO Box 1178
Billings, Montana 59103-1178,
hereinafter referred to as **GRANTEE**

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged;

WITNESSETH THAT GRANTOR does hereby grant, sell, and convey unto the **GRANTEE**, perpetual easement and right-of-way to construct, reconstruct, maintain, operate, repair and improve necessary fixtures and appurtenances for sidewalk, accessibility ramps, water lines, and fire hydrants over, across, under, and through the real property more particularly described as follows:

A tract of land situated in Lots 7 through 10 of Simpson Subdivision, Document No. 564533. Of record at the Yellowstone County Clerk & Recorder, City of Billings, Yellowstone County, Montana;

Said tract being more particularly described as follows: Being the south 5.00 feet of said Lots 7 through 10 of Simpson Subdivision.

Said tract of land containing 1,090 square feet more or less.

More commonly referred to as 4635 SIMPSON STREET

RETURN TO
City Clerk
City of Billings
P.O. Box 1178
Billings, MT 59103

ACKNOWLEDGMENT AND ACCEPTANCE OF CONVEYANCE

The Mayor and City Council of the City of Billings acknowledges receipt of this perpetual easement and hereby accepts the property interest conveyed through this instrument.

THOMAS W. HANEL,
Mayor, City of Billings

ATTEST:

CARI MARTIN, City Clerk

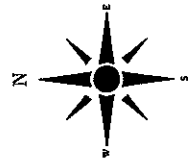
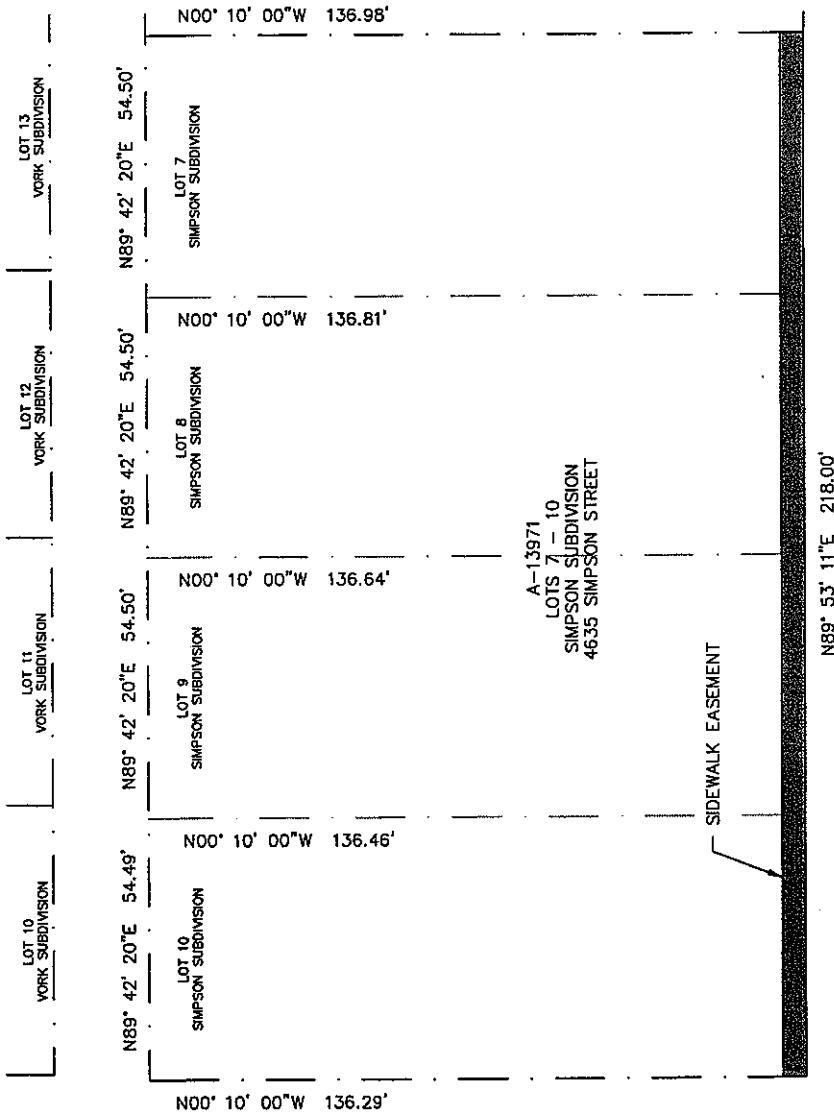
STATE OF MONTANA)
 :SS
County of Yellowstone)

On this _____ day of _____, 20____, 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 of Billings, respectively, and acknowledged to me that they duly executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Notary Public in and for the State of Montana
Printed Name: _____
Residing at _____
My commission expires _____

EXHIBIT A

SIDEWALK EASEMENT
 SITUATED IN LOTS 7-10 OF SIMPSON SUBDIVISION,
 DOCUMENT NUMBER 564533
 BILLINGS, YELLOWSTONE COUNTY, MONTANA



SIDEWALK EASEMENT DESCRIPTION
 A tract of land situated in Lots 7-10 of Simpson Subdivision, Document No. 564533. Of record at the Yellowstone County Clerk & Recorder, City of Billings, Yellowstone County, Montana
 Said tract being more particularly described as follows:
 Being the south 5.00 feet of said Lot 7-10 of Simpson Subdivision. Said tract of land containing 1090 square feet more or less.

LEGEND

SIDEWALK EASEMENT

RESERVED FOR CLERK AND RECORDER

CITY OF BILLINGS, MONTANA
 SIDEWALK EASEMENT EXHIBIT
 CITY W.O. 13-15
 THIS EXHIBIT IS PREPARED BY THE CITY OF BILLINGS, MONTANA

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: W.O. 12-31 Phase I Yegen Drain Improvements - Easements

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

Easements are needed from Westfeeds, Inc. to construct the improvements for the Yegen Drain project. The project will mitigate current flooding issues by increasing the capacity of the existing drain by straightening the channel, cleaning out sediment deposits, and removing bushes and trees.

ALTERNATIVES ANALYZED

City Council may:

- Approve the easements from Westfeeds, Inc. to the City or;
- Disapprove the easement. If the easement is not approved, then there will not be sufficient room to construct the improvements to the Yegen Drain and flooding of the area will continue to occur.

FINANCIAL IMPACT

There is no costs to the City for the easements.

RECOMMENDATION

Staff recommends that the City Council approve the easements from Westfeeds, Inc.

APPROVED BY CITY ADMINISTRATOR

Attachments

Easement Lot 1A

Easement Lot 2A-1

STORM DRAINAGE EASEMENT

THIS INDENTURE is made and entered into this ___ day of _____, 2015, by and between Westfeeds, Inc., the owners of a certain parcel of land situated SECTION 33 AND 34, T.1N., R.26E., P.M.M., in the City of Billings, Yellowstone County, Montana, hereinafter referred to as GRANTORS, and the CITY OF BILLINGS, a Municipal Corporation, hereinafter referred to as GRANTEE.

THE GRANTORS do hereby give, grant and convey unto the GRANTEE, their successors and assigns, the right, privilege and authority to construct, reconstruct, maintain, operate, repair and improve necessary fixtures and appurtenances to convey storm drainage through, over, under and across the area being an EASEMENT AREA described on the attached EXHIBIT A, PERMANENT EASEMENT, SITUATED IN LOT 1A, AMENDED PLAT OF LOTS 1, 2, AND 3, BLOCK 1 OLD SPUR INDUSTRIAL SUBDIVISION to have and hold forever.

Grantors shall continue to have the right to use and enjoy the above-described property, except as to the rights herein granted, subject to the following restrictions:

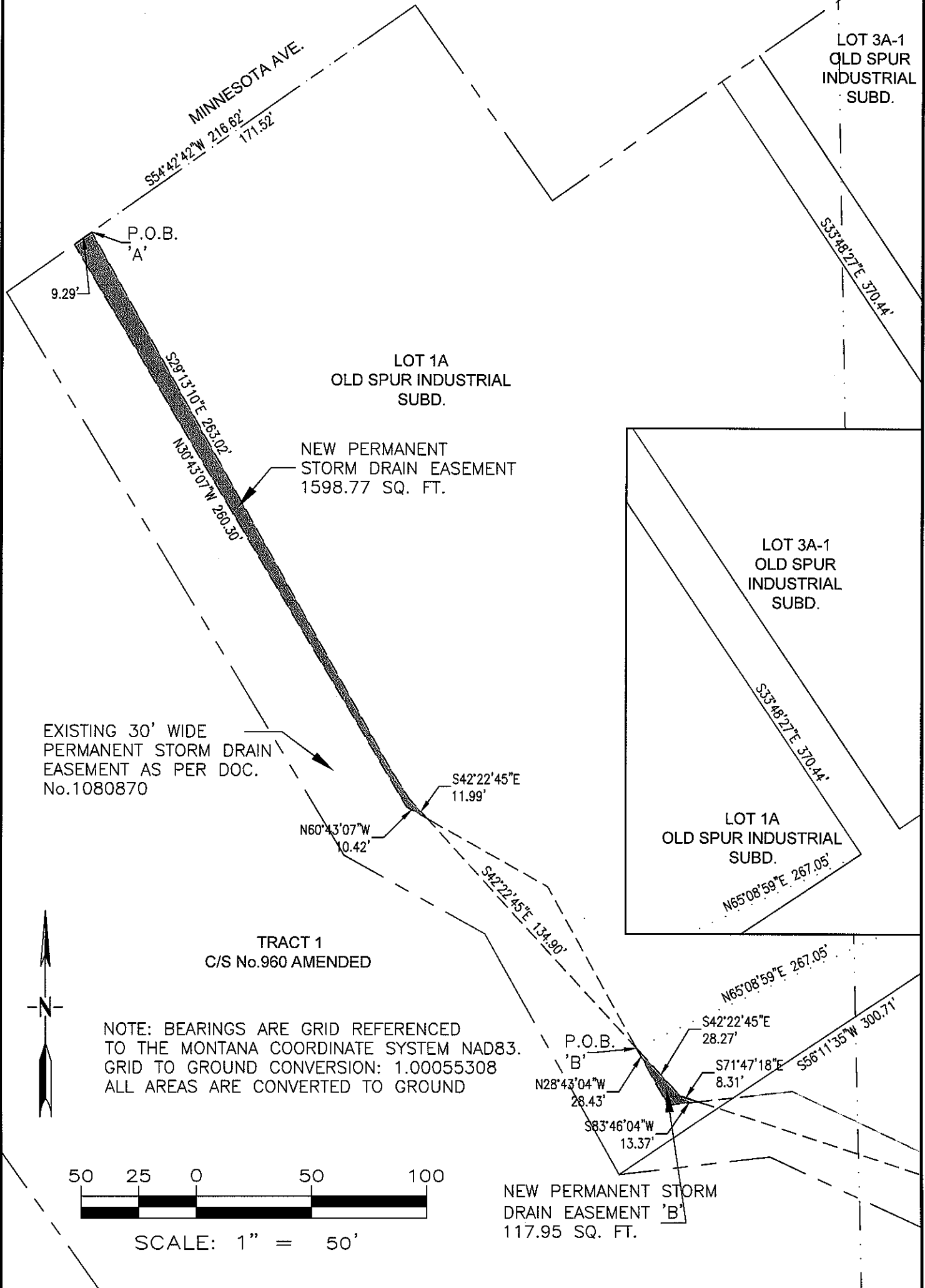
1. Grantors and their successors agree not to construct, nor cause to be constructed, within the easement right-of-way any type of building or structure, such as but not limited to, houses, garages, sheds, kennels, walls, nor any other fixed objects of any kind, shape or form, without the express written permission by an authorized representative of Grantee.
2. Grantors agree that authorized representatives of the City of Billings may freely travel within the easement with its equipment in the performance of their duties at any time, day or night, regardless of outside weather conditions having given a minimum of twenty-four (24) hours prior notice of any activity to the owner(s) of the above described real property. In the unlikely event of an emergency, the twenty-four (24) hours prior notice requirement shall be waived. To ensure proper restoration, it is the responsibility of the Grantee to document conditions existing prior to any construction within the easement area.
3. Grantors agree to obtain the permission of the Public Works Department of Grantee prior to replacing or removing any fill dirt within the easement and all such work shall be done at the Grantor's, their successors, or assigns expense and without expense to the City.
4. Grantors agree that the responsibility of the City of Billings for any surface restoration due to any construction, replacement, repair or service work to the storm drain management system by the City of Billings, shall be limited to backfill and compaction to the existing ground, restore any paved areas to like condition, and to grade, seed and fertilize existing sodded areas to the satisfaction of the property owners. All areas disturbed during construction, replacement, repair or service work to the storm drain management shall be landscaped to its original condition. If a working sprinkler system exists prior to any construction, replacement repair or service work by the City of Billings, the City of Billings will restore the sprinkler system to original working condition as part of the restoration process.

EXHIBIT 'A'

STORM DRAIN EASEMENT

SEC. 33

SEC. 34



<p>MORRISON MAIERLE, INC. <i>An Employee-Owned Company</i></p>	Engineers Surveyors Scientists Planners	315 N. 25th Street Suite 102 Billings MT 59101 Phone: (406) 656-6000 Fax: (406) 237-1201	DRAWN BY: <u>DGS</u> CHK'D. BY: <u>JDI</u> APPR. BY: <u>CJA</u> DATE: <u>09/2014</u>
	COPYRIGHT © MORRISON-MAIERLE, INC., 2014		
	V:\0686\183.01\ACAD\Survey\Easements\YEGEN DRN ESMT_LT1A_BLK1_OSPR.dwg Plotted by D.Schmitz on Sep/22/2014		
	CITY OF BILLINGS YEGEN DRAIN		
	PROJECT NO. 0686.083.01		

CITY OF BILLINGS YEGEN DRAIN	PROJECT NO. 0686.083.01
BILLINGS	MT
STORM DRAIN EASEMENT EXHIBIT LOT 1A, OLD SPUR INDUSTRIAL SUBDIVISION, SEC. 33 & 34, T.1N., R.26E., PMM, YELLOWSTONE COUNTY, MONTANA	
FIGURE NUMBER FIG. A	

Legal Description – Permanent Easement
Lot 1A, Amended Plat of Lots 1, 2 and 3, Block 1
Old Spur Industrial Subdivision
January 2015

A permanent storm drain easement located in Lot 1A, Old Spur Industrial Subdivision recorded in the office of the Yellowstone County Clerk and Recorder as Document No. 1080873, Section 33 and 34, T.1N., R.26E., P.M.M., Yellowstone County, Montana, where said easement runs across, adjoins, or touches the aforementioned tract, being more particularly described as follows:

Permanent Easements 'A' and 'B'

Easement 'A'

Commencing at the Northeast corner of said Lot 1A common to the South right-of-way of Minnesota Avenue; thence S54°42'42"W along said South right-of-way of Minnesota Avenue, a distance of 171.52 feet to the Point of Beginning; thence S29°13'10"E, a distance of 263.02 feet; thence S42°22'45"E, a distance of 11.99 feet to a point on the Easterly line of a 30 foot wide permanent storm drain easement as per the Plat of Old Spur Industrial Subdivision; thence N60°43'07"W, a distance of 10.42 feet and N30°43'07"W, a distance of 260.30 feet along said Easterly easement line to the Southerly right-of-way of Minnesota Avenue, thence N54°42'42"E, along said Southerly right-of-way line a distance of 9.29 feet to the Point of Beginning, containing 1,598.77 square feet more or less, subject to easements either of record or apparent on the ground, and all according to Exhibit A (Figure A) attached hereto.

The sidelines of said permanent easement are to be shortened or extended to prevent gaps or overlaps.

All areas are computed at ground.

All measured distances are grid. For conversion to ground, multiply by 1.00055308

The basis of bearings for this legal and attached Exhibit A is the Montana Coordinate System NAD83.

Easement 'B'

A permanent storm drain easement located in Lot 1A, Old Spur Industrial Subdivision recorded in the office of the Yellowstone County Clerk and Recorder as Document No. 1080873, Section 33 and 34, T.1N., R.26E., P.M.M., Yellowstone County, Montana, where said easement runs across, adjoins, or touches the aforementioned tract, being more particularly described as follows:

Commencing at the Northeast corner of said Lot 1A common to the South right-of-way of Minnesota Avenue; thence S54°42'42"W along said South right-of-way of Minnesota Avenue, a distance of 171.52 feet; thence S29°13'10"E, a distance of 263.02 feet; thence S42°22'45"E, a distance of 146.89 feet to the Point of Beginning being a point on the Easterly line of a 30 foot wide permanent storm drain easement as per the Plat of Old Spur Industrial Subdivision; thence S42°22'45"E, a distance of 28.27 feet; thence S71°47'18"E, a distance of 8.31 feet to a point on said Easterly easement line; thence S83°46'04"W, a distance of 13.37 feet and N28°43'04"W, a distance of 28.43 feet along said Easterly easement line to the Point of Beginning being S65°08'59"W, a distance of 267.05 feet from the Southeast corner of said Lot 1A, containing 117.95 square feet more or less, subject to easements either of record or apparent on the ground, and all according to Exhibit A (Figure A) attached hereto.

The sidelines of said permanent easement are to be shortened or extended to prevent gaps or overlaps.

All areas are computed at ground.

All measured distances are grid. For conversion to ground, multiply by 1.00055308

The basis of bearings for this legal and attached Exhibit A is the Montana Coordinate System NAD83.

STORM DRAINAGE EASEMENT

THIS INDENTURE is made and entered into this ____ day of _____, 2015, by and between Westfeeds, Inc., the owners of a certain parcel of land situated SECTION 33 AND 34, T.1N., R.26E., P.M.M., in the City of Billings, Yellowstone County, Montana, hereinafter referred to as GRANTORS, and the CITY OF BILLINGS, a Municipal Corporation, hereinafter referred to as GRANTEE.

THE GRANTORS do hereby give, grant and convey unto the GRANTEE, their successors and assigns, the right, privilege and authority to construct, reconstruct, maintain, operate, repair and improve necessary fixtures and appurtenances to convey storm drainage through, over, under and across the area being an EASEMENT AREA described on the attached EXHIBIT A, PERMANENT EASEMENT, SITUATED IN LOT 2A-1, AMENDED PLAT OF LOTS 2A AND 3A, BLOCK 1, OLD SPUR INDUSTRIAL SUBDIVISION to have and hold forever.

Grantors shall continue to have the right to use and enjoy the above-described property, except as to the rights herein granted, subject to the following restrictions:

1. Grantors and their successors agree not to construct, nor cause to be constructed, within the easement right-of-way any type of building or structure, such as but not limited to, houses, garages, sheds, kennels, walls, nor any other fixed objects of any kind, shape or form, without the express written permission by an authorized representative of Grantee.
2. Grantors agree that authorized representatives of the City of Billings may freely travel within the easement with its equipment in the performance of their duties at any time, day or night, regardless of outside weather conditions having given a minimum of twenty-four (24) hours prior notice of any activity to the owner(s) of the above described real property. In the unlikely event of an emergency, the twenty-four (24) hours prior notice requirement shall be waived. To ensure proper restoration, it is the responsibility of the Grantee to document conditions existing prior to any construction within the easement area.
3. Grantors agree to obtain the permission of the Public Works Department of Grantee prior to replacing or removing any fill dirt within the easement and all such work shall be done at the Grantor's, their successors, or assigns expense and without expense to the City.
4. Grantors agree that the responsibility of the City of Billings for any surface restoration due to any construction, replacement, repair or service work to the storm drain management system by the City of Billings, shall be limited to backfill and compaction to the existing ground, restore any paved areas to like condition, and to grade, seed and fertilize existing sodded areas to the satisfaction of the property owners. All areas disturbed during construction, replacement, repair or service work to the storm drain management shall be landscaped to its original condition. If a working sprinkler system exists prior to any construction, replacement repair or service work by the City of Billings, the City of Billings will restore the sprinkler system to original working condition as part of the restoration process.

EXHIBIT 'A'

STORM DRAIN EASEMENT

LOT 3A-1
OLD SPUR
INDUSTRIAL
SUBD.

LOT 1A
OLD SPUR INDUSTRIAL
SUBD.

P.O.B.

LOT 2A-1
OLD SPUR INDUSTRIAL
SUBD.

S40°25'23"E 198.15'

S55°15'18"W
83.17'

P.O.B.

NEW PERMANENT
STORM DRAIN EASEMENT
958.80 SQ. FT.

N32°43'42"E
60.15'

S84°53'18"E 97.29'

S84°53'18"E
35.96'

TRACT 2-A
C/S No. 2000

SEC. 33

SEC. 34



SCALE: 1" = 50'

NOTE: BEARINGS ARE GRID REFERENCED TO THE MONTANA COORDINATE SYSTEM NAD83. GRID TO GROUND CONVERSION: 1.00055308 ALL AREAS ARE CONVERTED TO GROUND

MORRISON MAIERLE, INC. <small>An Employee-Owned Company</small>	Engineers Surveyors Scientists Planners	315 N. 25th Street Suite 102 Billings MT 59101 Phone: (406) 656-6000 Fax: (406) 237-1201	DRAWN BY: <u>DGS</u> CHK'D BY: <u>JDI</u> APPR BY: <u>CJA</u> DATE: <u>09/2014</u>	CITY OF BILLINGS YEGEN DRAIN MT	PROJECT NO. 0886.083.01
	COPYRIGHT © MORRISON-MAIERLE, INC. 2014 V:\0686\183.01\ACAD\Survey\Easements\YEGEN DRN ESMT_L12A_BLK1_OSPR.dwg Plotted by D.Schmitz on Sep/22/2014			BILLINGS	FIGURE NUMBER FIG. A

STORM DRAIN EASEMENT EXHIBIT LOT 2A-1, OLD SPUR INDUSTRIAL SUBD., SEC. 33 & 34, T.1N., R.26E., PMM, YELLOWSTONE COUNTY, MONTANA	
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Legal Description – Permanent Easement
Lot 2A-1, Amended Plat of Lots 2A and 3A, Block 1,
Old Spur Industrial Subdivision
January 2015

A permanent storm drain easement located in Lot 2A-1, of the Amended Plat of Lots 2A, and 3A, Block 1, Old Industrial Subdivision as recorded in the office of the Yellowstone County Clerk and Recorder as Document No. 1108193, Section 33 and 34, T.1N., R.26E., P.M.M., Yellowstone County, Montana, where said easement runs across, adjoins, or touches the aforementioned tract, being more particularly described as follows:

Commencing at the Southeast corner of Lot 1A, Block 1, Amended Plat of Lots 1, 2 and 3, Block 1 of Old Spur Industrial Subdivision, recorded in the office of the Yellowstone County Clerk and Recorder as document No.108070 common with said Lot 2A-1; thence S40°25'23"E, a distance of 198.15 feet to the Point of Beginning on the line common to said Lot 2A-1 and Tract 2-A, of Amended Tract 2 of Certificate of Survey No. 2000 recorded in the office of the Yellowstone County Clerk and Recorder as document No.1571405 ; thence S55°15'18W, a distance of 83.17 feet to a point on the South line of said Lot 2A-1; thence S84°53'18"E along said South line, a distance of 35.96 feet; thence N32°43'42"E, a distance of 60.15 feet to the Point of Beginning, containing 958.80 square feet more or less, subject to easements either of record or apparent on the ground, and all according to Exhibit A (Figure A) attached hereto.

The sidelines of said permanent easement are to be shortened or extended to prevent gaps or overlaps.

All areas are computed at ground.

All measured distances are grid. For conversion to ground, multiply by 1.00055308

The basis of bearings for this legal and attached Exhibit A is the Montana Coordinate System NAD83.

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Acceptance of County Quit Claim Deed for Central Avenue Right-Of-Way

PRESENTED BY: Candi Millar, Planning & Community Services Department Director

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

The City Council approved the annexation of property located at 16 Shiloh Road (Annexation #14-13) on December 15, 2014. At the time this annexation was being reviewed by the City, staff determined that Yellowstone County might have an interest in portions of the Central Avenue right-of-way on the south side of Central Avenue but adjacent to the property to be annexed. By the time staff was able to complete the process by which the County executed a Quit Claim Deed to the City of Billings for its interest in this right-of-way, the City Council had approved the annexation of the adjacent private property, including the right-of-way. Staff is now bringing the acceptance of this quit claim deed to the City Council to complete this process.

ALTERNATIVES ANALYZED

City Council may accept or not accept the quit claim deed from Yellowstone County for portion so Central Avenue road right-of-way.

- Accepting the quit claim deed will remove any potential interest Yellowstone County may have in the road right-of-way already annexed into the City and under the City's management and oversight.
- Not accepting the the quit claim deed will leave a potential interest by Yellowstone County in the road right-of-way already annexed into the City and under the City's management and oversight, potentially clouding future authority and decisions regarding the right-of-way.

FINANCIAL IMPACT

There is no budget/financial impact from this action as the right-of-way is already annexed into the City and under the City's management and oversight.

RECOMMENDATION

Staff recommends that the Council accept the Quit Claim Deed from Yellowstone County for portions of Central Avenue road right-of-way that has been annexed into the City of Billings.

APPROVED BY CITY ADMINISTRATOR

Attachments

Quit Claim Deed

County Resolution to Transfer ROW

Annexation Exhibit

City of Billings
Attn: City Clerk
P.O. Box 1178
Billings, Montana 59103

Quitclaim Deed


For valuable consideration, Yellowstone County, a political subdivision of the State of Montana, whose address is Post Office Box 35000, Billings, Montana 59103, through its Board of County Commissioners, conveys and quit claims to the City of Billings, a municipal corporation, whose address is Post Office Box 1178, Billings, Montana 59103, all its interest in the property described below that is located in Yellowstone County, Montana:


Tracts of land known as Central Avenue as depicted as Tract 1 and Tract 2 of Certificate of Survey No. 862 filed with the Yellowstone County Clerk and Recorder on March 7, 1961 as document 658437 (0.110 acres).

The Board of County Commissioners authorized the conveyance of the property pursuant to Section 7-8-101(1) of the Montana Code Annotated (2013) at its December 23, 2014 meeting.

Dated this 23 day of December 2014.


James E. Reno, Chairman
Yellowstone County Commissioner


Bill Kennedy, Member
Yellowstone County Commissioner


John Ostlund, Member
Yellowstone County Commissioner

Attest:


Jeff Martin
Yellowstone County Clerk and Recorder

YELLOWSTONE COUNTY BOARD OF COUNTY COMMISSIONERS

Resolution No. 14-88

Resolution to Transfer a Portion of Central Avenue to the City of Billings

WHEREAS, pursuant to Section 7-8-101(1) of the Montana Code Annotated, if it would be in the best interest of the public, a board of county commissioners may transfer real property to another government entity when the property is no longer needed for county operations. To transfer property to another government entity, a board must pass a resolution of intent to transfer the property, publish notice of intent to transfer the property and pass a resolution to transfer the property.

WHEREAS, the City of Billings intends to annex land in the vicinity of Central Avenue and Shiloh Road. The City intends to annex portions of the right-of-way for Central Avenue. The County may own Tracts 1 and 2 of Certificate of Survey No. 862 that is part of the right-of-way for Central Avenue that the City intends to annex. The City has requested the County convey to it those portions of the right-of-way of Central Avenue that it intends to annex and the County may own. Attached is a copy of the request from the City to the County. The County believes that it may be in the best interest of the public to convey to the City those portions of the right-of-way of Central Avenue that the City intends to annex and the County may own. Attached is a copy of Certificate of Survey No. 862 that shows the parcels the City would like the County to convey to it.

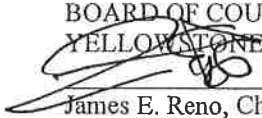
WHEREAS, on December 9, 2014, the Yellowstone County Board of County Commissioners passed a resolution of intent to transfer a portion of the right-of-way of Central Avenue to the City of Billings, set a public hearing on the transfer for December 23, 2014 and ordered the Yellowstone County Clerk and Recorder to provide notice of the hearing and to receive written comments on the transfer. The Yellowstone County Clerk and Recorder provided notice of the hearing. On December 12, 2014 and December 19, 2014, the Clerk and Recorder published notice of the hearing in the *Billings Gazette*. On December 23, 2014, the Board held a public hearing on the transfer. The Board received comments on the transfer. The Board considered the comments and determined it would be in the best interest of the public to transfer the road.


NOW THEREFORE, BE IT RESOLVED,

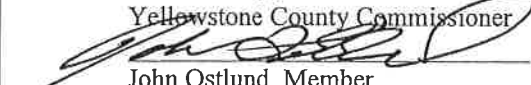
The Yellowstone County Board of County Commissioners transfers that portion of the right-of-way of Central Avenue that it may own, Tracts 1 and 2 of Certificate of Survey No. 862, to the City of the Billings for the promise that the City will maintain the road. The Board shall execute a quitclaim deed to transfer the property to the City.

Passed and Adopted on the 23rd day of December 2014.

BOARD OF COUNTY COMMISSIONERS
YELLOWSTONE COUNTY, MONTANA


James E. Reno, Chairman
Yellowstone County Commissioner


Bill Kennedy, Member
Yellowstone County Commissioner


John Ostlund, Member
Yellowstone County Commissioner

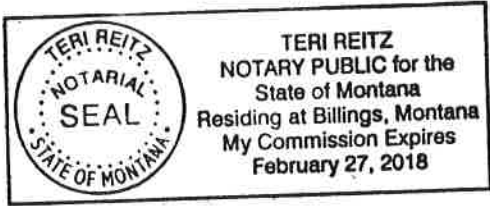
Attest: 
Jeff Martin
Yellowstone County Clerk and Recorder

State of Montana }
 ss.
County of Yellowstone }

On December 23, 2014, James E. Reno, Bill Kennedy and John Ostlund, members of the Yellowstone County Board of County Commissioners, and Jeff Martin, the Yellowstone County Clerk and Recorder, acknowledged to me that they executed the attached Resolution of Intent to Transfer a Portion of Central Avenue to the City of Billings on behalf of Yellowstone County in their official capacities as Board Members and the Clerk and Recorder.

Teri Reitz

Name

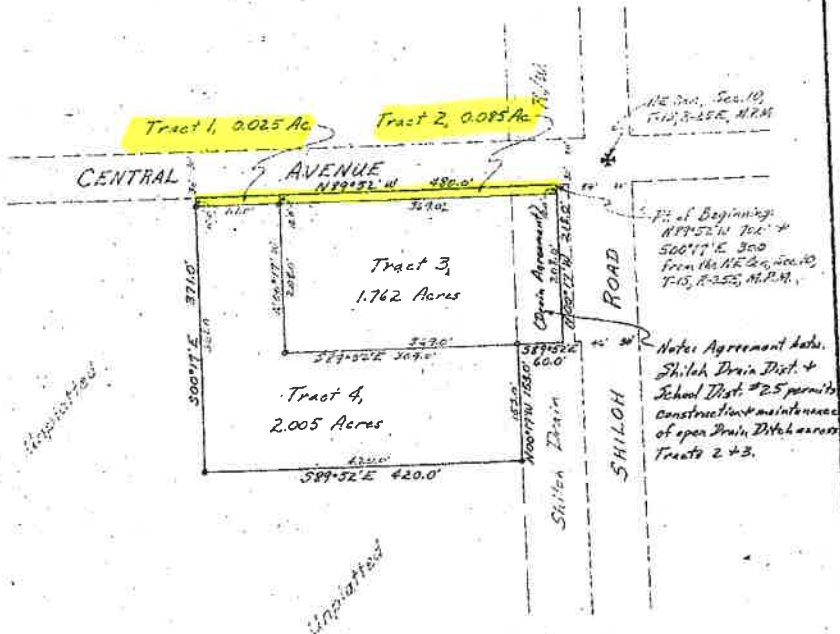


CERTIFICATE OF SURVEY NO. 762

SITUATED IN THE NE 1/4 NE 1/4 SECTION 10, T-15, R-25E, M.P.M.
YELLOWSTONE COUNTY, MONTANA

For: Mr. David Bell & School District No. 25
Plat & Survey By Sage Engineers & Land Planners, Inc.
SCALE: 1" = 100'

February, 1961
Billings, Montana



CERTIFICATE OF SURVEY

STATE OF MONTANA }
County of Yellowstone }

James R. O'Brien, Montana Registered Land Surveyor # 613-S, being first duly sworn, deposes and says that during the month of February, 1961, a survey was made under his supervision of a tract of land located in the NW 1/4 of Section 10, T.15, R.25E, M.P.M., Yellowstone County, Montana, said tract being more particularly described as follows, to wit:

Beginning at a point on the South line of Central Avenue which is located N89°52'14" a distance of 70.0 feet and S00°17'17" a distance of 30.0 feet from the Northeast Corner of Section 10, T.15, R.25E, M.P.M.; thence from said point of beginning N89°52'14" along the south line of Central Avenue a distance of 460.0 feet; thence S00°17'17" a distance of 371.0 feet; thence S89°52'14" a distance of 420.0 feet; thence N00°17'17" a distance of 153.0 feet; thence S89°52'14" a distance of 60.0 feet; thence N00°17'17" a distance of 218.0 feet to the point of beginning, containing 3.877 acres.

That said survey and the plat hereon shown true and correct dimensions, and that the plat conforms with the way on the ground,
Dated this 24th day of February, 1961.

Subscribed and sworn to before me, a Notary Public in and for the State of Montana, this 24th day of February, 1961.

James R. O'Brien
Montana Registered Land Surveyor # 613-S

Lawrence J. Mueller
Notary Public in and for the State of Montana
Residing at Billings, Montana.
My commission expires March 10, 1962.

CERTIFICATE OF RECOMMENDATION

The CITY-COUNTY PLANNING BOARD hereby recommends that the attached Certificate of Survey be approved for filing by the BOARD OF COUNTY COMMISSIONERS, of Yellowstone County, Montana

President *Jim C. Smith*

Legal Secretary *Yvonne Smith*

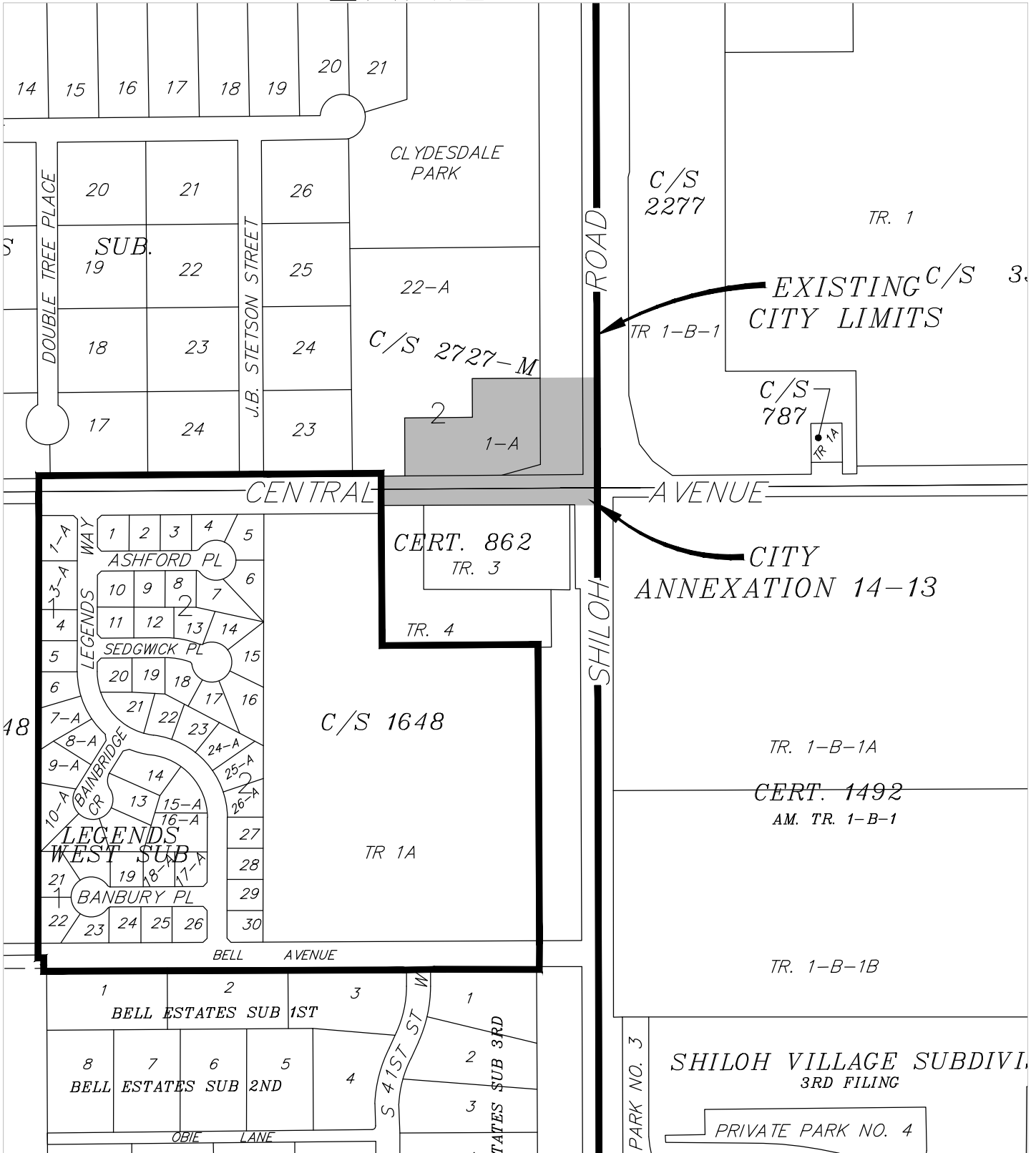
Since this plat describes a tract of land to be used for school purposes, we approve it for filing only.

STATE OF MONTANA }
County of Yellowstone }
This instrument was filed in my office
this 27th day of March, 1961
at Billings Montana
CHRIS HURICH, County Recorder
By *Chris Hurich*

Frank C. Smith *James F. Sisk* *W. H. Baker*
Chairman Commissioner Commissioner

Checked Surveyors' Office
2-24-61

EXHIBIT "A"



Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Library Foundation Donation to Library from Royal C. Johnson Community Room Campaign

PRESENTED BY: Bill Cochran, Library Director

Department: Library

PROBLEM/ISSUE STATEMENT

The Billings Public Library Foundation conducted a capital campaign to raise funds for the naming rights to the Community Room in the new Library building, in honor of Foundation founder Royal C. Johnson. The successful campaign was celebrated by an Open House on Saturday, May 2, Mr. Johnson's 90th birthday. The Foundation is presenting a check for \$25,000.00 to the Library as a result of the campaign. Per its adopted policy, the City Council must approve accepting any donation to the City which is over \$500. The donation's use is unrestricted by the Foundation. Until the Library's reserve position is clarified by mediation or other processes to recover building project expenses that the Library is not responsible for, this donation will be received but not designated for expenditure.

ALTERNATIVES ANALYZED

City Council may:

- Approve and accept the donation, or;
- Disapprove the donation.

FINANCIAL IMPACT

If the donation is approved, the Library will realize \$25,000.00 in unanticipated revenue.

RECOMMENDATION

Staff recommends that the City Council approve and accept the \$25,000 donation from the Billings Public Library Foundation.

APPROVED BY CITY ADMINISTRATOR

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Ward Ordinance Second Reading - Annexation #15-01

PRESENTED BY: Candi Millar, Planning & Community Services Department Director

Department: Planning & Community Services

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 road rights-of-way in the East Billings area (Annexation #15-01) on April 27, 2015. The rights-of-way include portions of 6th Avenue North, 4th Avenue North, 3rd Avenue North, 2nd Avenue North, 1st Avenue North, Main Street (Exposition Drive), N. 7th Street, N. 10th Street and some alleys in the area. This annexation requires a change in the boundaries of Ward I. Two readings are required for this action. The first reading and public hearing of the ordinance was conducted by the Council on May 11, 2015. The second reading is scheduled for this meeting.

ALTERNATIVES ANALYZED

City Council may approve or not approve the ordinance to amend the boundaries of Ward I on second reading.

- Approving the ordinance will modify the boundaries of Ward I to include the road rights-of-way.
- Denying the ordinance will not modify the boundaries of Ward I and create a problem where property inside the City Limits is not within one of the City Ward Boundaries.

FINANCIAL IMPACT

There is no budget/financial impact from this action.

RECOMMENDATION

Staff recommends that the City Council approve this ordinance on second reading, adding recently annexed road rights-of-way to Ward I.

APPROVED BY CITY ADMINISTRATOR

Attachments

Ward Ordinance

ORDINANCE NO. 15-_____

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 I 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 I the following described real property:

Tracts of land being street Right-Of-Way situated in the NW1/4 of Section 34, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Tracts of land being street Right-Of-Way situated in the NW1/4 of Section 34, T.1N., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Being 6th Avenue North from the extended easterly Right-Of-Way line of North 7th Street and running in a southwesterly direction to the west section line of said Section 34;

North 7th Street from the southerly Right-Of-Way line of 6th Avenue North and running in a southeasterly direction to the extended northern lines of Certificate of Survey's 10 and 2212;

The south half of 4th Avenue North from the extended westerly lot line of Lot 53, Block 11 of Industrial Subdivision 4TH Filing, Recorded March 25, 1963, under Document Number 703562 and running in a southwesterly direction to the easterly Right-Of-Way line of North 10th Street;

3rd Avenue North from the extended westerly lot line of Lot 14, Block 11 of said Industrial Subdivision 4TH Filing, and running in a southwesterly direction to the east Right-Of-Way line of North 9th Street and from the extended westerly lot line of Lot 18, Block 6 of Industrial Subdivision 2ND Filing, Recorded June 28TH, 1949, under Document Number 451738 and running in a southwesterly direction to the easterly Right-Of-Way line of North 10th Street;

The north half of 2nd Avenue North adjacent to Lots 9 through 13, Block 5 of said Industrial Subdivision 2ND Filing;

The easterly half of North 10th Street from the extended centerline of 4th Avenue North and running in a southeasterly direction to the northerly alley Right-Of-Way line of Block 6 of said Industrial Subdivision 2ND Filing;

Main Street from the extended north line of Certificate of Survey Number 2196, Recorded July 22ND, 1983, under Document Number 1273745 and running in a northerly direction to the extended southerly Right-Of-Way line of 3rd Avenue North.

Containing 5.551 gross acres more or less.

(# 15-01) 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 11th day of May, 2015.

PASSED by the City Council on the second reading this 26th day of May, 2015.

THE CITY OF BILLINGS:

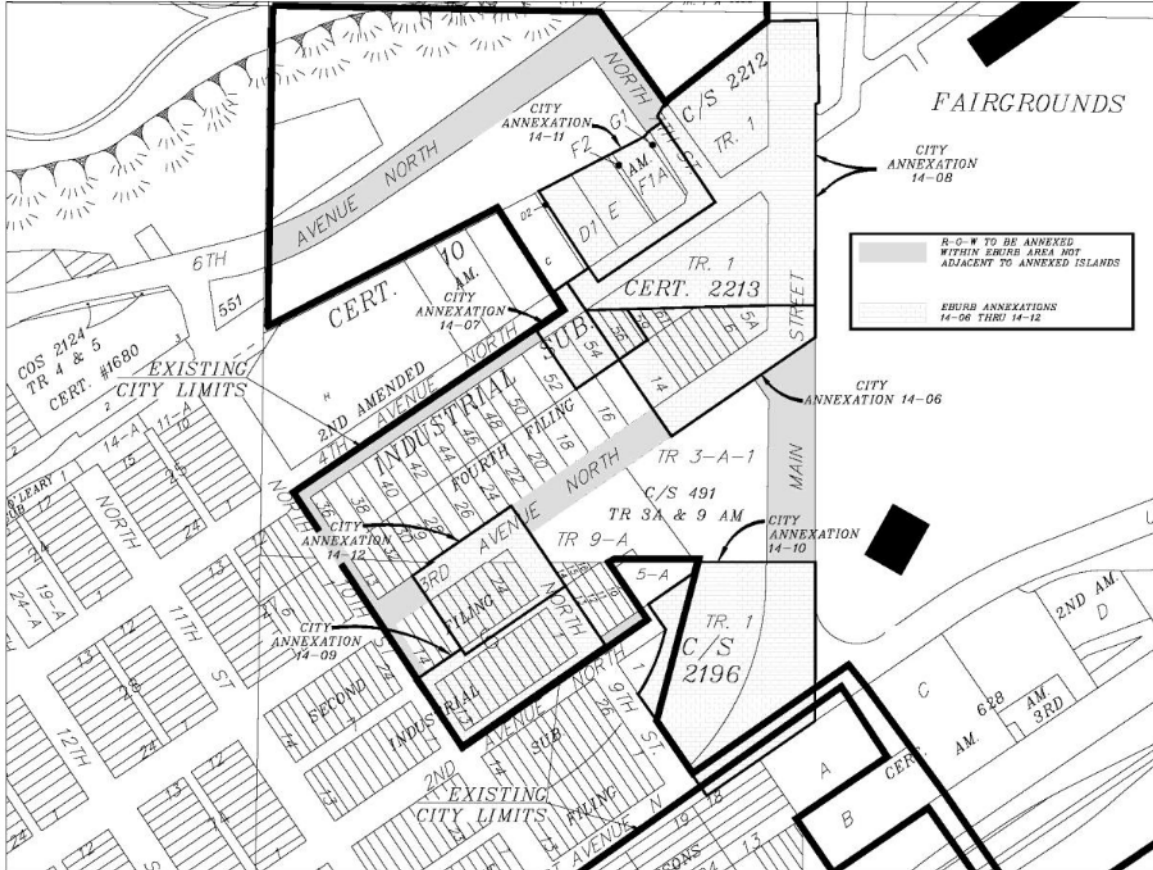
Thomas W. Hanel, MAYOR

ATTEST:

BY: _____
Cari Martin, CITY CLERK

(AN 15-01)

EXHIBIT "A" 15-01



Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: SID 1398 Mountain View Boulevard Resolution of Intent to Create District and Set a Public Hearing

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

Mountain View Boulevard is a gravel street without curb and gutter. The City performed a utility replacement project a few years ago and restored the surface to gravel. There were areas of asphalt but without storm drainage or a grading plan, paving the road could have caused stormwater runoff issues. Through discussions with the property owners, it was decided that the neighborhood would form an SID to pay for the stormwater improvements and the City would pave the road. The neighborhood also decided that they wanted to pave the road wider than the ten feet that was planned so the SID includes an additional two feet of asphalt width. There are sixteen separate properties on the upper portion of Mountain View Boulevard that would be assessed for the improvements, four of which have two lots each and 8 of which have only one lot. The properties on the north side of the road will not be assessed because the lots are not constructible and therefore, the road paving does not benefit them.

ALTERNATIVES ANALYZED

The Council may:

- Approve the Resolution of Intent to Create SID 1398 and set a public hearing for the June 22, 2015, City Council Meeting; or
- Not approve the Resolution of Intent to Create SID 1398. If not approved the SID cannot move forward and the road won't be paved.

FINANCIAL IMPACT

The total estimated cost of the improvements is \$118,805.45. Costs to be assessed to the property owners are \$51,000.00 and will be paid for through the sale of SID bonds. The City contribution on this project is over \$67,000 and will be from storm drain funds and water funds. The water funds are being used to resurface the road because that was planned to be done after the completion of the waterline replacement project.

RECOMMENDATION

Staff recommends that City Council approve the Resolution of Intent to Create SID 1398 and set a public hearing date for June 22, 2015.

APPROVED BY CITY ADMINISTRATOR

Attachments

SID 1398 Resolution of Intent

CERTIFICATE AS TO RESOLUTION AND ADOPTING VOTE

I, the undersigned, being the duly qualified and acting recording officer of the City of Billings, Montana (the City), hereby certify that the attached resolution is a true copy of Resolution No. _____, entitled: **RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. 1398; DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND** (the Resolution" was duly adopted by the City Council of the City at a meeting on May 26, 2015 that the meeting was duly held by the City Council and was attended throughout by a quorum, pursuant to call and notice of such meeting given as required by law; and that the Resolution has not as of the date hereof been amended or repealed.)

I further certify that, upon vote being taken on the Resolution at said meeting, the following Councilmembers voted in favor thereof: _____;

voted against the same: _____;

or were absent: _____.

WITNESS my hand officially this _____ day of _____, 20____.

Cari Martin City Clerk

RESOLUTION NO. 15-_____

RESOLUTION RELATING TO SPECIAL IMPROVEMENT DISTRICT NO. 1398; DECLARING IT TO BE THE INTENTION OF THE CITY COUNCIL TO CREATE THE DISTRICT FOR THE PURPOSE OF UNDERTAKING CERTAIN LOCAL IMPROVEMENTS AND FINANCING THE COSTS THEREOF AND INCIDENTAL THERETO THROUGH THE ISSUANCE OF SPECIAL IMPROVEMENT DISTRICT BONDS SECURED BY THE CITY'S SPECIAL IMPROVEMENT DISTRICT REVOLVING FUND

BE IT RESOLVED by the City Council of the City of Billings (the City), Montana, as follows:

Section 1. Proposed Improvements; Intention To Create District. The City proposes to undertake certain local Improvements (the "Improvements") to benefit certain property located in the City. The Improvements consist of adding storm drainage facilities and the paving of Mountain View Boulevard, as more particularly described in Section 5. The total estimated costs of the Improvements are \$51,000.00. The costs of the Improvements are to be paid from Special Improvement District bonds hereinafter described. It is the intention of this Council to create and establish in the City under Montana Code Annotated, Title 7, Chapter 12, Parts 41 and 42, as amended, a Special Improvement District (the "District") for the purpose of financing costs of the Improvements and paying costs incidental thereto, including costs associated with the sale and the security of Special Improvement District bonds drawn on the District (the "Bonds"), the creation and administration of the District, the funding of a deposit to the City's Special Improvement District Revolving Fund (the "Revolving Fund"). The total estimated costs of the Improvements, including such incidental costs, to be financed by the Bonds are \$51,000.00. The Bonds are to be payable primarily from special assessments to be levied against property in the District, which property will be specially benefited by the Improvements.

Section 2. Number of District. The District, if the same shall be created and established, shall be known and designated as Special Improvement District No. 1398 of the City of Billings, Montana.

Section 3. Boundaries of District. The limits and boundaries of the District are depicted on a map attached as Exhibit A hereto (which is hereby incorporated herein and made a part hereof) and more particularly described on Exhibit B hereto (which is hereby incorporated herein and made a part hereof), which boundaries are designated and confirmed as the boundaries of the District. A listing of each of the properties in the District is shown on Exhibit F hereto (which are hereby incorporated herein and made a part hereof).

Section 4. Benefited Property. The District and territory included within the limits and boundaries described in Section 3 and as shown on Exhibits A, B, and F are hereby declared to be the Special Improvement District and the territory which will benefit and be benefited by the Improvements and will be assessed for the costs of the Improvements as described in Section 7.

Section 5. General Character of the Improvements. The general character of the Improvements, as shown in Exhibit E, is the construction of paving and necessary storm drain improvements fronting Lots on Upper Mountain View Boulevard.

Section 6. Engineer and Estimated Cost. The Engineer for this project will be the City Engineer's Office. The City Engineer's Office has estimated that the costs of the Improvements, including all incidental costs, are \$51,000.00.

Section 7. Assessment Methods.

7.1. Property to be Assessed. All properties within the district are to be assessed for the costs of the Improvements, as specified herein. The costs of the Improvements shall be assessed against the property in the District benefiting from the Improvements based on the equal amount methods described in Section 7-12-4162, M.C.A., as particularly applied and set forth in this Section 7.

7.1.1 Equal Amount Method.

Assessment #1 will include the construction of paving and storm drain improvements to Mountain View Boulevard. The properties to be assessed for these improvements include Panoramic Heights, Lots 33 and 34, Recorded May 10, 1947, under Document Number 426171; Certificate of Survey No. 575, being Tracts/Lots 35b thru 50b, Recorded March 16, 1953, under Document Number 504035; Amended Plat of Lots 31, 32, 33a and 51 of Panoramic Heights Subdivision, Being Lot 31-A, Recorded May 31, 2001, under Document Number 3131273. For the purposes of equitably apportioning special benefit to each lot, tract or parcel of land in the District, as above-mentioned, the Engineer has determined that each constructible lot, tract, or parcel of land, receiving paving and storm drain improvements, shall equally bear the costs of the paving and storm drain improvements as set forth in Exhibit D hereto to arrive at an equal cost for the paving and storm drain improvements. The total estimated cost of Assessment #1 is \$51,000.00 and shall be assessed against each constructible lot, tract, or parcel of land within the District, as above-mentioned, receiving paving and storm drain improvements, on an equal amount basis based on the bid price to be received. The equal amount assessment is estimated to be \$3,183.89.

7.2. Assessment Methodologies Equitable and Consistent With Benefit. This Council hereby determines that the methods of assessment and the assessment of costs of the specific improvements against the properties benefited thereby as prescribed in this Section 7 are equitable in proportion to and not exceeding the special benefits derived from the respective improvements by the lots, tracts, and parcels to be assessed therefore within the District.

Section 8. Payment of Assessments. The special assessments for the costs of the Improvements shall be payable over a term not exceeding 15 years, each in equal semiannual installments of principal, plus interest, or equal semiannual payments of principal and interest, as this Council shall prescribe in the resolution authorizing the issuance of the Bonds. Property Owners have the right to prepay assessments as provided by law. Further, all owners shall have the

opportunity to prepay their assessments prior to sale of the SID bonds.

Section 9. Method of Financing; Pledge of Revolving Fund; Findings and Determinations.

The City will issue the Bonds in an aggregate principal amount not to exceed \$51,000.00 in order to finance the costs of the Improvements. Principal of and interest on the Bonds will be paid from special assessments levied against the properties in the District. This Council further finds it is in the public interest, and in the best interest of the City and the District, to secure payment of principal of and interest on the Bonds by the Revolving Fund and hereby authorizes the city to enter into the undertakings and agreements authorized in Section 7-12-4225 in respect of the Bonds.

In determining to authorize such undertakings and agreements, this Council has taken into consideration the following factors:

(a) **Estimated Market Value of Parcels.** The estimated market value of the lots, parcels, or tracts in the District as of the date of adoption of this resolution, as estimated, by the County Assessor for property tax purposes ranges from \$11,341 to 190,535 and is set forth in Exhibit F. The average market value is \$72,200.81 with the median being \$75,212.00. The special assessments to be levied under Section 7 against each lot, parcel, or tract in the District is less than the increase in estimated value of the lot, parcel, or tract as a result of the construction of the Improvements.

(b) **Diversity of Property Ownership.** There are a total of 16 parcels within the district boundaries. All improvements are located on public rights of way or easements granted for public use. Four property owners own two parcels and the remaining 8 parcels are owned by separate owners.

(c) **Comparison of Special Assessments and Property Taxes and Market Value.** Based on an analysis of the aggregate amount of the proposed, any outstanding special assessments (whether or not delinquent), and any delinquent property taxes (as well as any known industrial development bonds theretofore issued and secured by a mortgage against a parcel in the District) against each lot, parcel, or tract in the District in comparison to the estimated market value of such lot, parcel, or tract after the Improvements, the City concludes that, overall, the estimated market value of the lots, tracts, or parcels of land in the District exceeds the sum of special assessments, delinquent property taxes, and current assessments and is set forth in Exhibit F.

(d) **Delinquencies.** An analysis of the amount of delinquencies in the payment of outstanding special assessments or property taxes levied against the properties in the District shows that of 16 properties, zero (0) properties were delinquent, and is set forth in Exhibit F.

(e) **The Public Benefit of the Improvements.** The total estimated costs of the Improvements are \$51,000.00. The costs of the Improvements are to be paid from Special Improvement District bonds. All of the properties are zoned Residential 9600. The public improvements contemplated under the terms of this proposed District are required by the City

Subdivision, Site Development and Zoning Ordinances. Twelve of the sixteen properties are fully developed.

Section 10. Reimbursement Expenditures.

10.01. Regulations. The United States Department of Treasury has promulgated final regulations governing the use of proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse the City for project expenditures paid by the City prior to the date of issuance of such bonds. Those regulations (Treasury Regulations, Section 1.150-2) (the “Regulations”) require that the City adopt a statement of official intent to reimburse an original expenditure not later than 60 days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and the reimbursement allocation made from the proceeds of the bonds within 18 months (or three years, if the reimbursement bond issue qualifies for the “small issuer” exception from the arbitrage rebate requirement) after the later of (i) the date the expenditure is paid or (ii) the date the project is placed in service or abandoned, but (unless the issue qualifies for the “small issuer” exception from the arbitrage rebate requirement) in no event more than three years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds.

10.02. Prior Expenditures. Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds, (ii) expenditures permitted to be reimbursed under the transitional provision contained in Section 1.150-2(j)(2) of the Regulations, (iii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations, or (iv) expenditures in a “de minimus” amount (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the Improvements have been paid by the City before the date 60 days before the date of adoption of this resolution.

10.03. Declaration of Intent. The City reasonably expects to reimburse the expenditures made for costs of the Improvements out of the proceeds of Bonds in an estimated maximum aggregate principal amount of \$51,000.00 after the date of payment of all or a portion of the costs of the Improvements. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the Bonds or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations.

10.04. Budgetary Matters. As of the date hereof, there are no City funds reserved, allocated on a long-term basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Improvements, other than pursuant to the issuance of the Bonds. The statement of intent contained in this resolution, therefore, is determined to be consistent with the City’s budgetary and financial circumstances as they exist or are reasonably foreseeable on the date hereof.

10.05. Reimbursement Allocations. The City’s financial officer shall be responsible for making the “reimbursement allocations” described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Bonds to reimburse the source of temporary financing used by the City to make prior payment of the costs of the Improvements. Each allocation shall be evidence by an entry on the official books and records of the City maintained for the Bonds or the Improvements and shall specifically identify the actual original expenditure being reimbursed.

Section 11. Public Hearing Protests. At any time within fifteen (15) days from and after the date of the first publication of the notice of the passage and approval of this resolution, any owner of real property within the District subject to assessment and taxation for the cost and expense of making the Improvements may make and file with the City Clerk until 5:00 p.m., M.T., on the expiration date of said 15-day period (June 19, 2015), written protest against the proposed Improvements, or against the extension or creation of the District or both, and this Council will at its next regular meeting after the expiration of the fifteen (15) days in which such protests in writing can be made and filed, proceed to hear all such protests so made and filed; which said, regular meeting will be held on Monday the 22th day of June 2015, at 6:30 p.m., in the Council Chambers, at 220 North 27th Street, in Billings, Montana.

Section 12. Notice of Passage of Resolution of Intention. The City Clerk is hereby authorized and directed to publish or cause to be published a copy of a notice of the passage of this resolution in the Billings Times, a newspaper of general circulation in the county on June 4 and 11, 2015, in the form and manner prescribed by law, and to mail or cause to be mailed a copy of said notice to every person, firm, corporation, or the agent of such person, firm, or corporation having real property within the District listed in his or her name upon the last completed assessment roll for state, county, and school district taxes, at his last-known address, on or before the same day such notice is first published.

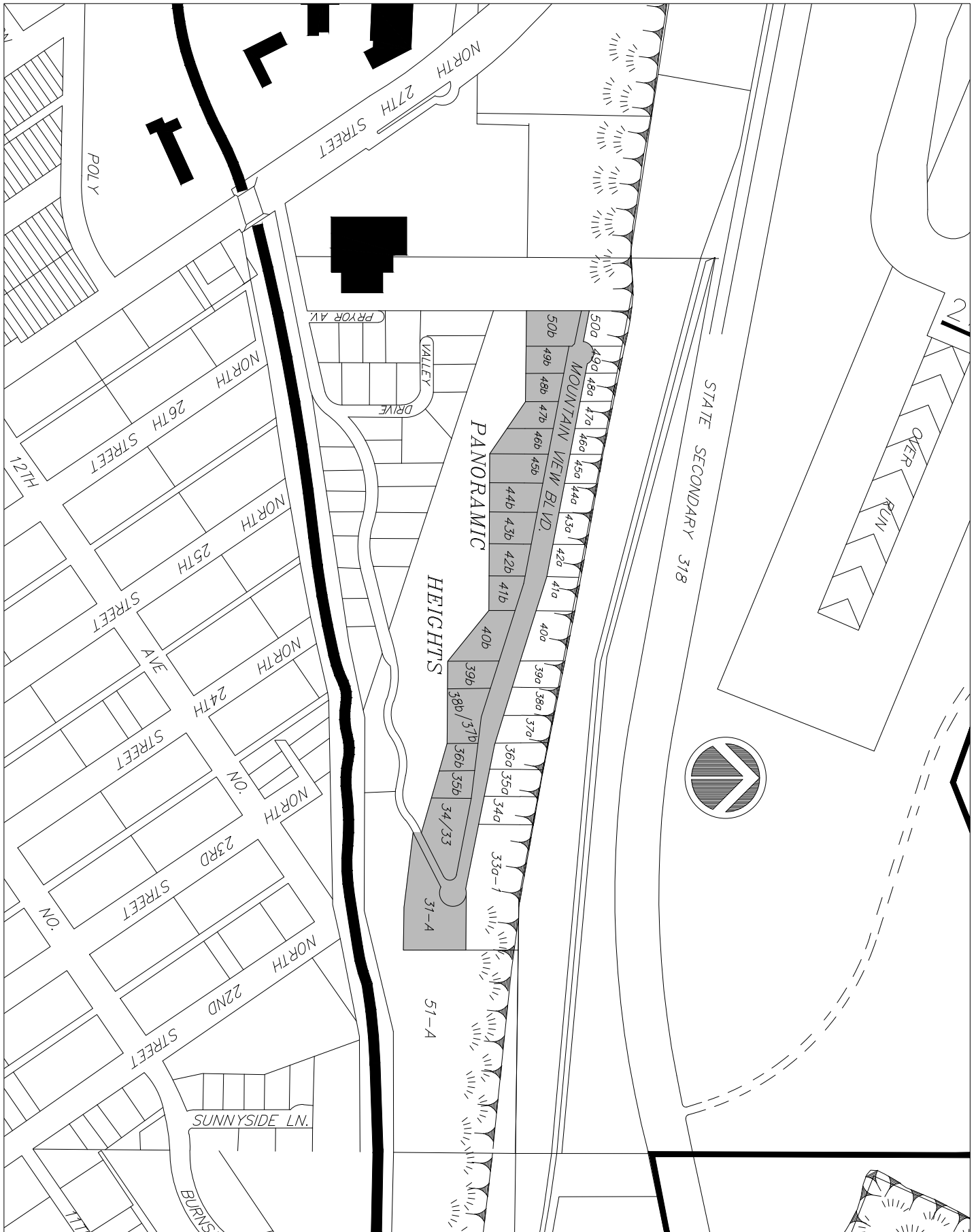
PASSED AND ADOPTED by the City Council of the City of Billings, Montana, this 26th day of May 2015.

Mayor

Attest:

City Clerk

SID 1398 EXHIBIT "A"



SID 1398 Mountain View Boulevard

EXHIBIT B

Legal Description

Tracts of land situated in the SE1/4 Section 29 and the NE1/4 Section 32, T. 1 N., R. 26 E., P.M.M., City of Billings, Yellowstone County, Montana, more particularly described as follows:

Panoramic Heights, Lots 33 and 34, Recorded May 10, 1947, under Document Number 426171;

Certificate of Survey No. 575, being Tracts/Lots 35b thru 50b, Recorded March 16, 1953, under Document Number 504035;

Amended Plat of Lots 31, 32, 33a and 51 of Panoramic Heights Subdivision, Being Lot 31-A, Recorded May 31, 2001, under Document Number 3131273.

All documents on file and of record in the office of the Clerk and Recorder of Yellowstone County.

SID 1398 Mountain View Boulevard Assessment
Exhibit C Engineers Estimate of Probable Cost
Prepared By: City of Billings

Item Number	Description	Quantity	Unit	Engineers Estimate		City contribution
				Unit Prices	Amount	
				Dollars	Dollars	
1	Mobilization, Bonds, and Insurance	1	LS	\$8,000.00	\$8,000.00	\$ 4,000.00
2	Traffic Control	1	LS	\$2,500.00	\$2,500.00	\$ 1,250.00
3	1 1/2-inch Base Course Gravel	115	CY	\$30.00	\$3,450.00	
4	Class II MDT Rip Rap	30	TN	\$100.00	\$3,000.00	\$ 3,000.00
5	Adjust Manhole	2	EA	\$150.00	\$300.00	
6	Adjust Water Valve	3	EA	\$50.00	\$150.00	
7	Grade Drainage Swale (6" - 18" Deep)	700	LF	\$10.00	\$7,000.00	
8	Rock Check Dams	7	EA	\$100.00	\$700.00	
9	Erosion Control Mat	500	SY	\$9.00	\$4,500.00	
10	Asphalt Spillway	120	SY	\$50.00	\$6,000.00	\$ 6,000.00
11	Asphalt Transition	490	SY	\$30.00	\$14,700.00	
12	Rock Spillway Protection	8	TN	\$100.00	\$800.00	\$ 800.00
13	Hydroseeding	1	LS	\$1,000.00	\$1,000.00	
14	Asphalt	2,323	SY	\$23.00	\$53,429.00	\$ 44,346.07

	Subtotal	\$105,529.00
Contingency	5%	\$5,276.45
	Design/CA/Proj Admin	\$8,000.00
	Project Subtotal	\$118,805.45
City Contribution	Design/CA/Proj Admin	\$8,000.00
	City Construction items	\$59,396.07
	Total assessments	\$51,409.38
	City's lots (3 of 19)	\$8,117.27
	Total bonded assessments	\$43,292.11
	Finance Fee	\$350.00
	Engineering Fee	\$1,253.09
	Revolving Fund 5%	\$2,547.12
	Issuance Costs	\$3,500.00
	Roundoff	\$0.00
		\$50,942.32
	No. of Properties	16
	Assessment	\$3,183.89

ASSESSMENTS SUMMARY		
Name	# Lots	Assessment
POWELL, JAMES E	1	\$ 3,184
BARRY, JAMES D	2	\$ 6,368
LEMKE, GARY & LINDA	2	\$ 6,368
PALMERSHEIM, RICHARD A	1	\$ 3,184
COLLIER, ANN MARIE & JASON LY	1	\$ 3,184
EVERSON, STANLEY C	1	\$ 3,184
SMITH, JORDAN DIANNE	2	\$ 6,368
MORLEDGE, THOMAS E TRUSTEE	1	\$ 3,184
RENSTROM, LANCE D	1	\$ 3,184
GRASS, RICHARD T	2	\$ 6,368
LEE, SHERI ANN	1	\$ 3,184
VAN EEDEN, SAM	1	\$ 3,184
Total	16	\$ 50,942

SID 1398 Mountain View Boulevard Improvements
Exhibit D Property Owner Description and Assessment
Prepared By: City of Billings

TAX ID	OWNER	ASSESSMENT
A12576	Powell, James E 115 Mountain View Blvd Billings, Mt 59101-0201	\$3,183.89
A12579	Barry, James D Po Box 20742 Billings, Mt 59104-0742	\$3,183.89
A12580	Barry, James D Po Box 20742 Billings, Mt 59104-0742	\$3,183.89
A12581	Lemke, Gary & Linda 194 Mountain View Blvd Billings, Mt 59101-0237	\$3,183.89
A12583	Lemke, Gary L & Linda S 194 Mountain View Blvd Billings, Mt 59101-0237	\$3,183.89
A12584	Palmersheim, Richard A 1731 Fir Crest Ct Bozeman, Mt 59715-7413	\$3,183.89
A12585	Collier, Ann Marie & Jason Lynn 200 Mountain View Blvd Billings, Mt 59101-0239	\$3,183.89
A12586	Everson, Stanley C 202 Mountain View Blvd Billings, Mt 59101-0239	\$3,183.89
A12587	Smith, Jordan Dianne 204 Mountain View Blvd Billings, Mt 59101-0239	\$3,183.89
A12588	Smith, Jordan Dianne 204 Mountain View Blvd Billings, Mt 59101-0239	\$3,183.89
A12589	Morledge, Thomas E Trustee 1325 Yellowstone Ave Billings, Mt 59102-5337	\$3,183.89
A12591	Renstrom, Lance D 214 Mountain View Blvd Billings, Mt 59101-0239	\$3,183.89
A12592	Grass, Richard T 826 S 227Th Pl Des Moines, Wa 98198-6939	\$3,183.89
A12593	Grass, Richard T 826 S 227Th Pl Des Moines, Wa 98198-6939	\$3,183.89
A12594	Lee, Sheri Ann 218 Mountain View Blvd Billings, Mt 59101-0239	\$3,183.89
A12595	Van Eeden, Sam 812 Albany St Brunswick, Ga 31520-7826	\$3,183.89

\$50,942.32

SID 1398 Mountain View Boulevard Improvements

Exhibit E Description of Improvements

Prepared by: City of Billings

Special Improvement District No. 1398 shall construct street and storm drain improvements to Upper Mountain View Boulevard within the City of Billings.

SID 1398 Mountain View Boulevard
Exhibit F Property Market Value and Delinquency
Prepared By: City of Billings

TAX I.D. NUMBER	PREVIOUS SID #	PREVIOUS SID PAY-OFF	DELINQUENT	SID 1398 ASSESSMENT	SID PAY-OFF + DELINQUENT + SID 1398 ASSESSMENT	ESTIMATED MARKET VALUE	ESTIMATED MARKET VALUE AFTER IMPROVEMENTS
A12576		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$190,535.00	\$193,718.89
A12579		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$47,306.00	\$50,489.89
A12580		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$11,955.00	\$15,138.89
A12581		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$76,691.00	\$79,874.89
A12583		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$82,615.00	\$85,798.89
A12584		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$81,604.00	\$84,787.89
A12585		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$65,418.00	\$68,601.89
A12586		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$69,261.00	\$72,444.89
A12587		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$77,624.00	\$80,807.89
A12588		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$18,002.00	\$21,185.89
A12589		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$144,667.00	\$147,850.89
A12591		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$73,733.00	\$76,916.89
A12592		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$12,495.00	\$15,678.89
A12593		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$11,341.00	\$14,524.89
A12594		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$114,933.00	\$118,116.89
A12595		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$77,033.00	\$80,216.89
AVERAGE		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$72,200.81	\$75,384.71
MEDIAN		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$75,212.00	\$78,395.89
LOW		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$11,341.00	\$14,524.89
HIGH		\$0.00	\$0.00	\$3,183.89	\$3,183.89	\$190,535.00	\$193,718.89

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Resolution of Intent to Create SILMD 317 and set a public hearing date

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The Exposition Gateway project is planned to construct water, sewer and street improvements in the Exposition Gateway area. At the request of property owners, the project will include installation of street lights along 2nd & 3rd Avenues North and North 9th & North 10th Streets within the project area. Passage of this Resolution of Intent is the first step in the legal process of creating a lighting maintenance district to pay the costs of operating and maintaining the new lighting. Passage of this Resolution of Intent will trigger the mailing of legal notices to the affected property owners and set a Council public hearing at the June 22, 2015, City Council meeting.

The new lighting will use decorative poles with LED lamps and underground wiring. The cost of installing the new lighting will be paid for with funds from the East Billings Urban Renewal District (EBURD). The adjacent property owners will only pay for electrical energy and maintenance, through an assessment on their property tax statements. Light district assessments will range from approximately \$50 to \$450 per year depending on the size and frontage of the property. Pursuant to 7-12-4327 Montana Code Annotated, properties outside of, but contiguous to, the city limits may be assessed for their share of the energy and maintenance costs for the lighting.

ALTERNATIVES ANALYZED

City Council may:

- Pass the Resolution of Intent to create SILMD 317 to provide a source of funding for operation and maintenance of the streetlights and set a public hearing for June 22, 2015; or
- Do not pass the Resolution of Intent or set a public hearing date. If the Council does not adopt the Resolution, the property owners cannot be assessed for operation and maintenance of the streetlights, so the new lighting will not be installed.

FINANCIAL IMPACT

All costs of maintaining and providing energy for the lighting are paid from assessments against the properties within the light district. There are no City owned properties within the district.

RECOMMENDATION

Staff recommends the City Council approve a resolution of intent to create SILMD 317 and set a public hearing for June 22, 2015.

APPROVED BY CITY ADMINISTRATOR

Attachments

SILMD 317 Res of Intent

Exhibit A

Exhibit B

Exhibit C

SILMD 317

RESOLUTION NO. 15 - _____

A RESOLUTION OF INTENTION TO CREATE SPECIAL IMPROVEMENT LIGHTING MAINTENANCE DISTRICT NO. 317 OF THE CITY OF BILLINGS, MONTANA, FOR THE PURPOSE OF PROVIDING ENERGY AND MAINTENANCE FOR STREET LIGHTS, DESIGNATING THE NUMBER OF SAID DISTRICT, DESCRIBING THE BOUNDARIES THEREOF, STATING THE GENERAL CHARACTER OF THE IMPROVEMENTS TO BE MADE, ESTABLISHING THE ESTIMATE OF THE COST OF MAINTAINING SUCH LIGHTS AND SUPPLYING ELECTRICAL CURRENT THEREFOR FOR THE FIRST YEAR, THE PROPORTION OF THE COST TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE METHOD OF ASSESSMENT OF SAID COST.

WHEREAS, the City Council of Billings, Montana, has determined that the public interest and convenience require the creation of a Special Improvement Lighting Maintenance District as hereinafter provided;

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

SECTION 1:

That the public interest and convenience require, and it is deemed necessary, to create a Special Improvement Lighting Maintenance District for the purpose providing energy and maintenance for new street lights for lighting in said district; and the intention of said City Council to create such a district, hereinafter more particularly described, is hereby declared.

SECTION 2:

That said district shall be known and designated as "Special Improvement Lighting Maintenance District No. 317" hereinafter called the District, and the boundaries of the District are hereby declared to include lots, parcels and pieces of land in the Exposition Gateway area of east Billings as shown on the map designated as Exhibit "A" attached hereto, and as described in Exhibit "C" which is attached hereto.

SECTION 3:

That the City of Billings, Montana, hereby finds, determines and declares that each of the lots, blocks, pieces and parcels of land situated within the boundaries of the District, will be especially benefited and affected by said improvements, and that all of the property included within the District is hereby declared to be the property to be assessed for the cost and expense of obtaining the electrical energy for and maintenance of said street lights.

SECTION 4:

That pursuant to MCA 7-12-4327, the City of Billings intends to assess properties outside of, but contiguous to, the city limits of the City of Billings for a portion of the costs of the District.

SECTION 5:

That the general character of the improvements to be made for the District is hereby declared to be as follows: The provision of energy and maintenance for street lighting facilities consisting of twenty-seven (27) LED luminaries mounted on decorative poles with underground wiring. The City of Billings shall own and install the streetlights and all associated appurtenant structures and materials. The cost of installing the lighting will be paid for by the City and shall not be included in the costs assessed to the properties within the District.

SECTION 6:

The City of Billings intends to establish the contract rate for supplying electrical energy in accordance with the rate schedule approved by the Montana Public Service Commission. Said rate is currently estimated at \$2.84 per unit, per month, and that NorthWestern Energy Company shall provide energy to the lighting fixtures. That the City of Billings shall provide normal maintenance to lighting fixtures, poles, cables and other incidental equipment, and shall at all times own said lighting fixtures, poles, cables and other incidental equipment.

SECTION 7:

The estimate of the cost of the District per year, including City administrative costs, is the sum of \$4,594.82; that the entire cost of said District shall be paid by the owners of the property listed in Exhibit "B" attached hereto, with each lot, parcel or piece of land within the District to be assessed for that portion of the whole cost which it's assessable lot frontage bears to the total assessable lot frontage of the entire District, exclusive of streets, avenues, alleys and public places. The estimated cost of the District per year for property owners is on the basis of approximately \$0.0075 per square foot of assessable area.

SECTION 8:

That the entire cost of the District shall be paid by an annual assessment against the property in the District; that annually, pursuant to MCA 7-12-4332, the City Council shall adopt a resolution estimating the cost of maintaining said lights including a reserve, and furnishing electrical current and assessing all of said property within said District for the annual costs; that all monies derived from the collection of such assessments shall be paid into a fund to be known as "Special Lighting Maintenance District No. 317 Maintenance Fund," and warrants shall be drawn on said fund for the payment of such costs of maintaining such lights and supplying electrical current therefore.

SECTION 9:

That on the 22nd of June, 2015, at 6:30 o'clock p.m., at the Council Chambers of the City Hall in said City, the City Council intends to create such Special Improvement Lighting Maintenance District No. 317 and will hear objections and protests against the proposed improvements and the extent and creation of such District to be assessed, or any matter pertaining thereto, at said time and place, by any person, firm, or corporation who has filed a written protest with the City Clerk of the City of Billings within fifteen (15) days after the date on which the Notice of the passage of this Resolution of Intention is published in "The Billings Times".

SILMD 317 - EXHIBIT A



TAX_ID	Property Owner
A00118	WG PROPERTIES LLC
A09324	DEGENHART HOLDINGS LLC
A09325	GREENLEAF LAND & LIVESTOCK CO
A09325A	GREEN LEAF LAND & LIVESTOCK CO
A09328	YOU AND ME PROPERTIES LLC
A09331A	YURKO PROPERTIES LLC
A09335	BILLINGS WHITE TRUCK CO
A09335A	FQC CONSULTING INC
A09340	CONVERSE PROPERTIES LLC & (ETAL)
A09341	REICHERT, TIMOTHY D
A09342	REICHERT, TIMOTHY D
A09343	INDUSTRIAL LAND & REALTY LLC
A09344	LARSON PROPERTIES LLC
A09349	LARSON PROPERTIES LLC
A09351	HUDSON, LESTER E & DEBORAH J
A09355	SERVICE CANDY CO
A09355B	SERVICE CANDY CO
A09357	DESPERATION LAND & LIVESTOCK LLC
A09359	MATTHEWS, SAUNDRA J & SAM
A09361	DORIS M HOY TRUST
A09362	HALTER, LARRY R & JAIME
A09370	BILLINGS OVERHEAD DOOR COMPANY INC
A09371	BILLINGS OVERHEAD DOOR COMPANY INC
A09372A	DESPERATION LAND & LIVESTOCK LLC
D05897	INDUSTRIAL LAND & REALTY LLC
D05898	CHERRY PROPERTIES LLC
A09334	PAUL AND DOROTHY RICE LIVING TRUST

Exhibit B
SILMD 317
Expo Gateway

Legal Description

INDUSTRIAL SUBD 2ND FILING, S34, T01 N, R26 E, BLOCK 10, Lot 1 - 6, AND 8-12 & LTS 8-12 BLK 27 BILLINGS SUB & LTS 7-11 BLK 10 INDUSTRIAL SUB 4TH I
INDUSTRIAL SUBD 1ST FILING, S34, T01 N, R26 E, BLOCK 1
INDUSTRIAL SUBD 1ST FILING, S34, T01 N, R26 E, BLOCK 2, Lot 1 - 13, & ADJ VAC ALLEY
INDUSTRIAL SUBD 1ST FILING, S34, T01 N, R26 E, BLOCK 2, Lot 14 - 26, & ADJ VAC ALLEY (98)
INDUSTRIAL SUBD 1ST FILING, S34, T01 N, R26 E, BLOCK 3, Lot 1 - 8, (99)
INDUSTRIAL SUBD 1ST FILING, S34, T01 N, R26 E, BLOCK 3, Lot 23 - 26
INDUSTRIAL SUBD 2ND FILING, S34, T01 N, R26 E, BLOCK 5, Lot 9 - 16, & LT 8 LESS S116.63' & ADJ ALLEY & TRS 9A & 10 COS 491AMD (10)
S34, T01 N, R26 E, C.O.S. 491, PARCEL 3A1, TR 3A1 COS 491 AMD (10)
INDUSTRIAL SUBD 2ND FILING, S34, T01 N, R26 E, BLOCK 6, Lot 1 - 13, 44362 SQUARE FEET, (07)
INDUSTRIAL SUBD 2ND FILING, S34, T01 N, R26 E, BLOCK 6, Lot 14 - 15
INDUSTRIAL SUBD 2ND FILING, S34, T01 N, R26 E, BLOCK 6, Lot 16 - 17
INDUSTRIAL SUBD 2ND FILING, S34, T01 N, R26 E, BLOCK 6, Lot 18 - 26
INDUSTRIAL SUBD 2ND FILING, S34, T01 N, R26 E, BLOCK 7, Lot 1 - 4, & E5' LT 5
INDUSTRIAL SUBD 2ND FILING, S34, T01 N, R26 E, BLOCK 7, Lot 14 - 26
INDUSTRIAL SUBD 2ND FILING, S34, T01 N, R26 E, BLOCK 9, Lot 13, & S60' LT 12
INDUSTRIAL SUBD 4TH FILING, S34, T01 N, R26 E, BLOCK 011, Lot 006, ALSO LOTS 7 THRU 14 & S 17 FT X 248.71 OFABDN ALLEY ADJ TO 7 THRU 14
INDUSTRIAL SUBD 4TH FILING, S34, T01 N, R26 E, BLOCK 011, Lot 05A, LOTS 1-5 BLK 11 AMND
INDUSTRIAL SUBD 4TH FILING, S34, T01 N, R26 E, BLOCK 11, Lot 15 - 16, & ADJ VAC ALLEY
INDUSTRIAL SUBD 4TH FILING, S34, T01 N, R26 E, BLOCK 11, Lot 22 - 29, & ADJ VAC ALLEY (45462 SQ FT)
INDUSTRIAL SUBD 4TH FILING, S34, T01 N, R26 E, BLOCK 11, Lot 30 - 35, LTS 30-35 BLK 11 INDUSTRIAL SUB 4TH & S17'X151.65' ADJ ALLEY & ALL OF BLK 9
INDUSTRIAL SUBD 4TH FILING, S34, T01 N, R26 E, BLOCK 11, Lot 36 - 42, & N 17'X 271.91' OF ABND ADJ ALLEY
INDUSTRIAL SUBD 4TH FILING, S34, T01 N, R26 E, BLOCK 11, Lot 19 - 21, & LT 50 & S 17' X 102' ABND ADJ ALLEY (95)
INDUSTRIAL SUBD 4TH FILING, S34, T01 N, R26 E, BLOCK 11, Lot 18, & LT 51 & 34' X 60' ADH ABND ALLEY
INDUSTRIAL SUBD 4TH FILING, S34, T01 N, R26 E, BLOCK 11, Lot 17, & ADJ VAC ALLEY
S34, T01 N, R26 E, 491, PARCEL 007, TR 7 COS 491 2ND AMND NW4NW4 S34T1NR26E
S34, T01 N, R26 E, C.O.S. 2196, PARCEL 1
INDUSTRIAL SUBD 2ND FILING, S34, T01 N, R26 E, BLOCK 5, Lot 5A

Total Maintenance Costs
Yearly Cost/SF

Assessable Area First Yr Assessment

30466	\$228.69
6611	\$49.62
49795	\$373.78
49906	\$374.61
13300	\$99.83
14000	\$105.09
59842	\$449.20
48890	\$366.99
44362	\$333.00
6825	\$51.23
6825	\$51.23
29420	\$220.84
14332	\$107.58
13650	\$102.46
3000	\$22.52
42369	\$318.04
6382	\$47.91
19042	\$142.94
45462	\$341.26
19776	\$148.45
15123	\$113.52
15373	\$115.40
9050	\$67.93
9205	\$69.10
1307	\$9.81
25726	\$193.11
12083	\$90.70

612,122.00

\$4,594.82

\$0.007506

EXHIBIT “C”

SILMD 317 – BOUNDARY DESCRIPTION

A Special Improvement Lighting Maintenance District in Billings, Montana encompassing all lots, parcels and tracts of land:

Abutting both sides of North 10th Street between First Avenue North and Fourth Avenue North, and

Abutting both sides of North 9th Street between First Avenue North and Third Avenue North, and

Abutting both sides of Third Avenue North between North 10th Street and Main Street, and

Abutting both sides of Second Avenue North between North 10th Street and Main Street

Exempting there from all lands which are public street, road, or alley rights-of-way.

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Cenex Park Subdivision Block 3 Lot 10-A-1

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The property owner of Cenex Park Subdivision, Block 3, Lot 10-A-1 submitted an amended subdivision plat allowing for a new access along Gabel Road. The original plat for this lot had a no-access strip along Gabel Road with only one common access point between two lots on the east side of lot 10-A-1. Data were presented to the City Traffic Engineer showing that a new access will not be detrimental to Gabel Road. They are planning on developing the lot. The City Traffic Engineer concurs with the request. The original no-access strip was established with the original plat and requires City Council approval in order to create this new access to lot 10-A-1.

ALTERNATIVES ANALYZED

City Council may:

- Approve the amended subdivision plat, or;
- Disapprove the amended subdivision plat. This would require the property owner to develop the lot with the existing accesses previously platted.

FINANCIAL IMPACT

There is no financial impact to the city with acceptance of this plat.

RECOMMENDATION

Staff recommends that Council approve the amended subdivision plat for Cenex Park Subdivision, Block 3, Lot 10-A-1.

APPROVED BY CITY ADMINISTRATOR

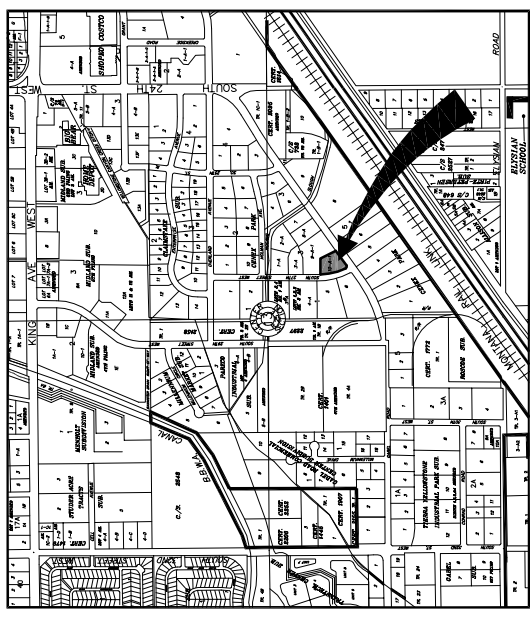
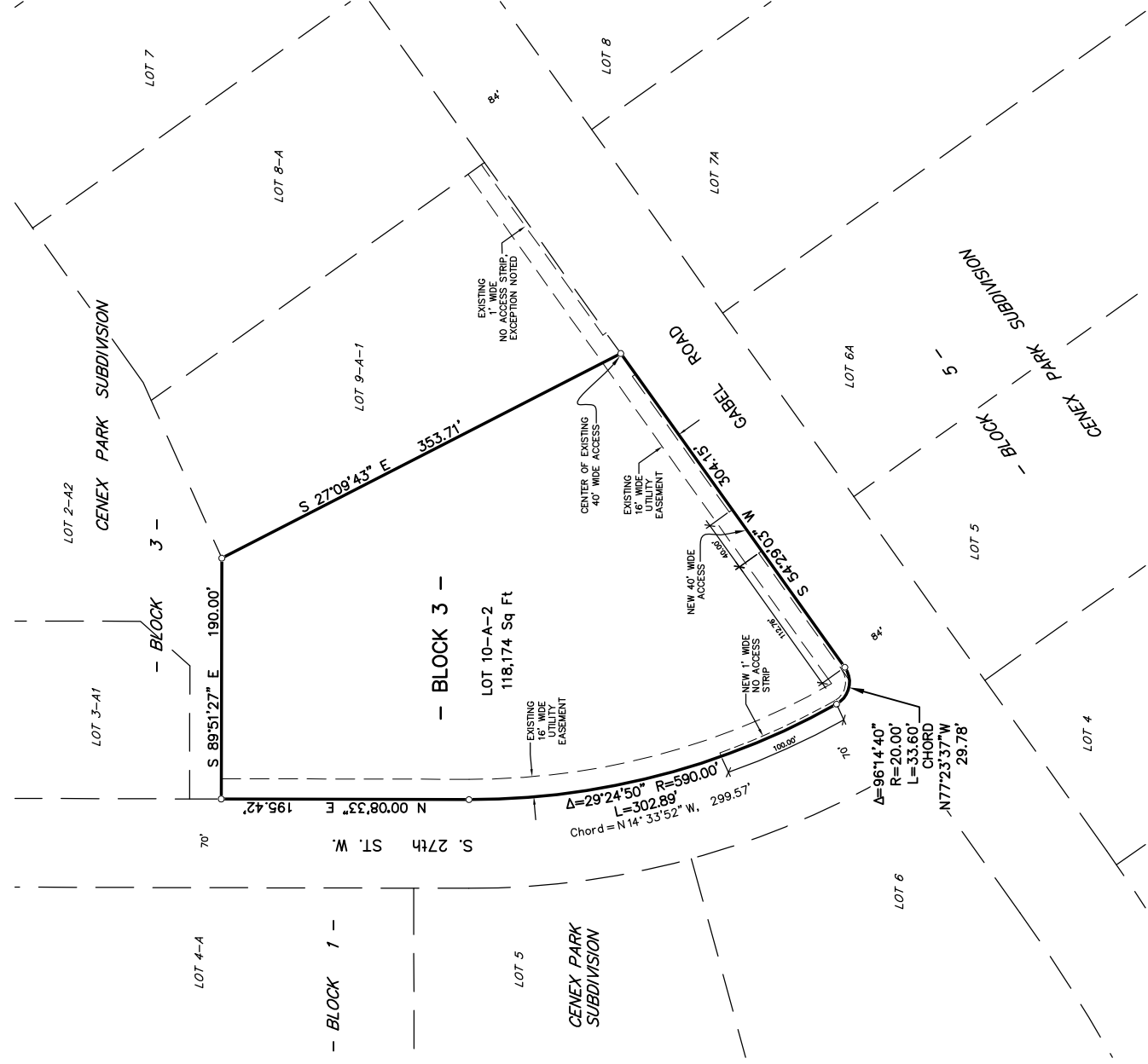
Attachments

Subdivision Plat

AMENDED PLAT OF LOT 10-A-1, BLOCK 3,
CENEX PARK SUBDIVISION
 SITUATED IN THE SE1/4 OF SECTION 13, T. 1 S., R. 25 E., P.M.M.
 CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : TRIAMIC DEVELOPMENT LLC
 PREPARED BY : SANDERSON STEWART

MARCH 2015
 BILLINGS, MONTANA



VICINITY MAP
 NOT TO SCALE



60 30 0 60 120
 SCALE : 1" = 60'

BASIS OF BEARING: THE ORIGINAL PLAT OF CENEX PARK SUBDIVISION.
 FOUND SURVEY MONUMENT, REBAR WITH "ENGINEERING INC" CAP OR AS NOTED

THIS PLAT HAS BEEN PREPARED TO REVISE THE "NO VEHICULAR ACCESS STRIP" WITHIN ORIGINAL LOT 10-A-1. NO ADDITIONAL LOTS ARE BEING CREATED WITH THIS PLAT.

PURPOSE OF SURVEY – REVISE "NO ACCESS STRIP"

The undersigned hereby certifies that the purpose of this survey is to revise the "1" WIDE NO VEHICULAR ACCESS STRIP" as shown on the Amended Plat of Lots 9-A and 10-A, Block 3, Cenex Park Subdivision, recorded under Document No. 3635345, records of Yellowstone County, Montana, and no new or additional lots are being created.

Therefore, this amended plat does not create a division of land and is not subject to review as a subdivision. This amended plat has been prepared pursuant to Section 76-3-404(1)(c), M.C.A.

This amended plat is exempt from review by the Department of Environmental Quality pursuant to ARM 17.36.605(2)(b) which excludes "a parcel that has a previous approval issued under Title 17, chapter 4, part 1, MCA if no facilities other than those previously approved are proposed or will be constructed on the parcel and the proposed use of the approved facilities to deviate from the conditions of approval in violation of 76-4-130, MCA".

TRIAMIC DEVELOPMENT LLC

By: _____
 Title: _____

STATE OF MONTANA)
 County of Yellowstone) :ss

On this _____ day of _____, 2015, before me, the undersigned Notary Public for the State of Montana, personally appeared _____, known to me to be the person who signed the foregoing instrument as TRIAMIC DEVELOPMENT LLC, and who acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

Notary Public in and for the State of Montana

CERTIFICATE OF CITY COUNCIL APPROVAL

STATE OF MONTANA)
 County of Yellowstone) :ss

We hereby certify that we have examined the annexed and foregoing AMENDED PLAT OF LOT 10-A-1, BLOCK 3, CENEX PARK SUBDIVISION, and find that said plat conforms with the requirements of the laws of the State of Montana, and the requirements of The Yellowstone County Board of Planning. It is therefore approved and accepted.

IN WITNESS WHEREOF, we have set our hands and the seal of the CITY OF BILLINGS, MONTANA, this _____ day of _____, 2015.

CITY OF BILLINGS, MONTANA
 By: _____ Mayor
 Attest: _____ City Clerk

CERTIFICATE OF SURVEYOR

STATE OF MONTANA)
 County of Yellowstone) :ss

The undersigned, a Montana Registered Land Surveyor, being first duly sworn, deposes and says that during the month of MARCH 2015, a survey was performed under his supervision of a tract of land situated in the SE 1/4 OF SECTION 13, T. 1 S., R. 25 E., P.M.M., in the City of Billings, Yellowstone County, Montana, said tract being more particularly described as follows, to-wit:

Lot 10-A-1, Block 3, of the Amended Plat of Lots 9-A and 10-A, Block 3, Cenex Park Subdivision, according to the official plat on file in the Office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 3635345, containing a gross area and a net area of 118,174 sq. ft.

that the monuments found and set are of the character and occupy the positions shown hereon and that the plat conforms to the work on the ground.

SANDERSON STEWART

By: _____
 Montana Registration No. _____
 Date: _____

ERROR AND OMISSIONS REVIEW

I hereby certify that I have examined the annexed and foregoing plat for errors and omissions in computations and drafting.

Examining Land Surveyor _____ Date _____

CERTIFICATE OF CITY ATTORNEY

This document has been reviewed by the City Attorney's office and is acceptable as to form.

Date: _____
 Reviewed by: _____

CERTIFICATE OF COUNTY TREASURER

I hereby certify that all real property taxes and special assessments have been paid per 76-3-611(1)(b)/76-3-207(3), M.C.A.

Date: _____
 Yellowstone County Treasurer
 By: _____ Deputy

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Millennium Market Subdivision Block 1 Amended Lots 2A-1 and 3A

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

HDR Engineering is located on Millennium Circle in Millennium Market Subdivision. HDR is proposing to construct an additional building just north of their existing site and tie the two buildings to each other with a driveway. This will allow vehicles to go between the two sites. The original plat for Millennium Subdivision has a no access strip placed on the north side of the lots. To allow vehicle access between the sites, a new plat is necessary to eliminate a portion of the no access strip. The City Engineer's Office has reviewed the impacts of allowing vehicle access between the two sites and has no concerns. The attached overall site plan shows the proposed new building to the north of Millennium Market Subdivision. The no access strip is between the subdivision and the new proposed building.

ALTERNATIVES ANALYZED

City Council may:

- Approve the subdivision plat for Millennium Market Subdivision Block 1 Amended Lots 2A-1 and 3A, or;
- Disapprove the subdivision. If not approved, they will have to re-design their site without vehicle access between the two sites.

FINANCIAL IMPACT

There is no financial impact to the city with acceptance of this plat.

RECOMMENDATION

Staff recommends that the City Council approve the subdivision plat for Millennium Market Subdivision, Block 1, Amended Lots 2A-1 and 3A.

APPROVED BY CITY ADMINISTRATOR

Attachments

Subdivision Plat

Overall Site Plan

AMENDED PLAT OF LOTS 2A-1 AND 3A, BLOCK 1, MILLENNIUM MARKET SUBDIVISION

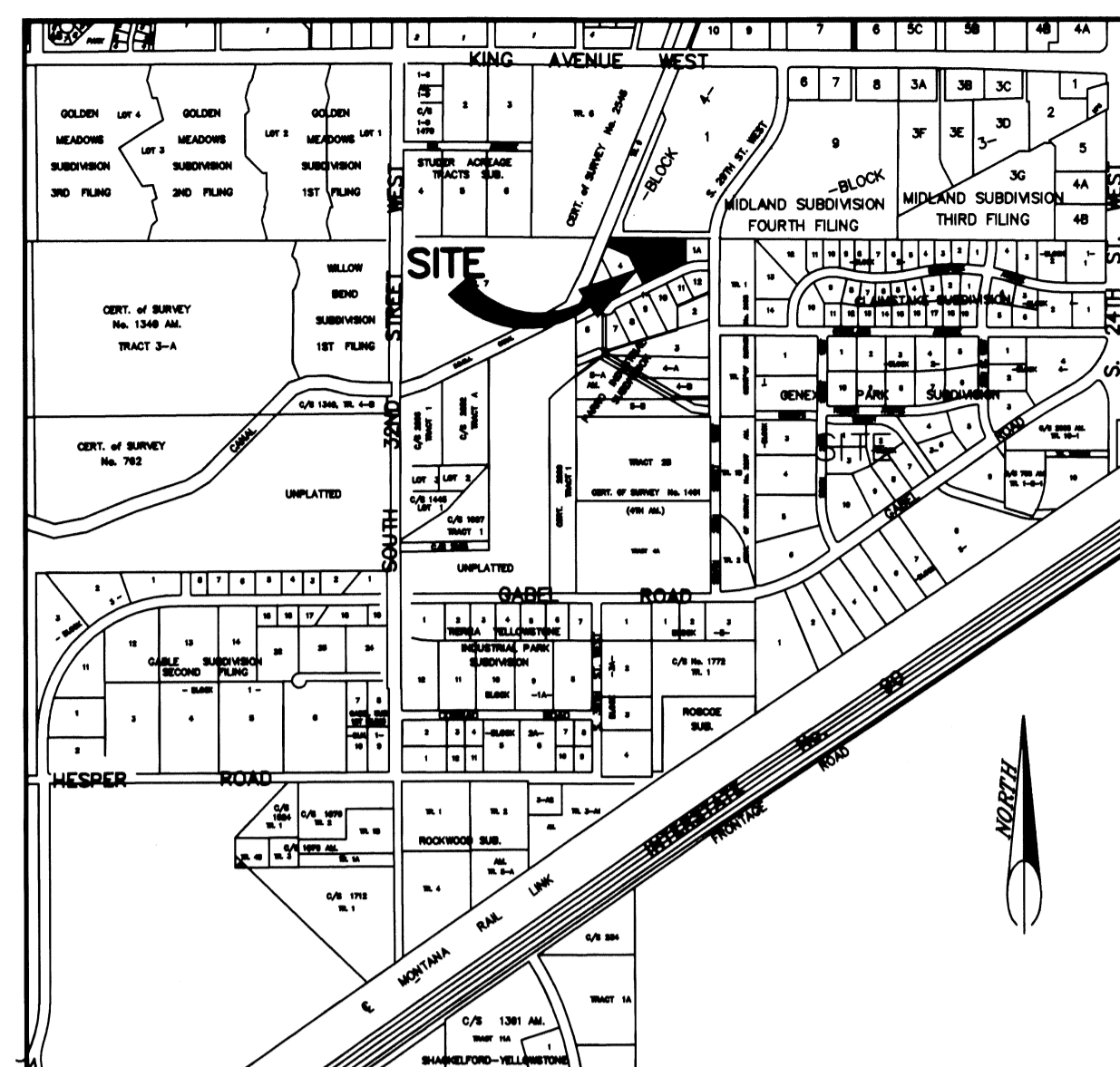
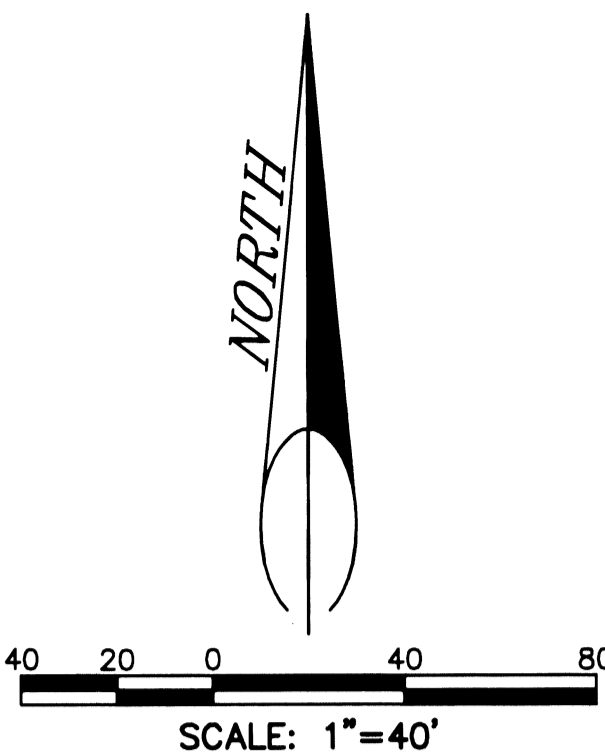
SITUATED IN THE NW 1/4 OF SECTION 13, T. 1 S., R. 25 E., P.M.M.
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : PICARD DEVELOPMENT

MARCH, 2015

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA



VICINITY MAP
NOT TO SCALE

PURPOSE OF SURVEY - REVISE "NO ACCESS STRIP"

The undersigned hereby certify that purpose of this survey is to revise the "1' WIDE NO VEHICULAR ACCESS STRIP" as shown on the Amended Plat of Lots 2A, 3 AND 4, Block 1, Millennium Market Subdivision, recorded under Document No 3329138, records of Yellowstone County, Montana, and no new or additional lots are being created.

Therefore, this amended plat does not create a division of land and is not subject to review as a subdivision. This amended plat has been prepared pursuant to Section 76-3-404(1)(c), M.C.A.

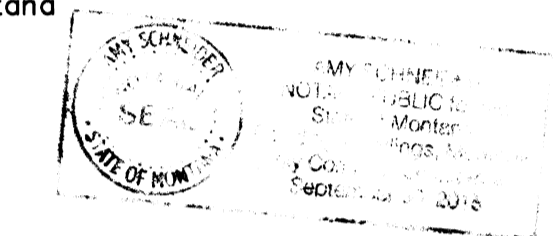
This amended plat is exempt from review by the Department of Environmental Quality pursuant to ARM 17.36.605(2)(b)(i) & (ii) which excludes "a parcel that has a previous approval issued under Title 76, chapter 4, part 1, MCA if no facilities other than those previously approved exist or will be constructed on the parcel and the division of land will not cause approved facilities to deviate from the conditions of approval in violation of 76-4-130, MCA".

PST, LLC
By: [Signature]
Title: Managing Partner

G & B INC
By: [Signature]
Title: President

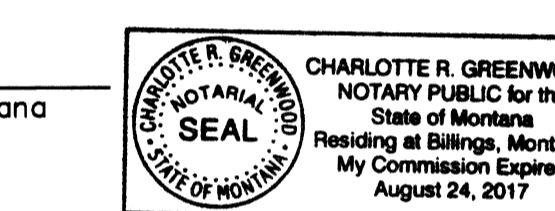
STATE OF MONTANA)
County of Yellowstone)
On this 17th day of April, 2015, before me, the undersigned Notary Public for the State of Montana, personally appeared Anna Picard, known to me to be the person who signed the foregoing instrument as Managing Partner of PST, LLC, and who acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

[Signature]
Notary Public in and for the State of Montana



STATE OF MONTANA)
County of Yellowstone)
On this 20th day of April, 2015, before me, the undersigned Notary Public for the State of Montana, personally appeared August J. Picard, known to me to be the person who signed the foregoing instrument as President of G & B INC, and who acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

[Signature]
Notary Public in and for the State of Montana



ERROR AND OMISSIONS REVIEW

I hereby certify that I have examined the annexed and foregoing plat for errors and omissions in computations and drafting.

[Signature] 04/23/2015
Examining Land Surveyor Date

CERTIFICATE OF CITY ATTORNEY

This document has been reviewed by the City Attorney's office and is acceptable as to form.

Date: _____

Reviewed by: _____

CERTIFICATE OF COUNTY TREASURER

I hereby certify that all real property taxes and special assessments have been paid per 76-3-611(1)(b)/76-3-207(3), M.C.A.

Date: _____

Yellowstone County Treasurer

By: Deputy

CERTIFICATE OF SURVEYOR

STATE OF MONTANA)
County of Yellowstone)

The undersigned, a Montana Registered Land Surveyor being first duly sworn, deposes and says that during the month of MARCH 2015, a survey was performed under his supervision of a tract of land situated in the NW 1/4 OF SECTION 13, T. 1 S., R. 25 E., P.M.M., in the City of Billings, Yellowstone County, Montana, said tract being more particularly described as follows, to-wit:

Lots 2A-1 and 3A, Block 1, of the Amended Plat of Lots 2A, 3 and 4, Block 1, Millennium Market Subdivision, according to the official plat on file in the Office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 3329138; containing a gross area and a net area of 123,954 sq. ft.

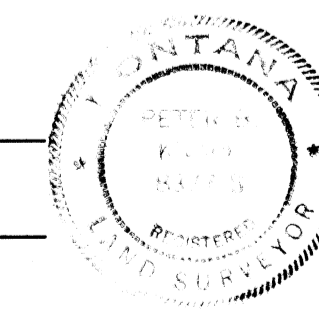
that the monuments found and set are of the character and occupy the positions shown hereon and that the plat conforms to the work on the ground.

SANDERSON STEWART

By: [Signature]

Montana Registration No. B377-S

Date: April 21, 2015



BASIS OF BEARING: PLAT OF MILLENNIUM MARKET SUBDIVISION.

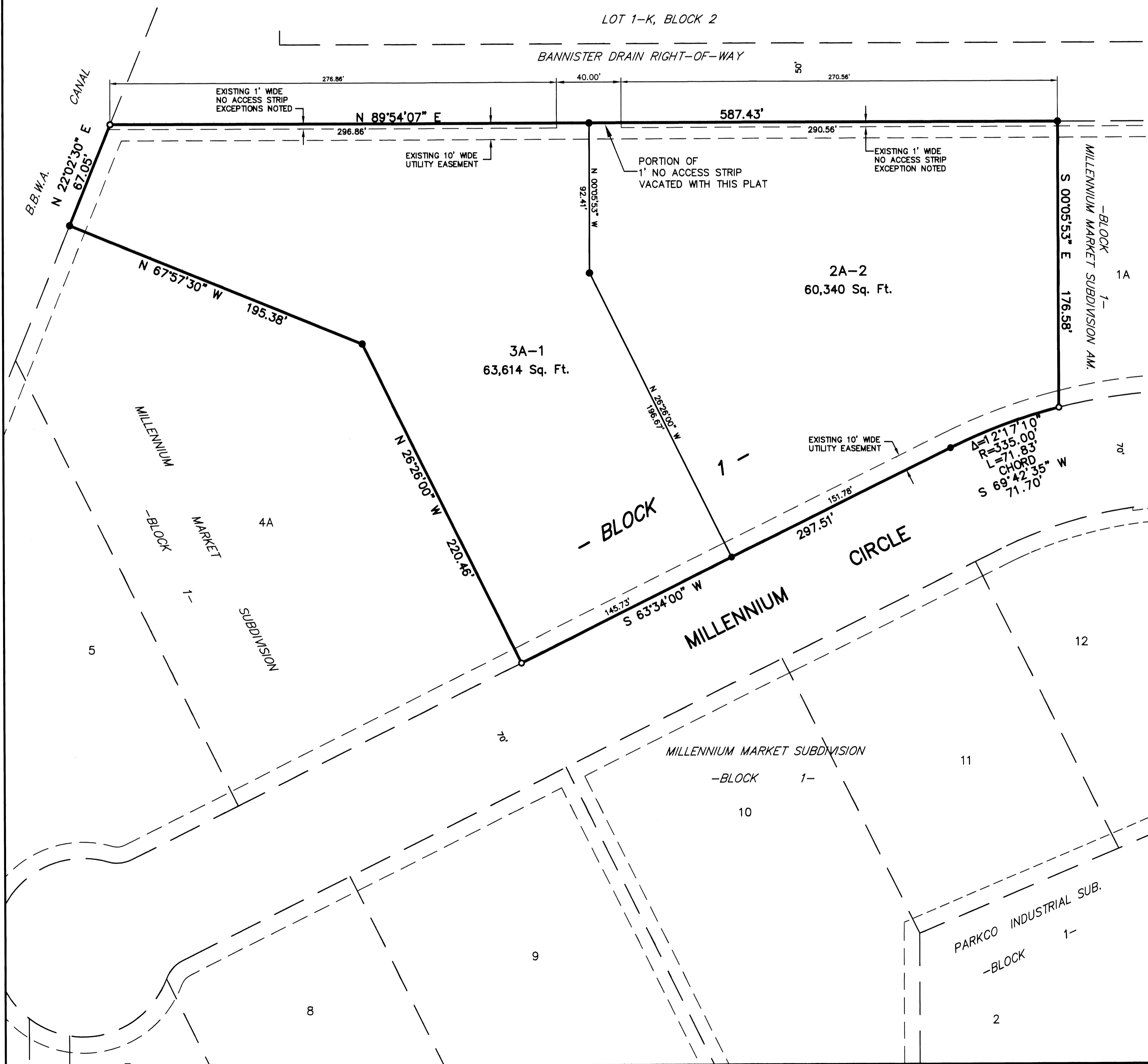
- FOUND SURVEY MONUMENT, REBAR & CAP MARKED "SANDERSON STEWART", OR AS NOTED.
- SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART".

THIS PLAT HAS BEEN PREPARED TO REVISE THE "NO VEHICULAR ACCESS STRIP" WITHIN ORIGINAL LOTS 2A-1 AND 3A. NO ADDITIONAL LOTS ARE BEING CREATED WITH THIS PLAT.

MIDLAND SUBDIVISION 4TH FILING AM.

LOT 1-K, BLOCK 2

BANNISTER DRAIN RIGHT-OF-WAY



CERTIFICATE OF CITY COUNCIL APPROVAL

STATE OF MONTANA)
County of Yellowstone)

We hereby certify that we have examined the annexed and foregoing AMENDED PLAT OF LOT 2A-1 and 3A, BLOCK 1, MILLENNIUM MARKET SUBDIVISION, and find that said plat conforms with the requirements of the laws of the State of Montana, and the requirements of The Yellowstone County Board of Planning. It is therefore approved and accepted.

IN WITNESS WHEREOF, we have set our hands and the seal of the CITY OF BILLINGS, MONTANA, this _____ day of _____, 2015.

CITY OF BILLINGS, MONTANA

By: _____
Mayor

Attest: _____
City Clerk

AMENDED PLAT EXHIBIT

1' NO ACCESS STRIP REMOVAL
BETWEEN
MILLENNIUM MARKET SUBDIVISION & MIDLAND SUBDIVISION

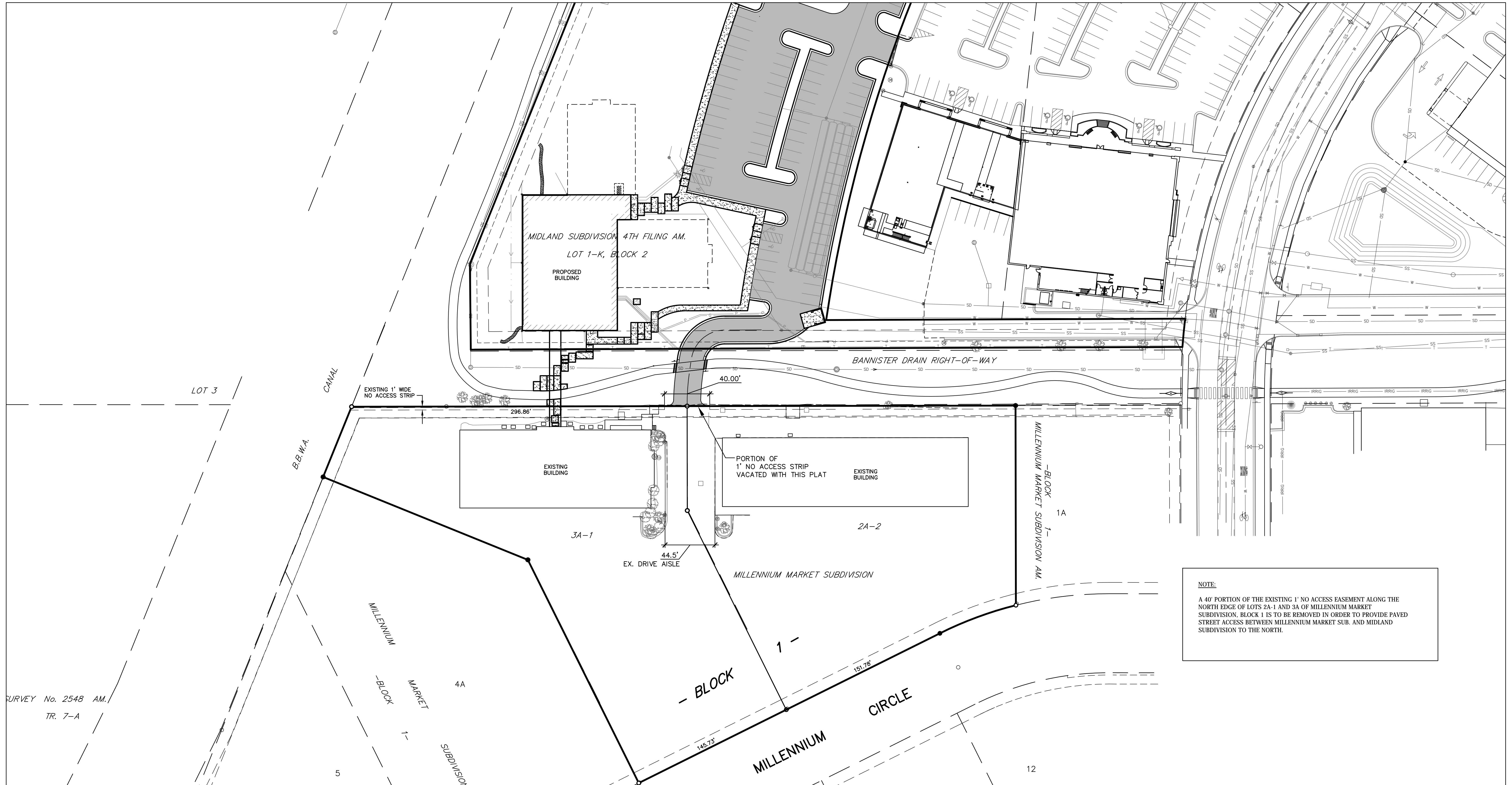
PREPARED FOR : CITY OF BILLINGS

PREPARED BY : SANDERSON STEWART 

MAY
BILLINGS, MONTANA



40 20 0 40 80
SCALE: 1" = 40'



NOTE:
A 40' PORTION OF THE EXISTING 1' NO ACCESS EASEMENT ALONG THE NORTH EDGE OF LOTS 2A-1 AND 3A OF MILLENNIUM MARKET SUBDIVISION, BLOCK 1 IS TO BE REMOVED IN ORDER TO PROVIDE PAVED STREET ACCESS BETWEEN MILLENNIUM MARKET SUB. AND MIDLAND SUBDIVISION TO THE NORTH.

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Final Plat of Amended L1A, of Amended Lots 1-2, Goodwin Acres Subdivision

PRESENTED BY: Candi Millar, Planning & Community Services Department Director

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

The final plat for Amended Lot 1A, of Amended Lots 1-2, Goodwin Acres Subdivision is being presented to Council for approval. On January 15, 2015, the owners submitted this plat for review as an expedited plat creating two lots from a 0.95 acre parcel of land generally located at 2515 Poly Drive. The subject property is legally described as Amended Lot 1A, of Amended Lots 1-2, Goodwin Acres Subdivision and there is currently a house on the proposed Lot 1A-1. The proposed subdivision will create two lots for residential uses. The owners are Donald and Carla Crtalic and the representing agent is Morrison Maierle, Inc. Upon City Council approval, these documents are appropriate as to form for filing with the Clerk and Recorder.

ALTERNATIVES ANALYZED

The City Council may approve or deny the final plat of Amended Lot 1A, of Amended Lots 1-2, Goodwin Acres Subdivision. If the City Council chooses to deny the final plat, it must base the denial on the criteria outlined in MCA 76-3-611 and BMCC Section 23-307.

FINANCIAL IMPACT

Should the City Council approve the final plat, the newly created lots may be developed and sold separately which will increase tax revenues for the City.

RECOMMENDATION

Staff recommends that the City Council approve the final plat of Amended Lot 1A, of Amended Lots 1-2, Goodwin Acres Subdivision.

APPROVED BY CITY ADMINISTRATOR

Attachments

Proposed Plat

**AMENDED PLAT
OF LOT 1A, OF THE AMENDED PLAT OF LOTS 1 AND 2, GOODWIN ACRES SUBDIVISION
(CERTIFICATE OF SURVEY 1)**

LOCATED IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 25 EAST, P.M.M.,
CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA
SURVEYED FOR: DONALD AND CARLA CRTALIC
SURVEYED BY: MORRISON MAIERLE INC.
DECEMBER, 2014

BASIS OF BEARINGS: West Property Line of the Amended Plat of Lots 1 and 2, Goodwin Acres Subdivision
(Certificate of Survey 1) of N00°19'00"E

CERTIFICATE OF LANDOWNER

We, the undersigned owners, certify that we have caused to be surveyed, subdivided and platted into lots as shown by the plat hereunto annexed, the following described land:

Being Lot 1A, of Amended Plat of Lots 1 and 2, Goodwin Acres Subdivision (Certificate of Survey 1) recorded at the office of the Yellowstone County Clerk and Recorder, under document No. 3401687, being located in the Northwest 1/4 Northeast 1/4 of Section 35, Township 1 North, Range 25 East, P.M.M., City of Billings, Yellowstone County, Montana, containing 0.95 gross and net acres, and all according to the attached plat. Pursuant to 76-3-621(3)(d) M.C.A. and City of Billings Subdivision Regulations there is no park requirements for this subdivision which is a First Minor Subdivision.

By _____ By _____
Donald W. Crtalic (Trustee) Carla S. Crtalic (Trustee)

STATE OF MONTANA)
County of Yellowstone)

On this ___ day of April, in the year 2015, before me _____, a Notary Public for the State of Montana, personally appeared Donald W. Crtalic, Carla S. Crtalic as trustees of the Donald and Carla Crtalic living trust, known to me to be the persons whose names are subscribed to the within instrument and acknowledge to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year in this certification above written.

Notary Public for the State of Montana
Residing at _____
My commission expires: _____

CERTIFICATE OF SURVEYOR

STATE OF MONTANA)
County of Yellowstone)

This is to certify that Kent E. Sielbach, a Licensed Professional Land Surveyor, Montana License No. 10567LS, performed a survey in December, 2014, in accordance with the Montana Subdivision and Platting Act, Title 76 Chapter 3, MCA and the regulation adopted pursuant thereto.

Kent E. Sielbach, PLS Montana Registration 10567LS Date _____

ERRORS AND OMISSIONS REVIEW

I hereby certify that I have reviewed the annexed and foregoing plat for errors and omissions in computations and drafting and find that said plat conforms to the requirements of the laws of the State of Montana, and that said plat conforms to the adjoining additions and plats of the City of Billings as nearly as circumstances will permit.

Examining Land Surveyor _____ Date _____

CERTIFICATE OF COUNTY TREASURER

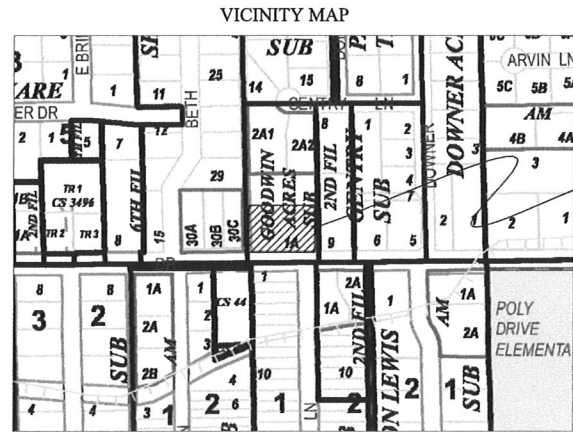
I hereby certify that all real property taxes and special assessments have been paid per M.C.A. 76-3-611(1)(b)

Date _____

Yellowstone County Treasurer _____

By _____
Deputy

CLERK AND RECORDER FILING INFORMATION



LOCATION THIS SURVEY

CERTIFICATE OF CITY COUNCIL APPROVAL

STATE OF MONTANA)
County of Yellowstone)

We hereby certify that we have examined the annexed and foregoing Amended Plat of Lot 1A, of the Amended Plat of Lots 1 and 2, Goodwin Acres Subdivision, (Certificate of Survey 1) and find that said plat conforms with the requirements of the laws of the State of Montana, and the requirements of The Yellowstone County Board of Planning. It is therefore approved and accepted.

IN WITNESS WHEREOF, we have set our hands and the seal of the CITY OF BILLINGS,

MONTANA this ___ day of _____, 20__.

CITY OF BILLINGS, MONTANA

By _____
Mayor

Attest: _____
City Clerk

CERTIFICATE OF CITY ATTORNEY

This document has been reviewed by the City Attorney's office and is acceptable as to form.

Date: _____
Reviewed by: _____

NOTICE OF APPROVAL

STATE OF MONTANA)
County of Yellowstone)

This plat has been approved for filing by the Yellowstone County board of Planning and conforms to the recommendations of this board.

Date _____ President _____

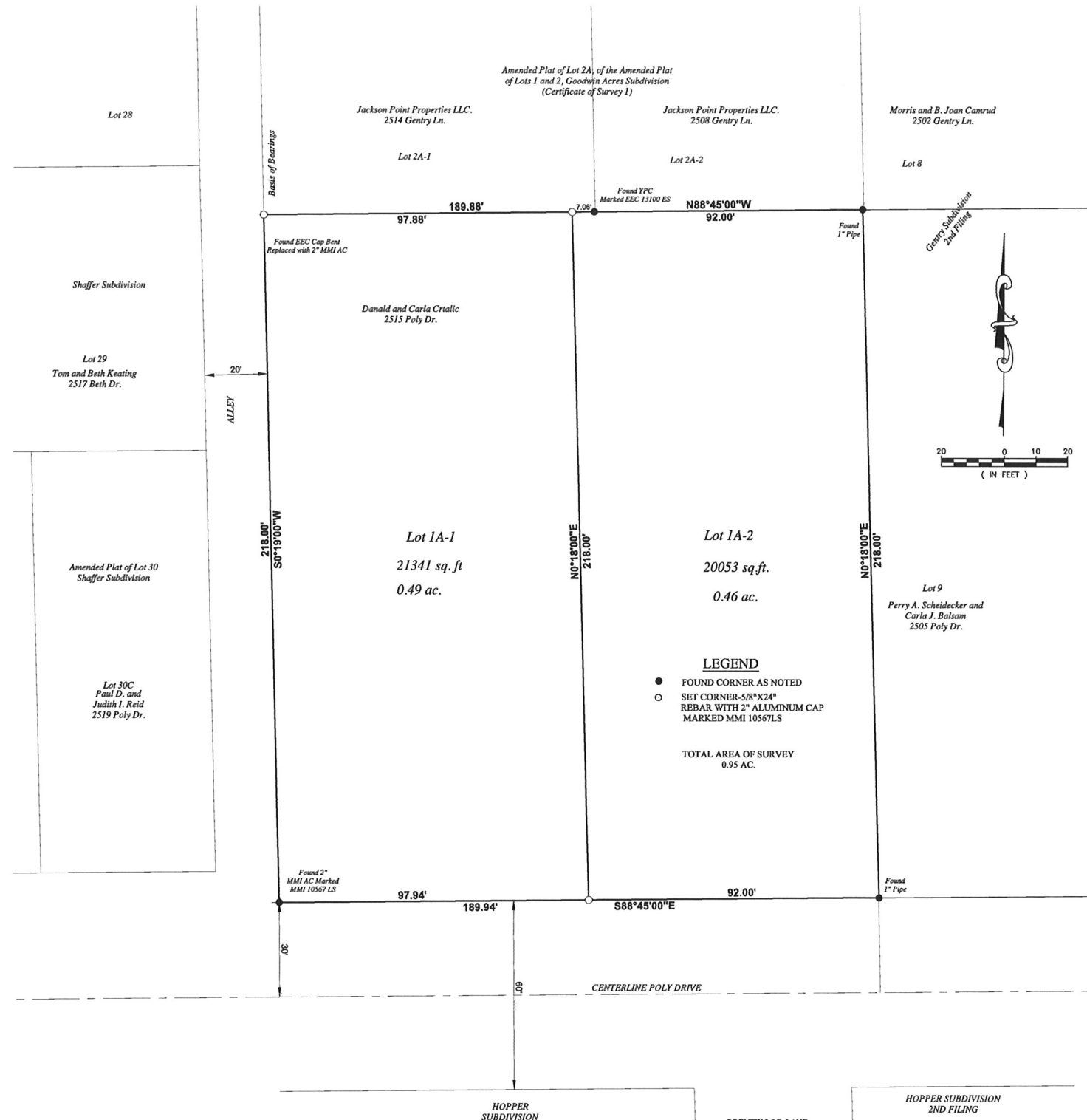
Executive Secretary _____

CERTIFICATE OF CITY ENGINEERS OFFICE

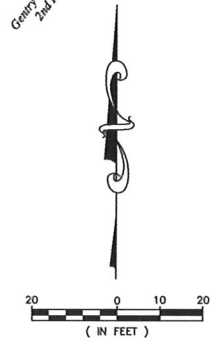
I hereby certify that the annexed and foregoing plat conforms with Section 76-4-125(2)(d) M.C.A., for the removal of sanitary restrictions since the plat is inside a master planning area and said lots will be provided with municipal facilities for the supply of water and the disposal of sewage and solid waste.

IN WITNESS WHEREOF, I have executed this CERTIFICATE OF APPROVAL
This ___ day of _____, 20__

City Engineer's Office _____



LEGEND
● FOUND CORNER AS NOTED
○ SET CORNER-5/8"X24" REBAR WITH 2" ALUMINUM CAP MARKED MMI 10567LS
TOTAL AREA OF SURVEY
0.95 AC.



MORRISON MAIERLE, INC. An Employee-Owned Company Engineers 316 N. 20th Street Surveyors Suite 102 Subdividers Billings MT 59101 Phone: (406) 856-8000 Fax: (406) 323-1004 COPYRIGHT © MORRISON MAIERLE, INC. 2014	1/4 SEC. NWNE	SECTION 35	TOWNSHIP 1 N	RANGE 25 E
	PRINCIPAL MERIDIAN, MONTANA Yellowstone COUNTY, MONTANA DRAWN BY: JDI CHECKED BY: KES DATE: 12/05/2014 SCALE: 1"=20' PROJ. #: 4285.002 PLOTTED DATE: Apr/08/2015 CLIENT: Crtalic SHEET 1 OF 1			

DRAWING NAME: V:\4265002 - Crtalic Minor Sub\ACAD\Survey\4285002-PLAT-MSTR.dwg

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Final Plat of North Pointe Square Subdivision, 2nd Filing

PRESENTED BY: Candi Millar, Planning & Community Services Department Director

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

The final plat for the North Pointe Square Subdivision, 2nd Filing is being presented to Council for approval. On March 24, 2014, the City Council gave preliminary plat approval to this 5 lot subdivision. The 4.8-acre property is located on the west side of Highway 87 North, just north of its intersection with Highway 312 in the Heights. It is legally described as Tract 2-A-1, Certificate of Survey 1965, Amended. The proposed subdivision will create five lots for retail and commercial development. The owner is Vacant Land, LLC (Ernie Dutton, managing member). The representing agent is Sanderson Stewart. Upon City Council approval, these documents are appropriate as to form for filing with the Clerk and Recorder.

ALTERNATIVES ANALYZED

The City Council may approve or deny the final plat of North Pointe Subdivision, 2nd Filing. If the City Council chooses to deny the final plat, it must base the denial on the criteria outlined in MCA 76-3-611 and BMCC Section 23-307.

FINANCIAL IMPACT

Should the City Council approve the final plat, the newly created lots may be sold separately and may increase tax revenues for the City.

RECOMMENDATION

Staff recommends that the City Council approve the final plat of the North Pointe Square Subdivision, 2nd Filing.

APPROVED BY CITY ADMINISTRATOR

Attachments

Final Plat

PLAT OF NORTH POINTE SQUARE SUBDIVISION, SECOND FILING

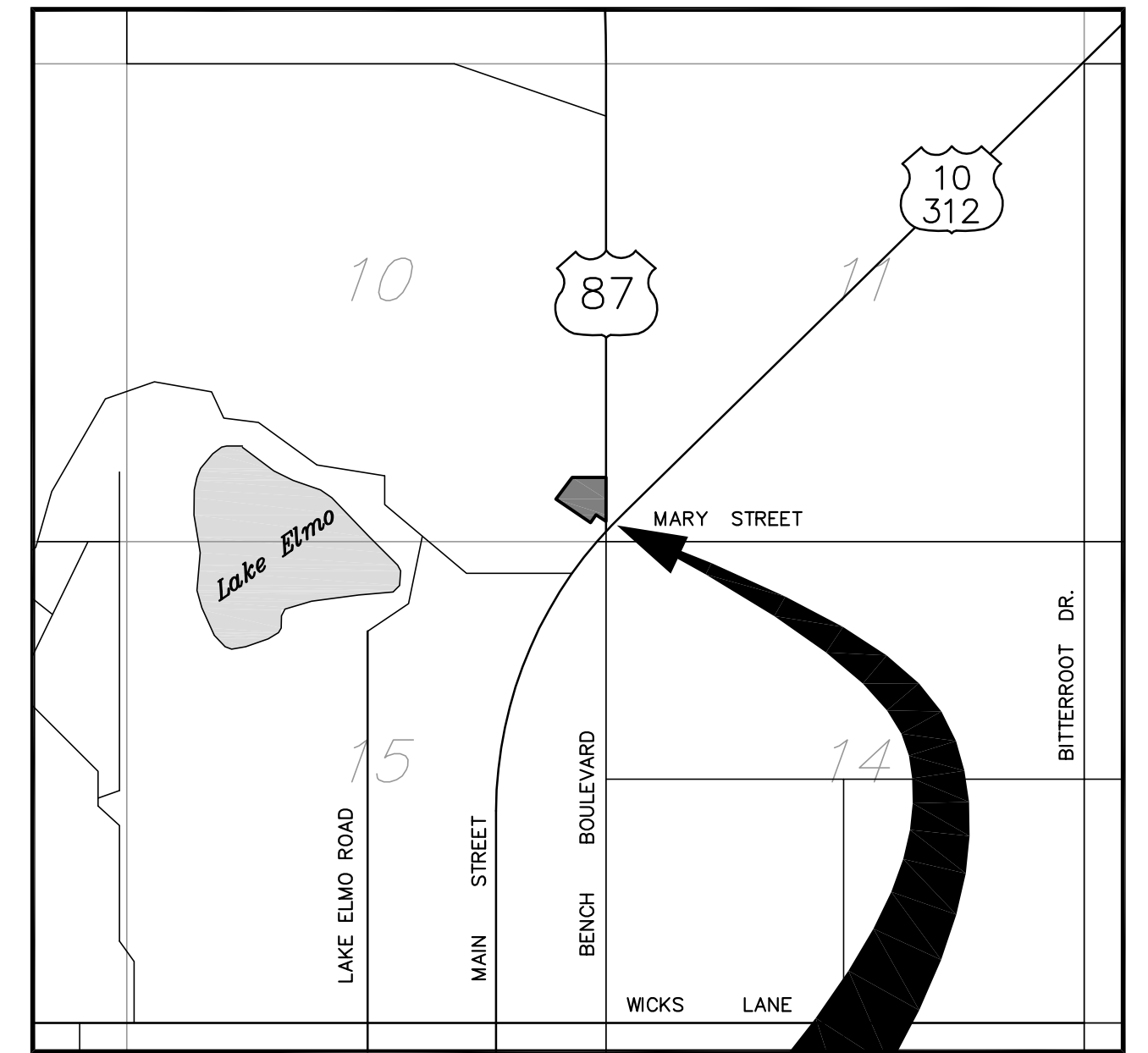
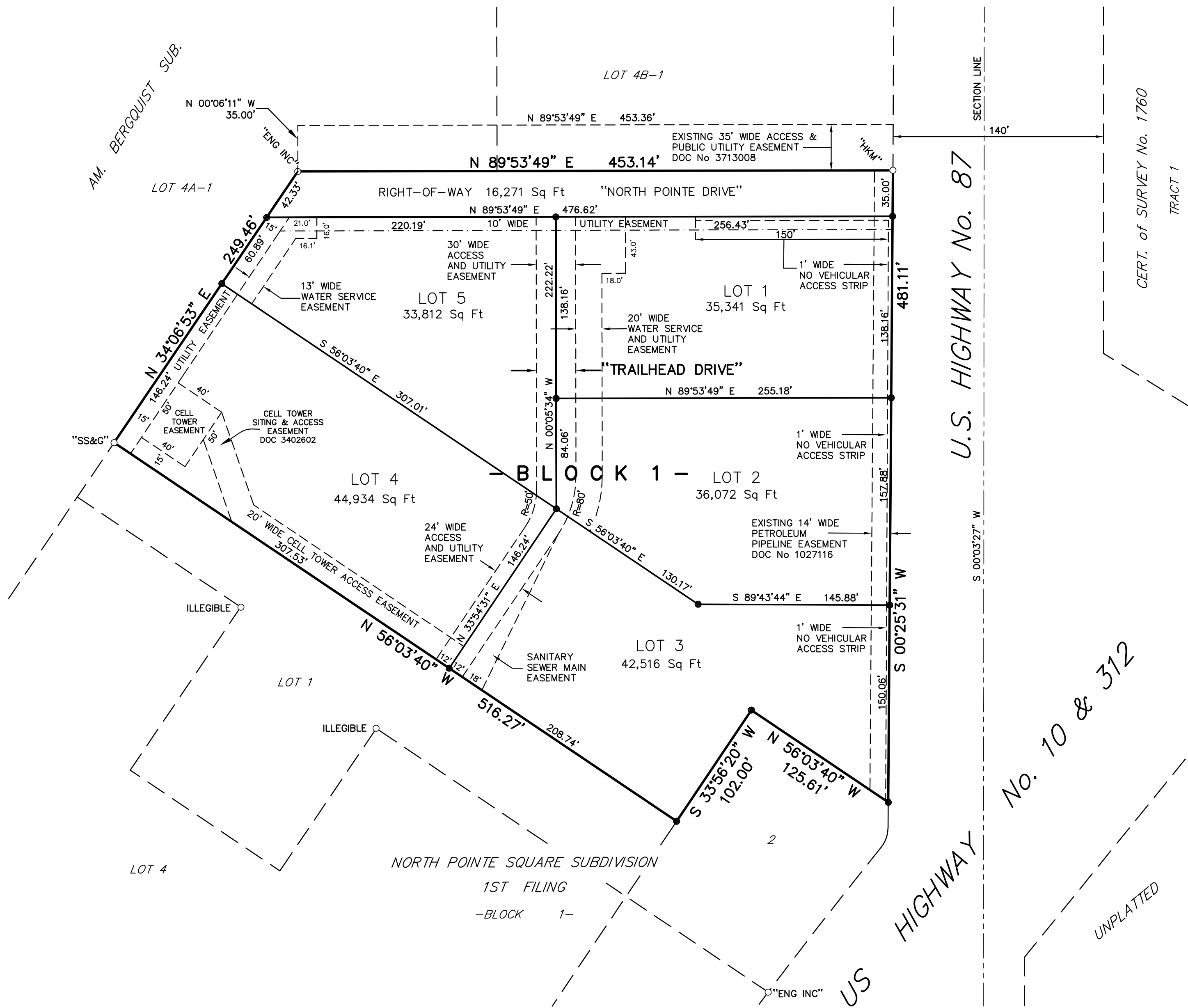
BEING TRACT 2-A-1 OF AMENDED TRACT 2-A OF AMENDED TRACTS 1 & 2 OF CERTIFICATE OF SURVEY No 1965
SITUATED IN THE SE 1/4 OF SECTION 10, T. 1 N., R. 26 E., P.M.M.
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : VACANT LAND, LLC

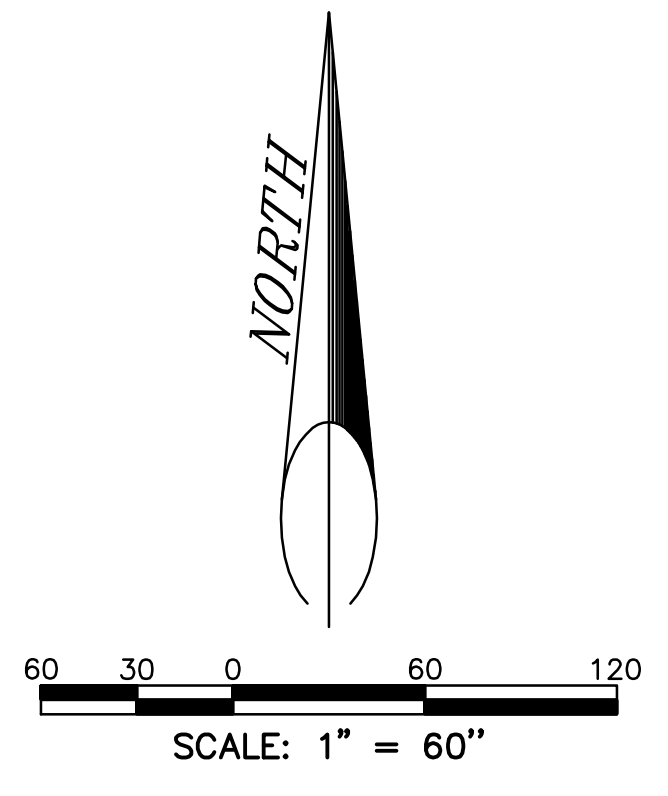
JULY 2014

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA



VICINITY MAP
NOT TO SCALE



THE BASIS OF BEARINGS FOR THIS SURVEY HAS BEEN DERIVED FROM GPS OBSERVATIONS AND IS BASED ON A NAD 83, LAMBERT CONFORMAL CONIC, SINGLE PARALLEL, LOW DISTORTION PROJECTION FOR THE CITY OF BILLINGS, HAVING A POINT OF ORIGIN AT 45°47'00" N LATITUDE AND 108°25'00" W LONGITUDE WITH A SCALE FACTOR OF 1.0001515.

DISTANCES ARE GRID, INTERNATIONAL FEET, GRID TO GROUND COMBINED FACTOR IS 1.0000031.

THE CONVERGENCE ANGLE AT THE NORTHEAST CORNER OF THIS SUBDIVISION IS -0°02'08"

- FOUND CORNER MONUMENT AS NOTED.
- SET 5/8" x 18" REBAR AND CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART".

CERTIFICATE OF DEDICATION

STATE OF MONTANA)
 : ss
County of Yellowstone)

KNOW ALL MEN BY THESE PRESENTS: That VACANT LAND, LLC, the owner of the following described tract of land, does hereby certify that it has caused to be surveyed, subdivided and platted into lots, blocks and streets as shown on the annexed plat, said tract being situated in the SE 1/4 of Section 10, T. 1 N., R. 26 E., P.M.M., in the City of Billings, Yellowstone County, Montana, said tract being more particularly described as follows, to-wit:

Tract 2-A-1 of Amended Tract 2-A of Amended Tracts 1 & 2 of Certificate of Survey No. 1965, according to the official plat on file in the Office of the Clerk and Recorder of Yellowstone County, Montana, under Document No. 1427450.

Pursuant to 76-3-621(3)(b) M.C.A. and Yellowstone County Subdivision Regulations, there is no parkland dedication requirement for this subdivision into parcels that are all non-residential.

The undersigned hereby grants unto all utility companies, as such are defined and established by Montana Law, and cable television companies, an easement for the location, maintenance, repair and removal of their lines over, under and across the areas designated on the plat as "UTILITY EASEMENT" to have and hold forever.

Said tract to be known and designated as NORTH POINTE SQUARE SUBDIVISION, SECOND FILING and the lands included in the right-of-way for North Pointe Drive as shown hereon is hereby granted to the use of the public forever.

VACANT LAND, LLC

By: _____

Title: _____

STATE OF MONTANA)
 : ss
County of Yellowstone)

On this _____ day of _____, 20____, before me, the undersigned Notary Public for the State of Montana, personally appeared _____, known to me to be the person who signed the foregoing instrument as _____ of VACANT LAND, LLC, and acknowledged to me that said corporation executed the same. Witness my hand and seal the day and year herein above written.

Signature of Notary _____

CONSENT TO PLATTING

Document No. _____

CONSENT TO PLATTING

Document No. _____

SUBDIVISION IMPROVEMENTS AGREEMENT

Document No. _____

EASEMENT

Document No. _____

EASEMENT

Document No. _____

NOTICE OF APPROVAL

STATE OF MONTANA)
 : ss
County of Yellowstone)

This plat has been approved for filing by the Yellowstone County Board of Planning and conforms to the recommendations of this board.

Date _____ President _____

Executive Secretary _____

CERTIFICATE OF CITY/COUNTY HEALTH DEPARTMENT

This Subdivision Plat has been reviewed and approved by RiverStone Health and the State Department of Environmental Quality.

Yellowstone City/County Health Department
dba RiverStone Health

ERRORS AND OMISSIONS REVIEW

I hereby certify that I have examined the annexed and foregoing plat for errors and omissions in computations and drafting and find that said plat conforms with the requirements of the laws of the State of Montana, and that said plat conforms to the adjoining additions and plats of the City of Billings already platted as nearly as circumstances will permit.

Examining Land Surveyor _____ Date _____

CERTIFICATE OF CITY ATTORNEY

This document has been reviewed by the City Attorney's office and is acceptable as to form.

Date: _____

Reviewed by: _____

CERTIFICATE OF COUNTY TREASURER

I hereby certify that all real property taxes and special assessments have been paid per 76-3-611(1)(b)/76-3-207(3), M.C.A.

Date: _____

Yellowstone County Treasurer

By: _____
Deputy

CERTIFICATE OF SURVEYOR

STATE OF MONTANA)
 : ss
County of Yellowstone)

The undersigned, a Montana Registered Land Surveyor declares that during the month of July 2014, a survey was performed under his supervision of a tract of land to be known as NORTH POINTE SQUARE SUBDIVISION, SECOND FILING, in accordance with the request of the owner thereof and in conformance with the Montana Subdivision and Platting Act, said subdivision, description of boundaries and dimensions being in accordance with the Certificate of Dedication and as shown on the annexed plat; that the monuments found and set are of the character and occupy the positions shown hereon and that the gross area is 208,946 square feet (4.7967 acres) and the net area is 192,675 square feet (4.4232 acres).

SANDERSON STEWART

By: _____
Peter B. Knapp

Montana Registration No. 8377-S

Date: _____

CERTIFICATE OF CITY COUNCIL APPROVAL

STATE OF MONTANA)
 : ss
County of Yellowstone)

We hereby certify that we have examined the annexed and foregoing plat of NORTH POINTE SQUARE SUBDIVISION, SECOND FILING and find that said plat conforms with the requirements of the laws of the State of Montana, and the requirements of The Yellowstone County Board of Planning. It is therefore approved and the dedication to public use of any and all lands shown on this plat as being dedicated to such use are accepted.

IN WITNESS WHEREOF, we have set our hands and the seal of the CITY OF BILLINGS, MONTANA, this _____ day of _____, 20____.

CITY OF BILLINGS, MONTANA

By: _____
Mayor

Attest: _____
City Clerk

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Payment of Claims April 27, 2015

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$1,150,353.19 have been audited and are presented for City Council payment approval. A complete listing of the claims dated April 27, 2015, 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 the Payment of Claims.

APPROVED BY CITY ADMINISTRATOR

Attachments

council memo 4-27-15

Check Date	Check Name	Amount	Account	Item Desc
04/27/2015	783795 Ace Electric Inc	\$3,798.97	6300-17530-407310	Inv. #32685/#32687 Repairs to traffic signal box
04/27/2015	783796 Advanced Technology Products, Inc	\$2,990.00	5020-00000-141000	SYSTEMS PO NUM 297689
04/27/2015	783800 American Title & Escrow	\$85,188.10	2660-67730-409200	FORECLOSURE-ACQUISITION-HUD1-3921
04/27/2015	783800 American Title & Escrow	\$30,919.81	2900-66980-407275	FORECLOSURE-ACQUISITION-HUD1-3921
04/27/2015	783804 Archie Cochrane	\$185.34	5020-75000-402320	NONSTOCKING ITEMS-P.U.D.
04/27/2015	783804 Archie Cochrane	\$80.76	1500-21120-402320	5152405
04/27/2015	783804 Archie Cochrane	\$50.95	1500-21120-402320	5152406
04/27/2015	783804 Archie Cochrane	\$480.00	1500-21120-402320	5152407
04/27/2015	783804 Archie Cochrane	\$68.91	1500-21120-402320	5152481
04/27/2015	783804 Archie Cochrane	\$8.00	1500-21120-402320	5152519
04/27/2015	783804 Archie Cochrane	\$5,880.98	6300-17530-407310	Inv. #831428-1 BPD #1572
04/27/2015	783806 Automated Office Inc	\$6,749.00	0100-51210-402925	Copier
04/27/2015	783807 Bayne Machine Works, Inc.	\$3,145.50	5410-31220-402320	31001157
04/27/2015	783807 Bayne Machine Works, Inc.	\$116.66	5410-31220-402320	31001157
04/27/2015	783808 BikeNet	\$10,000.00	8450-31860-403590	Produce and Implement Campaign about safe and
04/27/2015	783809 Billings Depot Inc	\$5,366.67	6600-31100-405310	Rent
04/27/2015	783809 Billings Depot Inc	\$8,050.00	6700-31410-405310	Rent
04/27/2015	783820 Bruco Inc	\$3,519.42	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM
04/27/2015	783823 Cardno ATC	\$4,992.50	8400-31840-403590	WO 15-19 Stormwater Management Manual
04/27/2015	783828 Cmg Construction, Inc.	\$87,043.94	2050-31310-409310	WO 14-04 2014 ADA Ramp Replacement
04/27/2015	783828 Cmg Construction, Inc.	\$21,760.98	8450-31860-409310	WO 14-04 2014 ADA Ramp Replacement
04/27/2015	783830 Continental Gate Co	\$3,497.40	6500-15660-403990	Inv. #4590 PD2 gate
04/27/2015	783833 CTA Inc	\$6,237.24	6500-15650-403540	City of Billings Fire Station #1 Roof Replacement -
04/27/2015	783835 Dale & Jax Door & Glass Inc	\$2,800.00	6500-15660-403990	Inv. #17333 Replace 2 doors
04/27/2015	783842 Dowl Hkm	\$2,317.50	8400-31840-409310	WO 10-19 Shiloh Conservation Area Amendment #3
04/27/2015	783842 Dowl Hkm	\$37,283.00	5030-75910-409340	WO 15-01 2015 Water Replacement Project-Sch1
04/27/2015	783862 Great West Engineering, Inc	\$4,148.91	5440-31230-409390	WO 12-29 Solid Waste Management Amend#2
04/27/2015	783863 Hanna Construction C.	\$1,125.00	0100-51410-402450	Remove curb and gravel and prep for new
04/27/2015	783863 Hanna Construction C.	\$3,000.00	8730-51990-403990	Remove curb and gravel and prep for new
04/27/2015	783866 Hardrives Construction Inc & The Bank of Red Lodge	\$17,939.79	2050-31310-409390	WO 13-03 Sch3 City Crack Seal, CO#2 12/08/14
04/27/2015	783871 HDR, Inc.	\$14,413.44	8400-31840-403590	MS4 General Permit
04/27/2015	783871 HDR, Inc.	\$6,156.58	5030-74910-409390	WO 12-43 WTP Backup Power Phase III; CO#1
04/27/2015	783871 HDR, Inc.	\$5,064.22	5030-74910-409390	WO 12-43 WTP Backup Power Phase III; CO#3
04/27/2015	783871 HDR, Inc.	\$90,745.91	5130-84910-409390	WO 14-11 WWTP Nutrient Upgrade Expansion &
04/27/2015	783871 HDR, Inc.	\$578.81	5120-00000-201100	WO 12-15 IWPI WWTF Plan
04/27/2015	783871 HDR, Inc.	\$4,451.60	5030-00000-201100	WO 12-44 WTP High Srvc Pump H2-3
04/27/2015	783872 Hellas Construction Inc	\$25,650.00	8730-51990-409370	Contract for professional engineering services to
04/27/2015	783874 I-State Truck, Inc.	\$207.44	5120-85000-402320	C251176914.01
04/27/2015	783874 I-State Truck, Inc.	\$5,209.53	1500-22260-402320	C251177094.01
04/27/2015	783874 I-State Truck, Inc.	\$200.52	1500-22260-402320	C251177094.01
04/27/2015	783874 I-State Truck, Inc.	\$43.44	2110-31320-402320	C251177098.01
04/27/2015	783874 I-State Truck, Inc.	\$34.04	1500-22260-402320	C251177165.01
04/27/2015	783874 I-State Truck, Inc.	\$18.85	1500-22260-402320	C251177165.01
04/27/2015	783874 I-State Truck, Inc.	\$234.21	2110-31320-402320	C251177199.01
04/27/2015	783874 I-State Truck, Inc.	\$89.04	1500-22260-402320	C251177256.01
04/27/2015	783874 I-State Truck, Inc.	-\$575.00	1500-22260-402320	C251177353.01
04/27/2015	783886 Kadrmas Lee & Jackson	\$9,785.91	4710-31610-409310	SID 1382 Colton Boulevard
04/27/2015	783886 Kadrmas Lee & Jackson	\$1,116.11	5030-75910-409340	SID 1382 Colton Boulevard
04/27/2015	783886 Kadrmas Lee & Jackson	\$1,717.10	8400-31840-409310	SID 1382 Colton Boulevard
04/27/2015	783886 Kadrmas Lee & Jackson	\$8,401.33	2050-31310-409310	SID 1382 Colton Boulevard
04/27/2015	783889 Knife River (JTL Group Inc.)	\$2,396.69	2110-31320-404710	asphalt
04/27/2015	783889 Knife River (JTL Group Inc.)	\$5,051.41	2110-31320-404710	asphalt
04/27/2015	783889 Knife River (JTL Group Inc.)	\$5,895.04	2110-31320-404710	asphalt
04/27/2015	783889 Knife River (JTL Group Inc.)	\$25.00	5120-85000-404510	Masonry sand
04/27/2015	783891 Labor Ready Northwest, Inc.	\$2,006.40	5410-31230-403581	labor at landfill
04/27/2015	783891 Labor Ready Northwest, Inc.	\$2,006.40	5410-31230-403581	labor at landfill
04/27/2015	783891 Labor Ready Northwest, Inc.	\$668.80	5410-31230-403581	labor at landfill
04/27/2015	783891 Labor Ready Northwest, Inc.	\$2,098.36	5410-31230-403581	contract labor at landfill
04/27/2015	783891 Labor Ready Northwest, Inc.	\$2,232.12	5410-31230-403581	labor at landfill
04/27/2015	783910 Montana Dakota Utilities Co	\$637.30	5610-71130-403440	285 580 1000 6. ARFF Bldg. April 2015
04/27/2015	783910 Montana Dakota Utilities Co	\$37.94	5610-71170-403440	295 580 1000 4. Aero Interiors. April 2015
04/27/2015	783910 Montana Dakota Utilities Co	\$180.75	5610-71170-403440	185 580 1000 7. TSA Building. April 2015
04/27/2015	783910 Montana Dakota Utilities Co	\$232.25	5610-71170-403440	205 087 7152 2. Edwards Jet Center. April 2015
04/27/2015	783910 Montana Dakota Utilities Co	\$566.22	5610-71190-403440	889 373 1000 6. QTA Car Wash. April 2015
04/27/2015	783910 Montana Dakota Utilities Co	\$412.34	5610-71190-403440	129 573 1000 1. QTA Mud Wash. April 2015
04/27/2015	783910 Montana Dakota Utilities Co	\$53.59	5610-71190-403440	229 573 1000 0. Detail Bay 1 Hertz. April 2015
04/27/2015	783910 Montana Dakota Utilities Co	\$65.32	5610-71190-403440	629 573 1000 6. Detail Bay 2 National/Alamo. Apr
04/27/2015	783910 Montana Dakota Utilities Co	\$32.73	5610-71190-403440	329 573 1000 9. Detail Bay 3 Enterprise. April
04/27/2015	783910 Montana Dakota Utilities Co	\$65.98	5610-71190-403440	429 573 1000 8. Detail Bay 4 Avis/Budget. April
04/27/2015	783910 Montana Dakota Utilities Co	\$27.49	5610-71190-403440	529 573 1000 7. Detail Bay 5 Thrifty/Dollar. April
04/27/2015	783910 Montana Dakota Utilities Co	\$195.21	5610-71130-403440	06882310003 / 31454601
04/27/2015	783910 Montana Dakota Utilities Co	\$33.96	5020-74000-403440	3735801000 9
04/27/2015	783910 Montana Dakota Utilities Co	\$33.96	5020-74000-403440	3735801000 9
04/27/2015	783910 Montana Dakota Utilities Co	\$40.62	0100-51120-403410	5014731000 2
04/27/2015	783910 Montana Dakota Utilities Co	\$47.99	5020-74000-403440	5413801000 1
04/27/2015	783910 Montana Dakota Utilities Co	\$26.08	5120-85000-403440	5967331000 5

Check Date	Check	Name	Amount	Account	Item Desc
04/27/2015	783910	Montana Dakota Utilities Co	\$714.25	5610-71170-403440	7065801000 7
04/27/2015	783910	Montana Dakota Utilities Co	\$13.16	5610-71170-403440	8065801000 6
04/27/2015	783910	Montana Dakota Utilities Co	\$4,400.36	5610-71120-403440	5955801000 1
04/27/2015	783910	Montana Dakota Utilities Co	\$617.90	1500-21710-403440	1692331000 3
04/27/2015	783910	Montana Dakota Utilities Co	\$13.16	1500-21150-403410	51411704789
04/27/2015	783910	Montana Dakota Utilities Co	\$19.69	1500-21150-403410	06290794947
04/27/2015	783910	Montana Dakota Utilities Co	\$97.85	0100-51270-403440	4377801000 9
04/27/2015	783910	Montana Dakota Utilities Co	\$191.65	1500-22210-403440	5336531000 1
04/27/2015	783910	Montana Dakota Utilities Co	\$51.96	6600-31100-403440	5953731000 1
04/27/2015	783910	Montana Dakota Utilities Co	\$77.95	6700-31410-403440	5953731000 1
04/27/2015	783910	Montana Dakota Utilities Co	\$13.80	5210-15920-403440	7173531000 6
04/27/2015	783910	Montana Dakota Utilities Co	\$28.27	5120-85000-403440	7354531000 2
04/27/2015	783910	Montana Dakota Utilities Co	\$314.29	1500-22210-403440	8858801000 4
04/27/2015	783910	Montana Dakota Utilities Co	\$44.39	5020-74000-403440	9215801000 6
04/27/2015	783910	Montana Dakota Utilities Co	\$51.75	5120-85000-403440	9550431000 4
04/27/2015	783910	Montana Dakota Utilities Co	\$1,812.10	6500-15670-403440	9297801000 4
04/27/2015	783910	Montana Dakota Utilities Co	\$1,069.38	5710-71430-403440	9628801000 0
04/27/2015	783910	Montana Dakota Utilities Co	\$1,337.17	2600-55120-403440	2199244851 0
04/27/2015	783910	Montana Dakota Utilities Co	\$3,272.30	5120-84000-403440	2937801000 2
04/27/2015	783910	Montana Dakota Utilities Co	\$6,544.59	5120-84000-403440	2937801000 2
04/27/2015	783910	Montana Dakota Utilities Co	\$3,272.29	5120-84000-403440	2937801000 2
04/27/2015	783910	Montana Dakota Utilities Co	\$49.64	5210-15950-403440	79915212090
04/27/2015	783912	Montana Law Enforcement Academy	\$1,500.00	1500-21400-403822	Invoice 8388, Law Enforcement Academy Tuition
04/27/2015	783912	Montana Law Enforcement Academy	\$1,500.00	1500-21400-403822	Invoice 8386, Law Enforcement Academy Tuition
04/27/2015	783912	Montana Law Enforcement Academy	\$1,500.00	1500-21400-403822	Invoice 8387 - Law Enforcement Academy Tuition
04/27/2015	783917	Morrison Maierle Inc	\$7,475.00	8400-31840-409310	WO 12-31 East End Industrial Storm Drain; Fund
04/27/2015	783917	Morrison Maierle Inc	\$10,518.05	4260-31840-409310	WO 12-31 East End Industrial Storm Drain; Fund
04/27/2015	783917	Morrison Maierle Inc	\$13,720.65	4050-71250-409685	Environmental Assessment RW10R - Federal
04/27/2015	783917	Morrison Maierle Inc	\$1,524.52	4050-71250-409686	Environmental Assessment RW10R - Local Share
04/27/2015	783917	Morrison Maierle Inc	\$21,150.07	5630-71220-409390	Amendment 13-Wetland Delineation, Surveys &
04/27/2015	783917	Morrison Maierle Inc	\$3,368.07	5620-71200-409310	Convert Old Employee Parking Lot into Paid
04/27/2015	783917	Morrison Maierle Inc	\$2,450.89	4060-71190-409310	Transfer Parking Lot - CA
04/27/2015	783917	Morrison Maierle Inc	\$29,064.34	5130-85910-409340	WO 15-01 Sch 2 2015 Sewer Main Replacement
04/27/2015	783919	MSAWWA/MWEA Joint Conference	\$2,625.00	5020-74000-403823	2015 Conference registration
04/27/2015	783919	MSAWWA/MWEA Joint Conference	\$295.00	5120-84000-403823	2015 Conference registration
04/27/2015	783923	NorMont Equipment Company	\$892.50	2110-31320-402320	gutter wire for brooms on sweeper
04/27/2015	783923	NorMont Equipment Company	\$1,160.25	2110-31320-402320	brooms for sweepers
04/27/2015	783923	NorMont Equipment Company	\$997.50	2110-31320-402420	drive rivets for sign installation
04/27/2015	783923	NorMont Equipment Company	\$1,417.50	2110-31320-402420	telspar post and anchors for sign installation
04/27/2015	783925	NorthWestern Energy	\$411.97	5610-71170-403410	1264299-7. Old Hertz Car Wash. April 2015
04/27/2015	783925	NorthWestern Energy	\$322.52	5610-71170-403410	0712792-1. IP-7. April 2015
04/27/2015	783925	NorthWestern Energy	\$17.47	5610-71170-403410	0712799-6. IP-8. April 2015
04/27/2015	783925	NorthWestern Energy	\$1,429.22	5610-71170-403410	0712800-2. IP-9. April 2015
04/27/2015	783925	NorthWestern Energy	\$62.70	5610-71130-403410	0719616-5. ARFF Facility Lights. April 2015
04/27/2015	783925	NorthWestern Energy	\$12.66	5610-71170-403410	1341288-7. Old National/Alamo Car Wash. April
04/27/2015	783925	NorthWestern Energy	\$42.55	5610-71130-403410	1647695-4. De Icer. April 2015
04/27/2015	783925	NorthWestern Energy	\$2,900.10	5610-71130-403410	0100483-7. Runway Lights. April 2015
04/27/2015	783925	NorthWestern Energy	\$1,604.65	5610-71130-403410	0100484-5. ARFF Facility. April 2015
04/27/2015	783925	NorthWestern Energy	\$70.43	5610-71170-403410	1138926-9. Aero Interiors. April 2015
04/27/2015	783925	NorthWestern Energy	\$7.81	5610-71170-403410	1341289-5. Old Thrifty/Doll Car Wash. April 2015
04/27/2015	783925	NorthWestern Energy	\$7.45	5610-71170-403410	1341291-1. Old Enterprise Car Wash. April 2015
04/27/2015	783925	NorthWestern Energy	\$536.79	5610-71170-403410	1341295-2. Big Sky Ground. April 2015
04/27/2015	783925	NorthWestern Energy	\$672.19	5610-71170-403410	1669567-8. TSA Building. April 2015
04/27/2015	783925	NorthWestern Energy	\$78.72	5610-71130-403410	3085107-5. New Employee Parking Lot. April 2015
04/27/2015	783925	NorthWestern Energy	\$1,378.27	5610-71190-403410	1993430-6. QTA Car Wash. April 2015
04/27/2015	783925	NorthWestern Energy	\$392.84	5610-71190-403410	2001846-1. QTA Mud Wash. April 2015
04/27/2015	783925	NorthWestern Energy	\$218.33	5610-71190-403410	2001848-7. Detail Bay 1 Hertz. April 2015
04/27/2015	783925	NorthWestern Energy	\$220.01	5610-71190-403410	2001855-2. Detail Bay 2 National Alamo. April
04/27/2015	783925	NorthWestern Energy	\$145.58	5610-71190-403410	2001862-8. Detail Bay 3 Enterprise. April 2015
04/27/2015	783925	NorthWestern Energy	\$154.27	5610-71190-403410	2001865-1. Detail Bay 4 Avis/Budget. April 2015
04/27/2015	783925	NorthWestern Energy	\$132.42	5610-71190-403410	2001867-7. Detail Bay 5 Thrifty/Dollar. April 2015
04/27/2015	783925	NorthWestern Energy	\$558.57	5020-74000-403410	Airport Rd/17th West/Hwy 3/Waldo
04/27/2015	783925	NorthWestern Energy	\$63,379.36	5120-84000-403410	725 Hwy 87 East
04/27/2015	783925	NorthWestern Energy	\$9.30	0100-51120-403410	07230907
04/27/2015	783925	NorthWestern Energy	\$7.45	0100-51120-403410	07231624
04/27/2015	783925	NorthWestern Energy	\$9.30	0100-51120-403410	07231707
04/27/2015	783925	NorthWestern Energy	\$7.58	0100-51120-403410	07236441
04/27/2015	783925	NorthWestern Energy	\$7.45	0100-51120-403410	07236458
04/27/2015	783925	NorthWestern Energy	\$20.86	0100-51120-403410	07894371
04/27/2015	783925	NorthWestern Energy	\$181.83	0100-51120-403410	07230378
04/27/2015	783925	NorthWestern Energy	\$7.45	0100-51120-403410	07229339
04/27/2015	783925	NorthWestern Energy	\$241.80	6070-22350-403410	07215809
04/27/2015	783925	NorthWestern Energy	\$11.33	0100-51120-403410	07222375
04/27/2015	783925	NorthWestern Energy	\$7.45	0100-51120-403410	07222474
04/27/2015	783925	NorthWestern Energy	\$94.91	0100-51120-403410	07222557
04/27/2015	783925	NorthWestern Energy	\$30.76	0100-51120-403410	07222573
04/27/2015	783925	NorthWestern Energy	\$0.00	0100-51120-403410	07222607

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04/27/2015	783925	NorthWestern Energy	\$0.00	0100-51120-403410	07222615
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04/27/2015	783925	NorthWestern Energy	\$0.00	0100-51120-403410	07222656
04/27/2015	783925	NorthWestern Energy	\$33.05	0100-51120-403410	07222664
04/27/2015	783925	NorthWestern Energy	\$0.00	0100-51120-403410	07222680
04/27/2015	783925	NorthWestern Energy	\$15.16	0100-51120-403410	07222698
04/27/2015	783925	NorthWestern Energy	\$12.28	0100-51120-403410	07222920
04/27/2015	783925	NorthWestern Energy	\$27.22	0100-51120-403410	07222938
04/27/2015	783925	NorthWestern Energy	\$7.45	0100-51120-403410	07229057
04/27/2015	783925	NorthWestern Energy	\$0.00	0100-51120-403410	07230279
04/27/2015	783925	NorthWestern Energy	\$107.03	0100-51120-403410	07230352
04/27/2015	783925	NorthWestern Energy	\$8.90	0100-51120-403410	07230360
04/27/2015	783925	NorthWestern Energy	\$0.00	0100-51120-403410	07230386
04/27/2015	783925	NorthWestern Energy	\$35.21	0100-51120-403410	07230428
04/27/2015	783925	NorthWestern Energy	\$20.62	0100-51120-403410	07230444
04/27/2015	783925	NorthWestern Energy	\$0.00	0100-51120-403410	07230527
04/27/2015	783925	NorthWestern Energy	\$17.83	0100-51120-403410	07230550
04/27/2015	783925	NorthWestern Energy	\$24.83	0100-51120-403410	07230568
04/27/2015	783925	NorthWestern Energy	\$10.96	0100-51120-403410	07230576
04/27/2015	783925	NorthWestern Energy	\$32.20	0100-51120-403410	07230584
04/27/2015	783925	NorthWestern Energy	\$368.72	5210-15950-403410	07208291
04/27/2015	783925	NorthWestern Energy	\$2,137.97	5210-15920-403410	07208341
04/27/2015	783925	NorthWestern Energy	\$1,146.35	5210-15910-403410	15942824
04/27/2015	783925	NorthWestern Energy	\$211.76	5710-71480-403410	17847567
04/27/2015	783925	NorthWestern Energy	\$212.48	1500-21150-403410	19841501
04/27/2015	783925	NorthWestern Energy	\$361.93	1500-21150-403410	19841550
04/27/2015	783925	NorthWestern Energy	\$1,882.26	5210-15940-403410	30674162
04/27/2015	783925	NorthWestern Energy	\$2,642.12	1500-22210-403410	FIRE1: MONTHLY ELECTRIC SERVICE
04/27/2015	783926	Northwestern Energy-Billing Dv	\$6,994.00	8450-31860-409310	WO 09-12 Inner Belt Loop
04/27/2015	783927	NPC Research	\$5,951.94	7380-12640-403510	March 2015 NPC
04/27/2015	783936	Premier Vehicle Installation	\$476.84	1500-21120-402320	Invoice 16154, UltraLITE Exterior LED
04/27/2015	783936	Premier Vehicle Installation	\$1,095.34	1500-21120-402320	Invoice 16576 - Patrol vehicle parts
04/27/2015	783936	Premier Vehicle Installation	\$66.42	1500-21120-402320	Invoice 16574, Equipment bracket, 1 Piece, 3.5"
04/27/2015	783936	Premier Vehicle Installation	\$2,325.60	2500-21380-402481	Item 425-5542, NHM Computer Stand for Charger
04/27/2015	783936	Premier Vehicle Installation	-\$573.80	2500-21380-402481	Item 425-5485, Exchange Plate for Havis Mount
04/27/2015	783936	Premier Vehicle Installation	\$3,570.00	2500-21380-402481	Item 425-6174, Console Contour Ford Interceptor
04/27/2015	783936	Premier Vehicle Installation	\$382.50	2500-21380-402481	Item 425-1485, 4" Utility Box for the Console
04/27/2015	783936	Premier Vehicle Installation	\$482.00	2500-21380-402481	Item 425-6260, Upper Portion of Adjustable Arm
04/27/2015	783936	Premier Vehicle Installation	\$348.30	2500-21380-402481	Item 425-3704, Dual Cup Holder - Ford Intercepto
04/27/2015	783945	Rimrock Foundation	\$4,230.17	2460-12530-403590	March 2015 State Rimrock
04/27/2015	783945	Rimrock Foundation	\$3,729.66	7380-12640-403590	March IOP Counselor
04/27/2015	783945	Rimrock Foundation	\$2,569.08	7380-12640-403990	March Case Manager
04/27/2015	783945	Rimrock Foundation	\$3,259.21	2480-12620-403560	March Day Treatment
04/27/2015	783945	Rimrock Foundation	\$3,807.97	7380-12640-403590	March IOP
04/27/2015	783945	Rimrock Foundation	\$3,774.16	7380-12640-403590	March IOP
04/27/2015	783950	Sanderson Stewart	\$12,375.00	5030-75910-409340	WO 14-13 Mallowney/Elysian Water & Sewer Ext
04/27/2015	783950	Sanderson Stewart	\$18,563.76	5130-85910-409340	WO 14-13 Mallowney/Elysian Water & Sewer Ext
04/27/2015	783950	Sanderson Stewart	\$1,648.90	5130-85910-409340	WO 14-15 Bench Boulevard North Sanitary Sewer
04/27/2015	783950	Sanderson Stewart	\$77,089.95	5030-75910-409340	WO 15-01 2015 Water & Sewer Project - Sch 3
04/27/2015	783960	Star Service Inc	\$38,590.73	5030-00000-201100	WO 12-44 WTP High Service Pump Station H2-3
04/27/2015	783965	The Land Group Inc	\$9,158.26	7690-51820-403560	Centennial Park Master Plan update.
04/27/2015	783971	Town & Country Supply Association	\$7,225.91	6010-00000-141000	212945 PO NUM 297744
04/27/2015	783971	Town & Country Supply Association	\$11,432.27	6010-00000-141000	213131 PO NUM 297744
04/27/2015	783971	Town & Country Supply Association	\$382.82	1500-22260-402310	212920: FIRE 1 DIESEL DELIVERED 4/22/2015
04/27/2015	783971	Town & Country Supply Association	\$205.87	1500-22260-402310	212920: FIRE 3 DIESEL DELIVERED 4/22/2015
04/27/2015	783971	Town & Country Supply Association	\$510.42	1500-22260-402310	212920: FIRE 5 DIESEL DELIVERED 4/22/2015
04/27/2015	783971	Town & Country Supply Association	-\$0.01	1500-22260-402310	DECIMAL PT CORRECTION
04/27/2015	783971	Town & Country Supply Association	\$10,931.40	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM
04/27/2015	783971	Town & Country Supply Association	\$11,687.55	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM
04/27/2015	783971	Town & Country Supply Association	\$15,816.32	5710-00000-141000	BUS MET PO NUM 297723
04/27/2015	783972	Tractor & Equipment Co.	\$6,537.40	6010-00000-141000	B2129201 PO NUM 297759
04/27/2015	783976	USA Bluebook	\$3,986.59	5120-84300-402360	Doppler flowmeter
04/27/2015	783978	Verizon Wireless	\$164.49	5710-71470-403160	Verizon MET AVL Account 7702599076-00001 April 2015
04/27/2015	783978	Verizon Wireless	\$200.11	1500-21700-403450	Animal Shelter MDT
04/27/2015	783978	Verizon Wireless	\$597.50	7170-21660-403450	CCSIU Cell/PTT
04/27/2015	783978	Verizon Wireless	\$40.01	7170-21660-403450	CCSIU Air Card
04/27/2015	783978	Verizon Wireless	\$80.02	7170-21660-403450	CCSIU RAVEN
04/27/2015	783978	Verizon Wireless	\$40.01	0100-13130-403450	City Administration 406-839-4295 Bruce McCandless
04/27/2015	783978	Verizon Wireless	\$80.02	0100-43210-403450	Code Enforcement Air Cards
04/27/2015	783978	Verizon Wireless	\$40.01	1500-22210-403450	Fire MiFi 406-839-3253
04/27/2015	783978	Verizon Wireless	\$40.01	2200-22330-402410	Fire HAZMAT MDT 406-670-1284
04/27/2015	783978	Verizon Wireless	\$1,080.29	1500-22210-403450	Fire MDT
04/27/2015	783978	Verizon Wireless	\$80.10	6200-19110-403450	ITD
04/27/2015	783978	Verizon Wireless	\$80.10	2600-55170-403450	Library Outreach Air Cards
04/27/2015	783978	Verizon Wireless	\$3,991.57	1500-21110-403450	Police MDT Toughbooks

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04/27/2015	783978	Verizon Wireless	\$470.28	5710-71470-403160	MET Transit Tablets
04/27/2015	783978	Verizon Wireless	\$40.01	1500-21110-403450	Police ICAC 406-690-7347
04/27/2015	783978	Verizon Wireless	\$40.01	1500-21110-403450	Police MiFi 406-633-0820
04/27/2015	783978	Verizon Wireless	\$1.31	1500-21110-403450	Police US Marshall Toughbooks
04/27/2015	783978	Verizon Wireless	\$40.01	0100-51120-403450	PRPL-PARKS PMD Air Card 406-794-6977
04/27/2015	783978	Verizon Wireless	\$240.06	2090-44510-403450	PW-Building Air Cards
04/27/2015	783978	Verizon Wireless	\$216.05	5020-75000-403450	PW-Distribution Collection Tablets 60%/40% 60% 5020-75000-403450 40% 5120-85000-403450
04/27/2015	783978	Verizon Wireless	\$144.04	5120-85000-403450	PW-Distribution Collection Tablets 60%/40% 60% 5020-75000-403450 40% 5120-85000-403450
04/27/2015	783978	Verizon Wireless	\$100.05	6700-31410-403450	PW Engineering
04/27/2015	783978	Verizon Wireless	\$70.03	2110-31320-403450	PW-Streets 406-697-0361 iPad 406-633-1991 iPad
04/27/2015	783978	Verizon Wireless	\$18.02	5020-75000-403450	PWBELKNAP-AIR 60% 40% 60% 5020-75000-403450 40% 5120-85000-403450
04/27/2015	783978	Verizon Wireless	\$12.00	5120-85000-403450	PWBELKNAP-AIR 60% 40% 60% 5020-75000-403450 40% 5120-85000-403450
04/27/2015	783978	Verizon Wireless	\$162.48	5020-73120-403450	Meter Reader Account 4420118965-00001 502-73120-403450
04/27/2015	783978	Verizon Wireless	\$120.07	7170-21660-403450	CCSIU MDT
04/27/2015	783978	Verizon Wireless	\$45.23	0100-51290-403450	PRPL-REC-AIR-CARD
04/27/2015	783978	Verizon Wireless	\$96.02	5020-75000-403450	406-697-1336 Batting Cage PW-DIS-COLL CITYWORKS 60%/40% 5020-75000-403450 60% 5120-85000-403450 40%
04/27/2015	783978	Verizon Wireless	\$64.02	5120-85000-403450	PW-DIS-COLL CITYWORKS 60%/40% 5020-75000-403450 60% 5120-85000-403450 40%
04/27/2015	783978	Verizon Wireless	\$40.01	1500-21110-403450	POLICE IPAD ST JOHN 406-690-5955 1500-21110-403450
04/27/2015	783978	Verizon Wireless	\$240.06	2110-31320-403450	PW-STREETS CITY WORKS 2110-31320-403450
04/27/2015	783978	Verizon Wireless	\$579.08	5610-71100-403450	Airport
04/27/2015	783978	Verizon Wireless	\$187.47	1500-21700-403450	Animal Shelter
04/27/2015	783978	Verizon Wireless	\$86.40	7170-21660-403450	CCSIU
04/27/2015	783978	Verizon Wireless	\$56.38	0100-16110-403450	Legal
04/27/2015	783978	Verizon Wireless	\$52.68	1500-22250-403450	Comm Center 911
04/27/2015	783978	Verizon Wireless	\$70.37	6500-15650-403450	Facilites BOC Plus 70% of 406-672-3027
04/27/2015	783978	Verizon Wireless	\$85.80	6500-15670-403450	Facilities City Hall Plus 30% of 406-672-3027
04/27/2015	783978	Verizon Wireless	\$79.19	0100-15120-403450	Finance Pat Weber
04/27/2015	783978	Verizon Wireless	\$999.52	1500-22210-403450	Fire Department
04/27/2015	783978	Verizon Wireless	\$80.40	0100-17500-403450	Human Resources
04/27/2015	783978	Verizon Wireless	\$13.17	6200-19130-403450	ITD GIS
04/27/2015	783978	Verizon Wireless	\$13.17	6200-19110-403450	ITD
04/27/2015	783978	Verizon Wireless	\$116.77	2600-55170-403450	Library Outreach
04/27/2015	783978	Verizon Wireless	\$344.20	2600-55120-403450	Library
04/27/2015	783978	Verizon Wireless	\$42.88	0100-11000-403450	Mayor
04/27/2015	783978	Verizon Wireless	\$56.98	6010-15500-403450	Motor Pool
04/27/2015	783978	Verizon Wireless	\$192.47	0100-12200-403450	Drug Court
04/27/2015	783978	Verizon Wireless	\$95.25	0100-12120-403450	Municipal Court Judge
04/27/2015	783978	Verizon Wireless	\$13.17	2400-43010-403450	Planning
04/27/2015	783978	Verizon Wireless	\$3,272.05	1500-21110-403450	Police
04/27/2015	783978	Verizon Wireless	\$91.87	2510-21870-403450	Police Forensic 406-794-6880 406-698-7323
04/27/2015	783978	Verizon Wireless	\$529.67	1500-21110-403450	Police Resource Officers
04/27/2015	783978	Verizon Wireless	\$28.08	2490-21960-403450	Police DV 406-698-1391
04/27/2015	783978	Verizon Wireless	\$102.23	5210-15210-403450	Parking
04/27/2015	783978	Verizon Wireless	\$119.51	0100-51100-403450	PRPL Admin
04/27/2015	783978	Verizon Wireless	\$284.65	0100-51210-403450	PRPL Recreation
04/27/2015	783978	Verizon Wireless	\$74.16	0100-51400-403450	Cemetery
04/27/2015	783978	Verizon Wireless	\$44.00	0100-51120-403450	Parks PMD
04/27/2015	783978	Verizon Wireless	\$1,115.17	0100-51120-403450	Parks
04/27/2015	783978	Verizon Wireless	\$220.29	0100-51120-403450	Parks Irrigation
04/27/2015	783978	Verizon Wireless	\$125.79	6600-31100-403450	Public Works Admin
04/27/2015	783978	Verizon Wireless	\$145.55	2090-44510-403450	Building
04/27/2015	783978	Verizon Wireless	\$236.49	6700-31410-403450	Engineering
04/27/2015	783978	Verizon Wireless	\$378.73	5410-31210-403450	Solid Waste
04/27/2015	783978	Verizon Wireless	\$364.21	2110-31320-403450	Streets
04/27/2015	783978	Verizon Wireless	\$231.48	5410-31230-403450	Solid Waste On Call

Check Date	Check	Name	Amount	Account	Item Desc
04/27/2015	783978	Verizon Wireless	\$474.79	5020-75000-403450	Distribution & Collection 60% 5020-75000-403450
04/27/2015	783978	Verizon Wireless	\$316.53	5120-85000-403450	Distribution & Collection 40\$ 5120-85000-403450
04/27/2015	783978	Verizon Wireless	\$659.87	5020-74000-403450	Distribution & Collection 60% 5020-75000-403450 Distribution & Collection 40\$ 5120-85000-403450
04/27/2015	783978	Verizon Wireless	\$442.83	5020-73120-403450	Water Treatment PWBelknap-WT
04/27/2015	783978	Verizon Wireless	\$69.89	5020-73110-403450	PWBLKNP MTRSHOP
04/27/2015	783978	Verizon Wireless	\$46.60	5120-83110-403450	Belknap Office 60% 5020-73110-403450 Belknap Office 40\$ 5120-83110-403450
04/27/2015	783978	Verizon Wireless	\$88.70	5020-73140-403450	Belknap Office 60% 5020-73110-403450 Belknap Office 40\$ 5120-83110-403450
04/27/2015	783978	Verizon Wireless	\$29.57	5120-83140-403450	PWBLKNP STORES 75% 5020-73140-403450 PWBLKNP STORES 25% 5120-83140-403450
04/27/2015	783978	Verizon Wireless	\$924.82	5120-84000-403450	PWBLKNP STORES 75% 5020-73140-403450 PWBLKNP STORES 25% 5120-83140-403450
04/27/2015	783978	Verizon Wireless	\$23.87	6060-19310-403450	PWBLKNP STORES 75% 5020-73140-403450 PWBLKNP STORES 25% 5120-83140-403450
04/27/2015	783978	Verizon Wireless	\$92.19	5710-71420-403160	Wastewater Treatment Plant
04/27/2015	783978	Verizon Wireless	\$37.92	5710-71410-403450	TeleComm Manager
04/27/2015	783978	Verizon Wireless	\$91.64	0100-43210-403450	On Call MET
04/27/2015	783978	Verizon Wireless	\$751.22	0100-51120-403450	MET Transit
04/27/2015	783978	Verizon Wireless	\$222.52	5020-74000-403450	Code Enforcement
04/27/2015	783978	Verizon Wireless	\$222.52	5120-84300-403450	Parks Seasonal
04/27/2015	783979	Wastequip Manufacturing	\$7,868.00	5410-31220-404270	PWVLKNP ELECTRICIANS 50%/50% 50% 5020-74000-403450 50% 5120-84300-403450
04/27/2015	783982	Whelen Engineering Co	\$1,675.00	6400-22400-409440	PWVLKNP ELECTRICIANS 50%/50% 50% 5020-74000-403450 50% 5120-84300-403450
04/27/2015	783982	Whelen Engineering Co	\$925.00	6400-22400-409440	8-8 yard front load dumpsters
04/27/2015	783982	Whelen Engineering Co	\$2,382.54	6400-22400-409440	WHELEN 'LIBERTY II' SERIES WECAN LED
04/27/2015	783982	Whelen Engineering Co	\$168.98	6400-22400-409440	795H,GTT IR LED OPTICOM, TRAFFIC
04/27/2015	783985	WW Goetsch Associates, Inc.	\$8,312.00	5020-00000-141000	WHELEN - SIREN SPEAKER & MOUNT AND
04/27/2015	783989	Yellowstone Valley Animal Shelter	\$22,146.92	1500-21700-403990	IONR: ION LIGHT RED
					WASTEWATER PARTS & SUPPLY PO NUM
					Invoice #15-42229, City Contract 3/22/15 - 4/21/15

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Payment of Claims May 4, 2015

PRESENTED BY: Patrick M. Weber, Finance Director

Department: City Hall Administration

PROBLEM/ISSUE STATEMENT

Claims in the amount of \$1,694,942.31 have been audited and are presented for City Council payment approval. A complete listing of the claims dated May 4, 2015, 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 the Payment of Claims.

APPROVED BY CITY ADMINISTRATOR

Attachments

council memo 05-04-15

Check Date	Check Name	Amount	Account	Item Desc
05/04/2015	783993 Ace Electric Inc	\$2,289.87	4980-55360-409390	Construct conduit from City Hall to Library
05/04/2015	783993 Ace Electric Inc	\$1,225.97	4980-00000-201100	Construct conduit from City Hall to Library
05/04/2015	783997 Alpine Technology Corporation	\$3,990.00	5410-31210-403590	RAMS - additional user licenses
05/04/2015	783998 American Concrete INC	\$6,327.09	5020-75000-403680	WA0512 Curb, gutter, driveway replacement -
05/04/2015	783999 American Title & Escrow	\$10,000.00	2830-65810-407277	FTHB Lisa Hammen 1621 Roadrunner Place
05/04/2015	784002 Anderson Service Inc	\$1,408.85	5020-75000-402320	NONSTOCKING ITEMS-P.U.D.
05/04/2015	784002 Anderson Service Inc	\$2,828.00	5020-75000-403620	NONSTOCKING ITEMS-P.U.D.
05/04/2015	784003 Armscor Cartridge Incorporated	\$220.00	1500-21120-402261	Part #AC380-2N, .380, 95 gr, FMJ, New
05/04/2015	784003 Armscor Cartridge Incorporated	\$597.00	1500-21120-402261	Part #AC9-2N, 9mm, 115 gr, FMJ, New
05/04/2015	784003 Armscor Cartridge Incorporated	\$285.00	1500-21120-402261	Part #AC10-2N - 10 mm, 180 gr, FMJ, New
05/04/2015	784003 Armscor Cartridge Incorporated	\$750.00	1500-21120-402261	Part #AC22LR-1N - .22 LR, 36 gr, HP
05/04/2015	784003 Armscor Cartridge Incorporated	\$2,490.00	1500-21120-402261	Part #AC40-2N - 40 S&W, 180 gr, FMJ, New
05/04/2015	784003 Armscor Cartridge Incorporated	\$560.00	1500-21120-402261	Part #AC223-1N - .223, 55 gr, FMJ, New
05/04/2015	784007 Barnes and Thornburg LLP	\$9,500.00	4260-31840-405510	Storm Sewer Revenue Bonds, Series 2015
05/04/2015	784008 Beartooth Resource Conservation & Development Area	\$9,871.54	0100-14110-403951	2015 Assessment Fee
05/04/2015	784020 Brown And Caldwell	\$18,614.17	5030-75910-409340	WO 08-25 ZONE 3 RESERVOIR
05/04/2015	784027 Chicago Title of Montana LLC	\$10,000.00	2830-65810-407277	FTHB Andrew Houlihan 545 Jackson
05/04/2015	784028 Chicago Title of Montana LLC	\$10,000.00	2830-65810-407277	FTHB Nicole Berns 1346 Janie Street
05/04/2015	784036 Crowley Fleck Pplp	\$11,251.00	0100-16110-403560	Inv. 727195, 3.31.15, Matter No. 15-017-080,
05/04/2015	784037 Cummins Rocky Mountain Llc	\$4,239.03	5710-71440-403690	AUTO &TRUCK MAINT.ITEMS
05/04/2015	784038 Curb Box Specialists Inc.	\$20,691.00	5050-75150-403671	Water Repair List 12.26.14
05/04/2015	784041 Dell Computer L P	\$261.28	5120-85000-402120	Monitor for lift station
05/04/2015	784041 Dell Computer L P	\$5,112.04	6700-31410-402925	(4) Dell OptiPlex 3020
05/04/2015	784041 Dell Computer L P	\$3,834.03	0100-17500-402925	(3) Dell OptiPlex 3020
05/04/2015	784044 Dixie Petro-Chem	\$3,092.00	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM
05/04/2015	784046 Ebms	\$1,665.00	6270-17520-403511	May 2015 Fee Breakdown
05/04/2015	784046 Ebms	\$24,260.00	6270-17520-403512	May 2015 Fee Breakdown
05/04/2015	784046 Ebms	\$46,281.82	6270-17520-403515	May 2015 Fee Breakdown
05/04/2015	784046 Ebms	\$745.50	6270-17520-403517	May 2015 Fee Breakdown
05/04/2015	784046 Ebms	\$3,381.00	6270-17520-405161	May 2015 Fee Breakdown
05/04/2015	784049 Empire Garage Owner's Association	\$9,155.70	5210-15940-403660	City of Billings April Assessment.
05/04/2015	784060 Flathead County Sheriff's Office	\$4,616.36	2510-21870-403560	OT and Supplies.
05/04/2015	784060 Flathead County Sheriff's Office	\$1,823.09	2510-21870-403822	Travel.
05/04/2015	784063 Great Falls Police Department	\$764.63	2510-21870-403560	Reimbursement of expenses for ICAC qtr ending
05/04/2015	784063 Great Falls Police Department	\$9,550.73	2510-21870-403822	Travel.
05/04/2015	784069 Hardrives Construction Inc & The Bank of Red Lodge	\$9,751.34	2050-00000-201100	WO 13-03 Sch3 City Crack Seal
05/04/2015	784072 HDR, Inc.	\$5,257.95	5030-74910-409390	WO 15-21 Logan Reservoir/Pump Station
05/04/2015	784072 HDR, Inc.	\$5,838.49	5030-74910-409390	WO 12-43 WTP Backup Power Phase III; CO#3
05/04/2015	784076 laff	\$4,556.52	9000-00000-209920	Payroll Summary
05/04/2015	784079 Ingram Library Services Inc.	\$17.97	2600-55190-403227	Inv 84636881
05/04/2015	784079 Ingram Library Services Inc.	\$40.60	2600-55190-403226	Inv 84636882
05/04/2015	784079 Ingram Library Services Inc.	\$77.13	2600-55190-403333	Inv 84636882
05/04/2015	784079 Ingram Library Services Inc.	\$42.50	2600-55190-403226	Inv 84636883
05/04/2015	784079 Ingram Library Services Inc.	\$65.70	2600-55190-403227	Inv 84636883
05/04/2015	784079 Ingram Library Services Inc.	\$19.25	2600-55190-403242	Inv 84636883
05/04/2015	784079 Ingram Library Services Inc.	\$8.84	2600-55190-403333	Inv 84636883
05/04/2015	784079 Ingram Library Services Inc.	\$27.59	2600-55190-403382	Inv 84636883
05/04/2015	784079 Ingram Library Services Inc.	\$16.16	2600-55190-403227	Inv 84636884
05/04/2015	784079 Ingram Library Services Inc.	\$32.20	2600-55190-403227	Inv 84636885
05/04/2015	784079 Ingram Library Services Inc.	\$96.00	2600-55190-403226	Inv 84636886
05/04/2015	784079 Ingram Library Services Inc.	\$144.99	2600-55190-403226	Inv 84676933
05/04/2015	784079 Ingram Library Services Inc.	\$29.66	2600-55190-403227	Inv 84676933
05/04/2015	784079 Ingram Library Services Inc.	\$76.64	2600-55190-403226	Inv 84676934
05/04/2015	784079 Ingram Library Services Inc.	\$46.77	2600-55190-403227	Inv 84676935
05/04/2015	784079 Ingram Library Services Inc.	\$38.15	2600-55190-403226	Inv 84676936
05/04/2015	784079 Ingram Library Services Inc.	\$16.52	2600-55190-403227	Inv 84676936
05/04/2015	784079 Ingram Library Services Inc.	\$14.97	2600-55190-403227	Inv 84676937
05/04/2015	784079 Ingram Library Services Inc.	\$15.92	2600-55190-403227	Inv 84676938
05/04/2015	784079 Ingram Library Services Inc.	\$15.90	2600-55190-403227	Inv 84676939
05/04/2015	784079 Ingram Library Services Inc.	\$18.86	2600-55190-403333	Inv 84676939
05/04/2015	784079 Ingram Library Services Inc.	\$88.14	2600-55190-403227	Inv 84676940
05/04/2015	784079 Ingram Library Services Inc.	\$93.72	2600-55190-403226	Inv 84676941
05/04/2015	784079 Ingram Library Services Inc.	\$16.52	2600-55190-403227	Inv 84676942
05/04/2015	784079 Ingram Library Services Inc.	\$11.79	2600-55190-403226	Unv 84676943
05/04/2015	784079 Ingram Library Services Inc.	\$105.58	2600-55190-403222	Inv 84676944
05/04/2015	784079 Ingram Library Services Inc.	\$94.52	2600-55190-403226	Inv 84676944
05/04/2015	784079 Ingram Library Services Inc.	\$535.19	2600-55190-403227	Inv 84676944
05/04/2015	784079 Ingram Library Services Inc.	\$11.99	2600-55190-403241	Inv 84676944
05/04/2015	784079 Ingram Library Services Inc.	\$24.75	2600-55190-403242	Inv 84676944
05/04/2015	784079 Ingram Library Services Inc.	\$87.63	2600-55190-403255	Inv 84676944
05/04/2015	784079 Ingram Library Services Inc.	\$101.55	2600-55190-403333	Inv 84676944
05/04/2015	784079 Ingram Library Services Inc.	\$9.59	2600-55190-403227	Inv 84676945
05/04/2015	784079 Ingram Library Services Inc.	-\$29.13	2600-55190-403222	Credit 84735284
05/04/2015	784079 Ingram Library Services Inc.	\$92.54	2600-55190-403226	Inv 84765555
05/04/2015	784079 Ingram Library Services Inc.	\$9.43	2600-55190-403333	Inv 84765556
05/04/2015	784079 Ingram Library Services Inc.	\$30.66	2600-55190-403226	Inv 84765557
05/04/2015	784079 Ingram Library Services Inc.	\$30.09	2600-55190-403227	Inv 84765557

Check Date	Check	Name	Amount	Account	Item Desc
05/04/2015	784079	Ingram Library Services Inc.	\$23.60	2600-55190-403227	Inv 84765558
05/04/2015	784079	Ingram Library Services Inc.	\$11.20	2600-55190-403333	Inv 84765558
05/04/2015	784079	Ingram Library Services Inc.	\$10.19	2600-55190-403227	Inv 84765559
05/04/2015	784079	Ingram Library Services Inc.	\$66.08	2600-55190-403226	Inv 84765560
05/04/2015	784079	Ingram Library Services Inc.	\$3.59	2600-55190-403333	Inv 84765560
05/04/2015	784079	Ingram Library Services Inc.	\$66.04	2600-55190-403226	Inv 84765561
05/04/2015	784079	Ingram Library Services Inc.	\$439.91	2600-55190-403226	Inv 84765562
05/04/2015	784079	Ingram Library Services Inc.	\$175.82	2600-55190-403227	Inv 84765562
05/04/2015	784079	Ingram Library Services Inc.	\$20.69	2600-55190-403241	Inv 84765562
05/04/2015	784079	Ingram Library Services Inc.	\$287.00	2600-55190-403333	Inv 84765562
05/04/2015	784079	Ingram Library Services Inc.	\$32.99	2600-55190-403382	Inv 84765562
05/04/2015	784080	Interstate Power Systems, Inc.	\$3,695.93	5710-71440-402320	AUTO &TRUCK MAINT.ITEMS
05/04/2015	784081	Jackson Contractor Group Inc	\$81,508.68	4980-55110-409220	Construction of new Library, demolition of existing
05/04/2015	784082	JBT Aero Tech, Jetway Systems	\$4,359.89	5610-71120-403660	Invoice #2313743. Spare monitor for jet bridge
05/04/2015	784083	Jims Electric Service	\$2,707.00	5120-84300-403660	Recondition headworks blower
05/04/2015	784088	Knife River (JTL Group Inc.)	\$61.00	2110-31320-404710	asphalt
05/04/2015	784088	Knife River (JTL Group Inc.)	\$62.83	2110-31320-404710	asphalt
05/04/2015	784088	Knife River (JTL Group Inc.)	\$44.02	2110-31320-404520	1 1/2" crushed base
05/04/2015	784088	Knife River (JTL Group Inc.)	\$1,530.49	2110-31320-404710	asphalt
05/04/2015	784088	Knife River (JTL Group Inc.)	\$99.90	2110-31320-404520	3/8" washed rock
05/04/2015	784088	Knife River (JTL Group Inc.)	\$723.46	2110-31320-404710	asphalt
05/04/2015	784091	Labor Ready Northwest, Inc.	\$2,140.16	5410-31230-403581	Paper Pickers for the Landfill
05/04/2015	784091	Labor Ready Northwest, Inc.	\$2,541.44	5410-31230-403581	Paper Pickers for the Landfill
05/04/2015	784095	Mango Languages	\$7,148.61	2600-55190-403381	Invoice L8778 subscription renewal
05/04/2015	784106	Montana CSED	\$4,945.57	9000-00000-209926	Payroll Summary
05/04/2015	784107	Montana Dakota Utilities Co	\$13.80	5020-74000-403440	5270331000 4
05/04/2015	784107	Montana Dakota Utilities Co	\$13.80	5020-74000-403440	8320011000 1
05/04/2015	784107	Montana Dakota Utilities Co	\$102.37	5020-74000-403440	010 490 1000 0
05/04/2015	784107	Montana Dakota Utilities Co	\$137.61	0100-51410-403440	037 890 1000 0
05/04/2015	784107	Montana Dakota Utilities Co	\$28.07	0100-51260-403440	061 943 1000 6
05/04/2015	784107	Montana Dakota Utilities Co	\$14.04	5020-74000-403440	110 490 1000 9
05/04/2015	784107	Montana Dakota Utilities Co	\$134.94	6500-15660-403440	130 733 1000 8
05/04/2015	784107	Montana Dakota Utilities Co	\$108.22	5020-74000-403440	210 490 1000 8
05/04/2015	784107	Montana Dakota Utilities Co	\$679.15	5020-73140-403440	310 490 1000 7
05/04/2015	784107	Montana Dakota Utilities Co	\$226.38	5120-83140-403440	310 490 1000 7
05/04/2015	784107	Montana Dakota Utilities Co	\$61.74	0100-51120-403440	371 101 1000 6
05/04/2015	784107	Montana Dakota Utilities Co	\$217.85	5020-73140-403440	410 490 1000 6
05/04/2015	784107	Montana Dakota Utilities Co	\$72.62	5120-83140-403440	410 490 1000 6
05/04/2015	784107	Montana Dakota Utilities Co	\$312.12	1500-22210-403440	442 190 1000 4
05/04/2015	784107	Montana Dakota Utilities Co	\$1,379.65	5020-74000-403440	500 490 1000 7
05/04/2015	784107	Montana Dakota Utilities Co	\$24.44	5020-74000-403440	510 490 1000 5
05/04/2015	784107	Montana Dakota Utilities Co	\$21.18	5020-74000-403440	566 923 1000 8
05/04/2015	784107	Montana Dakota Utilities Co	\$9.62	5020-74000-403440	600 490 1000 6
05/04/2015	784107	Montana Dakota Utilities Co	\$9.62	5020-74000-403440	600 490 1000 6
05/04/2015	784107	Montana Dakota Utilities Co	\$14.04	5020-74000-403440	610 490 1000 4
05/04/2015	784107	Montana Dakota Utilities Co	\$19.88	5020-74000-403440	666 923 1000 7
05/04/2015	784107	Montana Dakota Utilities Co	\$186.16	5020-74000-403440	700 490 1000 5
05/04/2015	784107	Montana Dakota Utilities Co	\$1,697.91	6500-15660-403440	757 633 1000 2
05/04/2015	784107	Montana Dakota Utilities Co	\$212.81	5410-31230-403440	770 390 1000 2
05/04/2015	784107	Montana Dakota Utilities Co	\$28.07	5020-74000-403440	800 490 1000 4
05/04/2015	784107	Montana Dakota Utilities Co	\$27.62	5120-85000-403440	868 563 1000 7
05/04/2015	784107	Montana Dakota Utilities Co	\$702.89	5020-74000-403440	900 490 1000 3
05/04/2015	784107	Montana Dakota Utilities Co	\$58.55	0100-51410-403440	927 890 1000 3
05/04/2015	784107	Montana Dakota Utilities Co	\$2,698.92	6500-15660-403440	989 733 1000 0
05/04/2015	784107	Montana Dakota Utilities Co	\$406.37	6500-15660-403440	993 733 1000 4
05/04/2015	784109	Montana Dept Of Transportation	\$8,545.00	5130-85910-409340	WO 15-96 Bench Blvd (Hilltop/Pemberton Portion)
05/04/2015	784113	Montana State Fireman's Assoc	\$3,398.86	9000-00000-209924	Payroll Summary
05/04/2015	784116	Morrison Maierle Inc	\$2,257.58	4050-71250-409685	Amendment 10 - AIP 46 Air Carrier Ramp - CA -
05/04/2015	784116	Morrison Maierle Inc	\$250.86	4050-71250-409686	Amendment 10 - AIP 46 Air Carrier Ramp - CA -
05/04/2015	784116	Morrison Maierle Inc	\$38,028.30	8400-00000-201100	WO 12-31 East End Industrial Storm Drain
05/04/2015	784116	Morrison Maierle Inc	\$270.86	4260-00000-201100	WO 12-31 East End Industrial Storm Drain
05/04/2015	784123	NAI Business Properties	\$2,568.00	5210-15950-403370	Commission due for leasing Park One retail
05/04/2015	784126	New World Systems	\$582.05	1500-21500-402140	New World Travel Expenses MSP Upgrade 3/26/15 3/28/15 4/10/15 CAD \$3339.80 POLICE \$582.05 SHERIFF \$2575.64
05/04/2015	784126	New World Systems	\$3,339.80	2250-22320-403590	New World Travel Expenses MSP Upgrade 3/26/15 3/28/15 4/10/15 CAD \$3339.80 POLICE \$582.05 SHERIFF \$2575.64
05/04/2015	784126	New World Systems	\$2,575.64	6200-19110-405370	New World Travel Expenses MSP Upgrade 3/26/15 3/28/15 4/10/15 CAD \$3339.80 POLICE \$582.05 SHERIFF \$2575.64

Check Date	Check	Name	Amount	Account	Item Desc
05/04/2015	784126	New World Systems	\$3,023.86	1500-21500-402140	Invoice 042175 New World Travel Expenses MSP Upgrade CAD \$816.29 2250-22320-403590 CAD \$1210.09 2250-22320-403590 911 \$65.81 2250-22320-403590 Police \$3023.85 1500-21500-402140
05/04/2015	784126	New World Systems	\$816.29	2250-22320-403590	Invoice 042175 New World Travel Expenses MSP Upgrade CAD \$816.29 2250-22320-403590 CAD \$1210.09 2250-22320-403590 911 \$65.81 2250-22320-403590 Police \$3023.85 1500-21500-402140
05/04/2015	784126	New World Systems	\$1,210.09	2250-22320-403590	Invoice 042175 New World Travel Expenses MSP Upgrade CAD \$816.29 2250-22320-403590 CAD \$1210.09 2250-22320-403590 911 \$65.81 2250-22320-403590 Police \$3023.85 1500-21500-402140
05/04/2015	784126	New World Systems	\$65.81	2250-22320-403590	Invoice 042175 New World Travel Expenses MSP Upgrade CAD \$816.29 2250-22320-403590 CAD \$1210.09 2250-22320-403590 911 \$65.81 2250-22320-403590 Police \$3023.85 1500-21500-402140
05/04/2015	784126	New World Systems	\$4,297.36	6200-19110-405370	Invoice 042175 New World Travel Expenses MSP Upgrade CAD \$816.29 2250-22320-403590 CAD \$1210.09 2250-22320-403590 911 \$65.81 2250-22320-403590 Police \$3023.85 1500-21500-402140
05/04/2015	784126	New World Systems	\$1,140.44	1500-21500-402140	Invoice 042176 New World Travel Expenses MSP Upgrade Police \$1140.44 1500-2150-402140
05/04/2015	784126	New World Systems	\$1,140.45	6200-19110-405370	Invoice 042176 New World Travel Expenses MSP Upgrade Police \$1140.44 1500-2150-402140
05/04/2015	784127	North West Floors	\$27,066.60	5620-71200-409290	Airline Ticket Counter Public Area Carpeting
05/04/2015	784129	NorthWestern Energy	\$2,778.24	5020-74000-403410	3116 17th St West
05/04/2015	784129	NorthWestern Energy	\$2,778.25	5020-74000-403410	3116 17th St West
05/04/2015	784129	NorthWestern Energy	\$7.45	0100-51120-403410	08317026
05/04/2015	784129	NorthWestern Energy	\$66.97	8720-51980-403410	10590933
05/04/2015	784129	NorthWestern Energy	\$1,804.58	5210-15910-403410	15696362
05/04/2015	784129	NorthWestern Energy	\$2,785.98	5020-73140-403410	2251 Belknap Ave
05/04/2015	784129	NorthWestern Energy	\$14,858.55	5020-74000-403410	2251 Belknap Ave
05/04/2015	784129	NorthWestern Energy	\$55,719.55	5020-74000-403410	2251 Belknap Ave
05/04/2015	784129	NorthWestern Energy	\$928.65	5120-83140-403410	2251 Belknap Ave
05/04/2015	784129	NorthWestern Energy	\$6,565.37	6500-15670-403410	01005073
05/04/2015	784129	NorthWestern Energy	\$413.44	1500-22210-403410	07208408
05/04/2015	784129	NorthWestern Energy	\$118.18	5020-74000-403410	07222524
05/04/2015	784129	NorthWestern Energy	\$0.00	5020-74000-403410	07230436
05/04/2015	784129	NorthWestern Energy	\$311.29	6600-31100-403410	Electricity
05/04/2015	784129	NorthWestern Energy	\$466.93	6700-31410-403410	Electricity
05/04/2015	784129	NorthWestern Energy	\$5,360.48	2600-55120-403410	Electric Usage
05/04/2015	784129	NorthWestern Energy	\$241.51	5610-71170-403410	0712817-6. IP-House. April 2015
05/04/2015	784129	NorthWestern Energy	\$441.00	1500-22210-403410	07125370
05/04/2015	784129	NorthWestern Energy	\$97.56	0100-51220-403410	07126832
05/04/2015	784129	NorthWestern Energy	\$25.38	5710-71480-403410	07127640
05/04/2015	784129	NorthWestern Energy	\$387.27	1500-22210-403410	FIRE6: MONTHLY ELECTRIC SERVICE FY2015
05/04/2015	784129	NorthWestern Energy	\$9.30	0100-51120-403410	11607801
05/04/2015	784131	Paddock Heating & Cooling	\$3,200.00	1500-22250-402450	911 CENTER/COMPUTER ROOM: REPL'D 2-
05/04/2015	784139	ProDIGIQ Inc	\$35,000.00	5620-71200-409490	MUFIDS Software
05/04/2015	784139	ProDIGIQ Inc	\$67,889.25	5620-71200-409490	MUFIDS Monitors and Hardware
05/04/2015	784144	Qwest Communications	\$31.21	5610-71120-403450	Qwest 406-245-1044 Airport Terminal Power M
05/04/2015	784144	Qwest Communications	\$47.13	5710-71470-403450	Qwest 406-245-1789 Transit STS
05/04/2015	784144	Qwest Communications	\$55.83	5410-31230-403450	Qwest 406-245-7193 Solid Waste Landfill
05/04/2015	784144	Qwest Communications	\$97.35	5410-31230-403450	Qwest 406-245-9820 Solid Waste Landfill
05/04/2015	784144	Qwest Communications	\$31.21	2110-31320-403450	Qwest 406-245-9906 PW Traffic Signal 4th 27
05/04/2015	784144	Qwest Communications	\$91.66	5610-71120-403450	Qwest 406-252-9412 Airport
05/04/2015	784144	Qwest Communications	\$47.13	5710-71410-403450	Qwest 406-254-7038 MET Transit
05/04/2015	784144	Qwest Communications	\$7,300.15	2250-22320-403450	Qwest 406-255-9700 E911
05/04/2015	784144	Qwest Communications	\$32.09	2110-31320-403450	Qwest 406-652-8104 PW Traffic Signal 24
05/04/2015	784144	Qwest Communications	\$45.83	1500-22250-403450	Qwest 406-655-0728 Fire Maintenance Shop
05/04/2015	784144	Qwest Communications	\$31.47	0100-51120-403450	Qwest 406-657-3014 Parks 3890 Stillwater
05/04/2015	784144	Qwest Communications	\$3,187.07	6060-19310-403450	Qwest 406-657-8377 Main System Centrex
05/04/2015	784144	Qwest Communications	\$67.27	6060-19310-403450	Qwest 406-248-9124 Met Measured Lines 406-248-9124 406-248-9179

Check Date	Check	Name	Amount	Account	Item Desc
05/04/2015	784144	Qwest Communications	\$64.18	6060-19310-403450	Qwest 406-248-3329 Airport Measured Lines 406-248-3329 406-248-9989
05/04/2015	784144	Qwest Communications	\$96.63	6060-19310-403450	Qwest 406-657-3009 PUD Measured Lines 406-657-3009 406-247-8579
05/04/2015	784144	Qwest Communications	\$31.23	1500-21110-403450	Qwest 406-245-6600 Crime Prevention Alarm
05/04/2015	784144	Qwest Communications	\$31.27	5210-15920-403450	Qwest 406-657-3054 Park 1 Elevator Phone
05/04/2015	784144	Qwest Communications	\$65.42	6060-19310-403450	Qwest BOC Measured Lines 406-252-3774 406-252-3789
05/04/2015	784144	Qwest Communications	\$31.85	6200-19110-403450	Qwest 406-245-4437 Kenco Security Alarm IT Alarm
05/04/2015	784146	Rimrock Foundation	\$4,173.34	2460-12530-403590	April Rimrock State
05/04/2015	784146	Rimrock Foundation	\$3,688.44	7380-12640-403590	April IOP
05/04/2015	784146	Rimrock Foundation	\$2,601.87	7380-12640-403990	April Case Manager
05/04/2015	784146	Rimrock Foundation	\$3,292.66	2480-12620-403560	April Day Treatment
05/04/2015	784146	Rimrock Foundation	\$3,768.82	7380-12640-403990	April IOP
05/04/2015	784146	Rimrock Foundation	\$3,769.80	7380-12640-403990	April IOP
05/04/2015	784149	Sanderson Stewart	\$88,976.40	2010-15070-409310	WO 15-08 Exposition Gateway
05/04/2015	784149	Sanderson Stewart	\$3,929.15	5030-00000-201100	WO 14-13 Mallowney/Elysian Water & Sewer Ext
05/04/2015	784149	Sanderson Stewart	\$5,893.42	5130-00000-201100	WO 14-13 Mallowney/Elysian Water & Sewer Ext
05/04/2015	784149	Sanderson Stewart	\$1,747.71	5130-00000-201100	WO 14-15 Bench Boulevard North Sanitary Sewer
05/04/2015	784157	The Boyer Company LC	\$144,326.00	2010-15070-407968	A00076, Development Agreement
05/04/2015	784161	Town & Country Supply Association	\$16,897.02	5610-71180-402313	Invoice #213062. QTA Car Rental Fuel
05/04/2015	784161	Town & Country Supply Association	\$6,803.90	6010-00000-141000	212642 PO NUM 297792
05/04/2015	784161	Town & Country Supply Association	\$21,071.52	6010-00000-141000	213064 PO NUM 297793
05/04/2015	784162	Tractor & Equipment Co.	\$596,917.00	5410-31230-409410	Dozer for the Landfill
05/04/2015	784162	Tractor & Equipment Co.	\$263.59	5410-31230-402320	Parts for Landfill unit #243
05/04/2015	784162	Tractor & Equipment Co.	\$232.32	5020-00000-141000	WATER PARTS AND SUPPLIES PO NUM
05/04/2015	784162	Tractor & Equipment Co.	\$800.00	5410-31230-403660	Equipment monitoring software
05/04/2015	784162	Tractor & Equipment Co.	\$800.00	5410-31230-403660	Equipment monitoring software
05/04/2015	784162	Tractor & Equipment Co.	\$800.00	5410-31230-403660	Equipment monitoring software charge
05/04/2015	784174	Yellowstone County Sheriffs Office	\$4,489.65	2550-21440-401220	OT for Benjamin & Watson.
05/04/2015	784174	Yellowstone County Sheriffs Office	\$3,867.49	2550-21440-407910	PE/PI Reimbursement. Additional receipts on file
05/04/2015	784175	Yellowstone Electric Co	\$1,332.00	5620-71200-409310	Invoice #12559. Loop detectors for Express
05/04/2015	784175	Yellowstone Electric Co	\$1,602.50	5620-71200-409310	Invoice #12560. Loop detectors for Express
05/04/2015	784175	Yellowstone Electric Co	\$2,315.00	2030-15130-409224	Empire Garage exit warning light and tone
05/04/2015	784177	Yellowstone Truck Beds	\$3,235.00	5410-31220-402320	single wheel rack

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Public Hearing and Resolution Authorizing Filing of the Annual Federal Transit Administration Section 5307 Grant

PRESENTED BY: Tom Binford, Director of Aviation & Transit

Department: Transit

PROBLEM/ISSUE STATEMENT

Each year the City of Billings MET Transit Division applies for a Federal Transit Administration (FTA) Section 5307 formula grant through the U.S. Department of Transportation (USDOT) Federal Transit Act. The grant funds can be used for both operating costs and capital assistance. For FY 14/15 the MET is intending to utilize this grant for operating costs as it has in past years. This is a matching grant with 50% Federal and 50% local dollars. The FTA will reimburse the City up to the apportioned allocation for the year, which will be \$1,718,629. This grant application requires a public hearing and a Resolution authorizing the Mayor to execute the grant agreement with the USDOT. Public hearing notices were published in the *Billings Times* on April 16, 23, and 30, 2015.

ALTERNATIVES ANALYZED

City Council will conduct a public hearing and may:

- Approve the Resolution that authorizes filing of the grant application in the amount of \$1,718,629 for operating assistance; or
- Not approve the Resolution and do not file the grant application. This would reduce MET operating revenue by about 35% and possibly require service reductions.

FINANCIAL IMPACT

For FY 14/15, the Section 5307 Federal grant application for operating assistance is \$1,718,629, which represents approximately 35% of the MET operating revenue.

RECOMMENDATION

Staff recommends that Council conduct a public hearing and approve the Resolution authorizing an application, and allow the Mayor to execute the grant agreement with the USDOT FTA upon the receipt of the grant offer provided under the authorization of the Federal MAP-21 Act.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution

AUTHORIZING RESOLUTION

RESOLUTION NO. 15-

A RESOLUTION AUTHORIZING THE FILING OF ALL APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION PLANNING, CAPITAL, TRAINING, DEMONSTRATION, AND/OR OPERATING ASSISTANCE GRANTS AUTHORIZED BY 49 U.S.C. CHAPTER 53, TITLE 23 UNITED STATES CODE, AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION

WHEREAS, the City of Billings has the power to enter into agreements with the Federal Transit Administration; and

WHEREAS, the Federal Transportation Administration has been delegated authority to award Federal financial assistance for mass transportation projects; and

WHEREAS, all contracts for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs; and

WHEREAS, the applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project.

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

1. That the City of Billings Mayor is authorized to execute and file all applications on behalf of the City of Billings with the U.S. Department of Transportation, Federal Transit Administration to aid in the financing of all planning, capital, training, demonstration and/or operating assistance projects authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration.
2. That the City of Billings Mayor is authorized to execute and file with such applications the annual certifications and assurances, and any other documents required by the U.S. Department of Transportation, Federal Transit Administration effectuating the purpose of the proposed projects, including the local share.
3. That the City of Billings Mayor is authorized to execute grant and cooperative agreements with the U.S. Department of Transportation, Federal Transit Administration, on behalf of the City of Billings.

4. That the Transit Manager is designated to furnish such additional information as the U.S. Department of Transportation, Federal Transit Administration may require in connection with all the applications.

APPROVED this 26th day of May 2015.

THE CITY OF BILLINGS:

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

BY: _____
Cari Martin, CITY CLERK

CERTIFICATE

The undersigned duly qualified and acting City Clerk of the City of Billings certifies that the foregoing is a true and correct copy of a Resolution, adopted at a legally convened meeting of the Billings City Council held on May 26, 2015.

If applicant has an Official Seal, impress here.

(Seal)

Signature of Recording Officer

Title of Recording Clerk

Date

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Public Hearing and Resolution Adopting Water and Wastewater Rates and Fees

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

Public Works engaged AE2S Nexus to conduct a cost of service rate study to review and recommend appropriate water and wastewater user rates, the resale rate for the County Water District of Billings Heights, and wholesale rates for Lockwood Water and Sewer District and Phillips 66 Billings Refinery, as well as calculate the System Development Fees (SDFs) for water and wastewater. The methodology used in the study follows industry standard approaches and recommends rates for each class of customer that allows the Public Works Department to adequately recover costs in proportion to the cost of providing service to each class of customer. The following is a summary of the rates and fees proposed for FY 16 and FY 17:

1. Maintain the minimum monthly fees for FY 16 and FY 17 at the current rate for both water and wastewater.
2. Maintain the volumetric charge for inside residential water customers at the current rate for both FY 16 and FY 17.
3. Increase the inside non-residential volumetric fee for water customers by approximately 17% in FY 16 with no increase in FY 17.
4. Increase the seasonal volumetric fee by approximately 11% in FY 16 with no increase in FY 17.
5. Establish a new customer class for multi-family water users which are defined as residences with four or more units. These customers are currently classified as non-residential. The proposed volumetric fee, which reflects the unique peaking factors of this customer class, would increase by about 27% in FY 16 and 6% in FY 17.
6. Establish a separate volumetric rate for water users outside of the City of Billings. Currently, outside users are charged a higher fixed charge, but the same volumetric charge as inside users. A cost of service volumetric rate was calculated for this customer class and the proposed fee would be maintained in FY 16 for outside residential customers, but increase by approximately 4% in FY 17 and increase by 17% for outside non-residential customers in FY 16 and by 6% in FY 17.
7. Increase the resale rate for County Water District of Billings Heights by 2% in FY 16 and 4.5% in FY 17.
8. Increase the private fire protection charges to reflect the current costs of services.
9. Increase the wastewater volumetric fee by approximately 3% in both FY 16 and FY 17 for all classes of customers except commercial high strength which is proposed to increase by 19% in FY 16 and 5% in FY 17.
10. Adjust the volume charge, fixed monthly fee, and SDF for Lockwood Sewer District, as well as the volume charge and fixed monthly fee for Phillips 66 Refinery to reflect the current costs of services.
11. Decrease the SDF for residential and non-residential water connections and increase the SDF for irrigation and wastewater connections.
12. Adjust water and wastewater fees and charges for various permits and miscellaneous

special fees.

The attached resolution specifies the proposed rates and fees. A comparison of current versus proposed rates is also attached. A public hearing is required per MCA 69-7-111 and if the proposed resolution is approved, rates will be effective July 1, 2015.

ALTERNATIVES ANALYZED

The City Council must hold a public hearing and then may

- approve the recommended resolution
- approve an amended resolution; or
- not approve a resolution. If Council does not approve a resolution specifying rates and fees for FY 16 and FY 17, the rates and fees will continue at current levels, leaving insufficient revenues in the water and wastewater funds to sustain the adopted capital improvement program. System Development Fees (SDFs) must be updated at least every two years to be in compliance with MCA 69-7-1602 and they were last updated July 1, 2013. Thus, a resolution would need to be considered at a future City Council meeting to adjust SDFs.

FINANCIAL IMPACT

The proposed rate and fee adjustments will generate approximately \$1,075,000 in water revenues in FY 16 and an additional \$260,000 in FY 17, as well as an additional \$650,000 wastewater revenues in FY 16 and an additional \$730,000 in FY 17. In addition, the increases in franchise fees and surcharges for the general fund will be approximately \$197,000 in FY 16 and FY 17 combined.

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and approve the proposed resolution adopting the water and wastewater rate and fee schedule effective July 1, 2015.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution

Rate Comparison

RESOLUTION 15-

A RESOLUTION SPECIFYING WATER AND WASTEWATER RATE AND FEE SCHEDULE ADJUSTMENTS ENACTED PURSUANT TO TITLE 69, CHAPTER 7, MONTANA CODE ANNOTATED.

WHEREAS, water and wastewater cost of service studies have been completed and water and wastewater rate and fee schedules have been prepared for the municipal water and wastewater utility that would generate adequate funds to operate the utilities, as well as require each customer class of the utilities to pay its fair share of the cost of operating the water and wastewater systems; and

WHEREAS, the cost of service studies anticipate a need for extension, repair, improvement, and continued operation and maintenance of existing and proposed water and wastewater system facilities for the providing of water and wastewater services to inhabitants of the City of Billings, Montana; and

WHEREAS, under Title 69, Chapter 7 of the Montana Code Annotated, and under the terms of City Resolution Number 13585, the City of Billings is authorized to regulate the City's municipal water and wastewater utility and to change water and wastewater rates, fees, and charges as may be deemed by the City Council to be reasonable and just, and

WHEREAS, it is essential to the public health, welfare, and safety of the inhabitants of the City of Billings and its environs to provide an adequate public water and wastewater system and to provide adequate funding to meet the cost of constructing, maintaining, and operating the same;

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

1. That the following schedule of rates, fees, and charges are found to be just, reasonable, and necessary for the continued sound operation of the water and wastewater utilities and that the proposed rates, fees, and charges are approved, adopted, and published as the rates, fees, and charges of the City of Billings, Montana water and wastewater utilities, effective July 1, 2015 and July 1, 2016.

WATER RATES AND FEE SCHEDULES

Schedule I

METERED WATER MONTHLY VOLUME CHARGES

Customers within the City

<u>Customer Class</u>	<u>Effective 7/1/15</u>	<u>Effective 7/1/16</u>
	<u>\$ per Ccf</u>	<u>\$ per Ccf</u>
Residential		
Block 1 (0-14 Ccf)	\$ 2.21	\$ 2.21
Block 2 (15-43 Ccf)	\$ 2.65	\$ 2.65
Block 3 (44-100 Ccf)	\$ 3.45	\$ 3.45
Block 4 (>100 Ccf)	\$ 5.18	\$ 5.18
Non-Residential	\$ 2.00	\$ 2.00
Seasonal	\$ 3.18	\$ 3.18
Multi-Family	\$ 2.18	\$ 2.31

Customers outside the City

<u>Customer Class</u>	<u>Effective 7/1/15</u>	<u>Effective 7/1/16</u>
	<u>\$ per Ccf</u>	<u>\$ per Ccf</u>
Residential		
Block 1 (0-14 Ccf)	\$ 2.21	\$ 2.29
Block 2 (15-43 Ccf)	\$ 2.65	\$ 2.75
Block 3 (44-100 Ccf)	\$ 3.45	\$ 3.58
Block 4 (>100 Ccf)	\$ 5.18	\$ 5.37
Non-Residential	\$ 2.00	\$ 2.12
Resale	\$ 1.78	\$ 1.86

Schedule II

MINIMUM MONTHLY WATER CHARGES

<u>Meter Size</u>	<u>Effective 7/1/15</u>	
	<u>Inside City</u>	<u>Outside City</u>
3/4"	\$ 8.00	\$ 8.60
1"	\$ 9.01	\$ 9.80
1-1/2"	\$ 10.45	\$ 11.39
2"	\$ 14.41	\$ 15.78
3"	\$ 43.58	\$ 48.09
4"	\$ 54.35	\$ 60.01
6"	\$ 79.55	\$ 88.02
8"	\$ 108.37	\$ 119.98
10"	\$ 167.10	\$ 185.17

Schedule III

PRIVATE FIRE PROTECTION CHARGES

<u>Connection Size</u>	<u>Effective 7/1/15</u>	
	<u>Inside City</u>	<u>Outside City</u>
1-1/4"	\$ 23.35	\$ 23.65
1-1/2"	\$ 31.10	\$ 31.55
2"	\$ 49.80	\$ 50.45
3"	\$ 124.45	\$ 126.15
4"	\$ 217.75	\$ 220.75
6"	\$ 497.65	\$ 504.60
8"	\$ 870.90	\$ 883.00
10"	\$ 1,368.55	\$ 1,387.60
12"	\$ 1,970.75	\$ 1,998.15
14"	\$ 2,682.40	\$ 2,719.70

Schedule IV

REESTABLISHMENT OF WATER SERVICE CHARGE

	<u>Effective 7/1/15 and 7/1/16</u>
Normal Working Hours	\$ 80.00
Outside Normal Working Hours	\$ 120.00

Schedule V	WATER SPECIAL FEES AND CHARGES	Effective 7/1/15
1.)	Application for extension of the water distribution system of the City	\$ 160.00
2.)	Application for water service line installation permits	\$ 105.00
3.)	Special agreements	\$ 105.00
4.)	Water meter accuracy test fee	
	(a) Small meter (in shop)	\$ 55.00
	(b) Large meter (in field)	\$ 150.00
	(c) Hydrant meter rental (\$/day)	\$ 4.50
5.)	Construction meter setting and removal fee (\$/meter)	\$ 45.00
6.)	Fireflow fee (\$/hydrant)	\$ 90.00
7.)	Turn-on/Turn-off charge	
	(a) Normal working hours	\$ 35.00
	(b) Outside normal working hours	\$ 90.00
8.)	Utility bill insert fee (\$/insert)	\$ 0.40
	<i>--City Departments charged for actual costs incurred from utility billing vendor</i>	
9.)	Water main tapping fee	
	(a) Two inch diameter tap or smaller (\$/tap each visit)	\$ 140.00
	(b) Over two inch diameter tap (\$/tap each visit)	\$ 320.00
	(c) Extra charge for cylinder pipe	\$ 880.00
10.)	Flushing, testing, and chlorinating fee (\$ each visit)	\$ 115.00
	<i>--Water for flushing, testing, and chlorinating charged at current seasonal rate per Ccf</i>	
11.)	City of Billings franchise fee	4.0%
12.)	Late payment interest charge (%/month)	1.5%
13.)	Water service line/fireline repair program fee (\$/month)	\$ 1.30

Schedule VI	WATER SYSTEM DEVELOPMENT FEES		
Meter or Service Line Size	Effective 7/1/15		
	Residential	Non-Residential	Irrigation
3/4" or less (1 EDU)	\$ 2,275	\$ 6,680	\$ 8,035
1"	\$ 2,275	\$ 11,330	\$ 13,625
1-1/2"	\$ 2,275	\$ 22,655	\$ 27,255
2"	\$ 2,275	\$ 36,250	\$ 43,615
3"	\$ 2,275	\$ 72,510	\$ 87,190
4"	\$ 2,275	\$ 113,300	\$ 136,235

For connections to the water system with meters larger than 4 inches or when the unique usage characteristics of a large water user may require, the City will forecast the demands on an average day basis. The System Development Fee (SDF) will be calculated as follows:

$$\text{SDF} = (\text{ADD} * 6.24) * 1.025$$

Where:

ADD is the the projected average day demand of the new user in gallons per day,

6.24 equals the unit cost of the existing system buy-in component plus the unit cost of the development related new facility component and

.025 equals the administrative fee.

WASTEWATER RATES AND FEE SCHEDULES

Schedule I**WASTEWATER MONTHLY VOLUME CHARGES**

<u>Customer Class</u>	<u>Effective 7/1/15</u> <u>\$ per Ccf</u>	<u>Effective 7/1/16</u> <u>\$ per Ccf</u>
<u>Customers Within the City</u>		
Residential	\$ 3.10	\$ 3.20
Large Residential	\$ 3.10	\$ 3.20
Commercial-Domestic Strength	\$ 3.10	\$ 3.20
Commercial-High Strength	\$ 4.70	\$ 4.95
<u>Customers Outside the City</u>		
	\$ 3.10	\$ 3.20

Schedule IA**MINIMUM MONTHLY WASTEWATER CHARGES**

<u>Meter Size (inches)</u>	<u>Effective 7/1/15</u>	
	<u>Inside City</u>	<u>Outside City</u>
3/4"	\$ 6.45	\$ 7.10
1"	\$ 8.20	\$ 9.00
1-1/2"	\$ 10.10	\$ 11.10
2"	\$ 10.55	\$ 11.60
3"	\$ 17.00	\$ 18.65
4"	\$ 64.50	\$ 71.00
6"	\$ 82.10	\$ 90.35
8"	\$ 123.15	\$ 135.50
10"	\$ 170.05	\$ 187.10

Schedule IB**LOCKWOOD WASTEWATER MONTHLY CHARGES**

<u>Lockwood Sewer District</u>	<u>Effective 7/1/15</u>	<u>Effective 7/1/16</u>
Volume Charge	\$.833/Ccf	\$.919/Ccf
Fixed Monthly Fee	\$8,373	\$22,901
Surcharge Fee	6%	6%

Schedule IC**PHILLIPS 66 WASTEWATER MONTHLY CHARGES**

<u>Phillips 66 Billings Refinery</u>	<u>Effective 7/1/15</u>	<u>Effective 7/1/16</u>
Volume Charge	\$.503/Ccf	\$.556/Ccf
Fixed Monthly Fee	\$6,618	\$10,609
Surcharge Fee	6%	6%

Schedule II**WASTEWATER EXTRA STRENGTH SURCHARGE**

<u>Unit Charges</u>	<u>Effective 7/1/15</u>
X = BOD (\$/lb)	\$ 0.4510
Y = TSS (\$/lb)	\$ 0.4668

Schedule III	WASTEWATER SPECIAL FEES AND CHARGES	Effective 7/1/15
1.)	Application for extension of the wastewater collection system of the City	\$ 160.00
2.)	Application for sanitary sewer service permits:	
	(a) Domestic users service line installation permit	\$ 105.00
	(b) Industrial users permit	\$ 1,600.00
3.)	Special agreements	\$ 105.00
4.)	Septage disposal permit fee (\$/1,000 gallons)	\$ 39.87
5.)	City of Billings franchise fee	4.0%
6.)	Late payment interest charge (%/month)	1.5%

Schedule IV	REESTABLISHMENT OF WATER SERVICE CHARGE	Effective 7/1/15
	Normal Working Hours	\$ 80.00
	Outside Normal Working Hours	\$ 120.00

Schedule VI	WASTEWATER SYSTEM DEVELOPMENT FEES	Effective 7/1/15
Meter or Service Line Size		
3/4" or less(1 EDU)		\$ 1,760
1"		\$ 5,410
1-1/2"		\$ 15,705
2"		\$ 27,110
3"		\$ 70,340
4"		\$ 164,680

For connections to the wastewater system with meters larger than 4 inches or when the unique usage characteristics of a large wastewater user may require, the City will forecast the requirements for the flow, Biochemical Oxygen Demand (BOD), and Total Suspended Solids (TSS) to determine the number of Equivalent Dwelling Units (EDUs). The System Development Fee (SDF) will be calculated as follows:

$$(\$5.96 * \text{Flow} * (.885 + (\text{BOD} * .056 / 200) + (\text{TSS} * .058 / 200))) * 1.025$$

Where:

Flow is the projected maximum monthly average wastewater flow of the new user in gallons per day, and

BOD is the projected BOD loading of the new user's effluent in milligrams per liter, and

TSS is the projected TSS loading of the new user's effluent in milligrams per liter.

The constants used in the above formula are:

\$5.96 equals the unit cost of the existing system buy-in component plus the unit cost of the development related new facility component.

.885 equals the proportion of the City's wastewater facilities allocated to the flow parameter in its cost-of service analysis.

.056 equals the proportion of the City's wastewater facilities allocated to the BOD parameter in its cost-of service analysis.

.058 equals the proportion of the City's wastewater facilities allocated to the TSS parameter in its cost-of service analysis.

1.025 represents the administrative charge.

Schedule VII

LOCKWOOD WASTEWATER SYSTEM DEVELOPMENT FEES

<u>Meter or Service Line Size</u>	<u>Effective 7/1/15</u>
3/4" or less(1 EDU)	\$ 905
1"	\$ 2,780
1-1/2"	\$ 8,080
2"	\$ 13,950
3"	\$ 36,190
4"	\$ 84,730

For connections to the wastewater system with meters larger than 4 inches or when the unique usage characteristics of a large wastewater user may require, the City will forecast the requirements for the flow, Biochemical Oxygen Demand (BOD), and Total Suspended Solids (TSS) to determine the number of Equivalent Dwelling Units (EDUs). The System Development Fee (SDF) will be calculated as follows:

$$(\$3.07 * \text{Flow} * (.885 + (\text{BOD} * .056 / 200) + (\text{TSS} * .058 / 200))) * 1.025$$

Where:

Flow is the projected maximum monthly average wastewater flow of the new user in gallons per day, and

BOD is the projected BOD loading of the new user's effluent in milligrams per liter, and

TSS is the projected TSS loading of the new user's effluent in milligrams per liter.

The constants used in the above formula are:

\$5.96 equals the unit cost of the existing system buy-in component plus the unit cost of the development related new facility component.

.885 equals the proportion of the City's wastewater facilities allocated to the flow parameter in its cost-of service analysis.

.056 equals the proportion of the City's wastewater facilities allocated to the BOD parameter in its cost-of service analysis.

.058 equals the proportion of the City's wastewater facilities allocated to the TSS parameter in its cost-of service analysis.

1.025 represents the administrative charge.

2. That this Resolution is to be immediately filed in the City Clerk's Office and that the decision adopting the adjusted rates shall be final ten days after such are so filed.

PASSED AND ADOPTED by the City Council of the City of Billings, Montana, on the 26th day of May, 2015.

CITY OF BILLINGS

BY: _____
Thomas W. Hanel, Mayor

ATTEST:

Cari Martin, City Clerk

WATER AND WASTEWATER RATE AND FEE COMPARISON

METERED WATER MONTHLY VOLUME CHARGES (\$ per Ccf)

Customers within the City

<u>Customer Class</u>	<u>Current</u>	<u>FY 16</u>	<u>FY 17</u>
Residential			
Block 1 (0-14 Ccf)	\$ 2.21	\$ 2.21	\$ 2.21
Block 2 (15-43 Ccf)	\$ 2.65	\$ 2.65	\$ 2.65
Block 3 (44-100 Ccf)	\$ 3.45	\$ 3.45	\$ 3.45
Block 4 (>100 Ccf)	\$ 5.18	\$ 5.18	\$ 5.18
Non-Residential	\$ 1.71	\$ 2.00	\$ 2.00
Seasonal	\$ 2.87	\$ 3.18	\$ 3.18
Multi-Family	\$ 1.71	\$ 2.18	\$ 2.31

Customers outside the City

<u>Customer Class</u>	<u>Current</u>	<u>FY 16</u>	<u>FY 17</u>
Residential			
Block 1 (0-14 Ccf)	\$ 2.21	\$ 2.21	\$ 2.29
Block 2 (15-43 Ccf)	\$ 2.65	\$ 2.65	\$ 2.75
Block 3 (44-100 Ccf)	\$ 3.45	\$ 3.45	\$ 3.58
Block 4 (>100 Ccf)	\$ 5.18	\$ 5.18	\$ 5.37
Non-Residential	\$ 1.71	\$ 2.00	\$ 2.12
Resale	\$ 1.74	\$ 1.78	\$ 1.86

MINIMUM MONTHLY WATER CHARGES

<u>Meter Size</u>	<u>Current, FY 16, & FY 17</u>	
	<u>Inside City</u>	<u>Outside City</u>
3/4"	\$ 8.00	\$ 8.60
1"	\$ 9.01	\$ 9.80
1-1/2"	\$ 10.45	\$ 11.39
2"	\$ 14.41	\$ 15.78
3"	\$ 43.58	\$ 48.09
4"	\$ 54.35	\$ 60.01
6"	\$ 79.55	\$ 88.02
8"	\$ 108.37	\$ 119.98
10"	\$ 167.10	\$ 185.17

PRIVATE FIRE PROTECTION CHARGES

<u>Connection Size</u>	<u>Current</u>		<u>FY 16 & FY 17</u>	
	<u>Inside City</u>	<u>Outside City</u>	<u>Inside City</u>	<u>Outside City</u>
1-1/4"	\$ 20.30	\$ 22.00	\$ 23.35	\$ 23.65
1-1/2"	\$ 27.05	\$ 29.30	\$ 31.10	\$ 31.55
2"	\$ 43.30	\$ 46.85	\$ 49.80	\$ 50.45
3"	\$ 108.20	\$ 117.10	\$ 124.45	\$ 126.15
4"	\$ 189.35	\$ 205.00	\$ 217.75	\$ 220.75
6"	\$ 432.75	\$ 468.50	\$ 497.65	\$ 504.60
8"	\$ 757.30	\$ 819.90	\$ 870.90	\$ 883.00
10"	\$ 1,190.05	\$ 1,288.40	\$ 1,368.55	\$ 1,387.60
12"	\$ 1,713.70	\$ 1,855.30	\$ 1,970.75	\$ 1,998.15
14"	\$ 2,332.50	\$ 2,525.25	\$ 2,682.40	\$ 2,719.70

REESTABLISHMENT OF WATER SERVICE CHARGE

	<u>Current</u>	<u>FY 16 & FY 17</u>
Normal Working Hours	\$ 75.00	\$ 80.00
Outside Normal Working Hours	\$ 115.00	\$ 120.00

WATER SPECIAL FEES AND CHARGES

	<u>Current</u>	<u>FY 16 & FY 17</u>
1.) Application for extension of the water distribution system of the City	\$ 155.00	\$ 160.00
2.) Application for water service line installation permits	\$ 100.00	\$ 105.00
3.) Special agreements	\$ 100.00	\$ 105.00
4.) Water meter accuracy test fee		
(a) Small meter (in shop)	\$ 50.00	\$ 55.00
(b) Large meter (in field)	\$ 125.00	\$ 150.00
(c) Hydrant meter rental (\$/day)	\$ 4.00	\$ 4.50
5.) Construction meter setting and removal fee (\$/meter)	\$ 40.00	\$ 45.00
6.) Fireflow fee (\$/hydrant)	\$ 90.00	\$ 90.00
7.) Turn-on/Turn-off charge		
(a) Normal working hours	\$ 30.00	\$ 35.00
(b) Outside normal working hours	\$ 85.00	\$ 90.00
8.) Utility bill insert fee (\$/insert)	\$ 0.40	\$ 0.40
<i>--City Departments charged for actual costs incurred from utility billing vendor</i>		
9.) Water main tapping fee		
(a) Two inch diameter tap or smaller (\$/tap each visit)	\$ 140.00	\$ 140.00
(b) Over two inch diameter tap (\$/tap each visit)	\$ 315.00	\$ 320.00
(c) Extra charge for cylinder pipe	\$ 880.00	\$ 880.00
10.) Flushing, testing, and chlorinating fee (\$ each visit)	\$ 110.00	\$ 115.00
<i>--Water for flushing, testing, and chlorinating charged at current seasonal rate per Ccf</i>		
11.) City of Billings franchise fee	4.0%	4.0%
12.) Late payment interest charge (%/month)	1.5%	1.5%
13.) Water service line/fireline repair program fee (\$/month)	\$ 1.30	\$ 1.30

WATER SYSTEM DEVELOPMENT FEES

<u>Meter or Service Line Size</u>	<u>Current</u>			<u>FY 16 & FY 17</u>		
	<u>Residential</u>	<u>Non-Residential</u>	<u>Irrigation</u>	<u>Residential</u>	<u>Non-Residential</u>	<u>Irrigation</u>
3/4" or less (1 EDU)	\$ 2,450	\$ 8,655	\$ 7,320	\$ 2,275	\$ 6,680	\$ 8,035
1"	\$ 2,450	\$ 14,675	\$ 12,415	\$ 2,275	\$ 11,330	\$ 13,625
1-1/2"	\$ 2,450	\$ 29,345	\$ 24,835	\$ 2,275	\$ 22,655	\$ 27,255
2"	\$ 2,450	\$ 46,955	\$ 39,740	\$ 2,275	\$ 36,250	\$ 43,615
3"	\$ 2,450	\$ 93,910	\$ 79,425	\$ 2,275	\$ 72,510	\$ 87,190
4"	\$ 2,450	\$ 146,735	\$ 124,100	\$ 2,275	\$ 113,300	\$ 136,235

WASTEWATER MONTHLY VOLUME CHARGES (\$ per Ccf)**Customer Class**

<u>Customers Within the City</u>	<u>Current</u>	<u>FY 16</u>	<u>FY 17</u>
Residential	\$ 3.00	\$ 3.10	\$ 3.20
Large Residential	\$ 3.00	\$ 3.10	\$ 3.20
Commercial-Domestic Strength	\$ 3.00	\$ 3.10	\$ 3.20
Commercial-High Strength	\$ 3.95	\$ 4.70	\$ 4.95
Customers Outside the City	\$ 3.00	\$ 3.10	\$ 3.20

MINIMUM MONTHLY WASTEWATER CHARGES

<u>Meter Size (inches)</u>	<u>Current, FY 16, & FY 17</u>	
	<u>Inside City</u>	<u>Outside City</u>
3/4"	\$ 6.45	\$ 7.10
1"	\$ 8.20	\$ 9.00
1-1/2"	\$ 10.10	\$ 11.10
2"	\$ 10.55	\$ 11.60
3"	\$ 17.00	\$ 18.65
4"	\$ 64.50	\$ 71.00
6"	\$ 82.10	\$ 90.35
8"	\$ 123.15	\$ 135.50
10"	\$ 170.05	\$ 187.10

LOCKWOOD WASTEWATER MONTHLY CHARGES

	<u>Current</u>	<u>FY 16</u>	<u>FY 17</u>
Volume Charge (per Ccf)	\$0.57	\$0.833	\$0.919
Fixed Monthly Fee	\$8,148	\$8,373	\$22,901
Surcharge Fee	6%	6%	6%

PHILLIPS 66 WASTEWATER MONTHLY CHARGES

	<u>Current</u>	<u>FY 16</u>	<u>FY 17</u>
Volume Charge (per Ccf)	\$0.431	\$0.503	\$0.556
Fixed Monthly Fee	\$7,590	\$6,618	\$10,609
Surcharge Fee	6%	6%	6%

WASTEWATER EXTRA STRENGTH SURCHARGE

<u>Unit Charges</u>	<u>Current</u>	<u>FY 16 & FY 17</u>
X = BOD (\$/lb)	\$ 0.4212	\$ 0.4510
Y = TSS (\$/lb)	\$ 0.4668	\$ 0.4668

WASTEWATER SPECIAL FEES AND CHARGES

	<u>Current</u>	<u>FY 16 & FY 17</u>
1.) Application for extension of the wastewater collection system of the City	\$ 155.00	\$ 160.00
2.) Application for sanitary sewer service permits:		
(a) Domestic users service line installation permit	\$ 100.00	\$ 105.00
(b) Industrial users permit	\$ 1,515.00	\$ 1,600.00
3.) Special agreements	\$ 100.00	\$ 105.00
4.) Septage disposal permit fee (\$/1,000 gallons)	\$ 38.87	\$ 39.87
5.) City of Billings franchise fee	4.0%	4.0%
6.) Late payment interest charge (%/month)	1.5%	1.5%

WASTEWATER SYSTEM DEVELOPMENT FEES

<u>Meter or Service Line Size</u>	<u>Current</u>	<u>FY 16 & FY 17</u>
3/4" or less(1 EDU)	\$ 1,560	\$ 1,760
1"	\$ 4,785	\$ 5,410
1-1/2"	\$ 13,895	\$ 15,705
2"	\$ 23,990	\$ 27,110
3"	\$ 62,240	\$ 70,340
4"	\$ 145,715	\$ 164,680

LOCKWOOD WASTEWATER SYSTEM DEVELOPMENT FEES

<u>Meter or Service Line Size</u>	<u>Current</u>	<u>FY 16 & FY 17</u>
3/4" or less(1 EDU)	\$ 620	\$ 905
1"	\$ 1,900	\$ 2,780
1-1/2"	\$ 5,520	\$ 8,080
2"	\$ 9,535	\$ 13,950
3"	\$ 24,735	\$ 36,190
4"	\$ 57,910	\$ 84,730

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Public Hearing and Resolution Establishing Collection, Disposal, and Landfill Fees for FY 16

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

Section 21-229 of the Billings Montana City Code requires that the City Council annually adopt the Solid Waste collection and disposal charges and landfill fees by resolution. Last year, Public Works staff conducted a cost of service rate study as the existing solid waste rates and fees were no longer adequate to provide for the operation and maintenance and capital investment necessary to continue providing service at the current level. Two options to increase rates were presented and discussed with Council at that time. Option 1 increased all rates to the levels needed to adequately cover the cost of service in FY 2015. Option 2 utilized reserves to phase in the rate increase for residential and drop box/roll off collection over fiscal years 2015, 2016, and 2017. Council chose Option 2 and FY 2016 will be the second year of the phased in rate increase for residential and drop box/roll off collection. The proposed rate and fee adjustments also include a 2.5% increase for commercial collection and a 3% rate increase in landfill fees. Staff is also proposing the implementation of a fee for residential refuse collection that requires a special pickup due to its size or quantity.

The attached resolution specifies the proposed rates and fees for FY 2016. A public hearing is required and if the proposed resolution is approved, rates will be effective July 1, 2015.

ALTERNATIVES ANALYZED

The Council must hold a public hearing and then may

- approve the recommended resolution
- approve an amended resolution; or
- not approve a resolution. If Council does not approve a resolution, an amended resolution to establish Solid Waste fees for FY 16 will need to be considered at a future City Council meeting.

FINANCIAL IMPACT

The proposed rate and fee adjustments will generate approximately \$500,000 of collection revenues and \$100,000 of landfill revenues for a total increase to the solid waste fund of \$600,000, as well as approximately \$30,000 in franchise fees and surcharges for the general fund in fiscal year 2016.

RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and approve the proposed resolution adopting collection, disposal, and landfill fees effective July 1, 2015.

APPROVED BY CITY ADMINISTRATOR

Attachments

Resolution

RESOLUTION 15-_____

A RESOLUTION ESTABLISHING SOLID WASTE RESIDENTIAL AND COMMERCIAL COLLECTION AND DISPOSAL FEES AND LANDFILL USE FEES

WHEREAS, a need is anticipated for repair, improvement, and continued operation and maintenance of existing and proposed solid waste facilities and services for the providing of collection, disposal, and landfill use to inhabitants of the City of Billings, Montana and its environs; and

WHEREAS, it is essential to the public health, welfare, and safety of the inhabitants of the City of Billings and its environs to provide an adequate solid waste collection service and landfill operation and to provide adequate funding to meet the cost of constructing, maintaining, and operating the same; and

WHEREAS, the City Council of the City of Billings did adopt Ordinance No. 12-5574 on the 25th day of June 2012, providing for the billing of solid waste collection and disposal fees on a monthly basis; and

WHEREAS, said fees are established by resolution.

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

1. That the rates, fees, and charges specified in Schedules I, II, and III are found to be just, reasonable, and necessary for the continued sound operation of the Solid Waste Division and that the proposed rates, fees, and charges are approved and adopted as the rates, fees, and charges of the City of Billings, Montana Solid Waste Division effective July 1, 2015.
2. That in addition to the fees in Schedules I, II, and III, a five percent (5%) franchise fee will be collected on all Solid Waste rates and fees and said franchise fee will be transferred to the City General Fund.
3. That in addition to the fees in Schedule III and franchise fees, a six percent (6%) surcharge will be collected on all Landfill rates and fees from refuse originating from any state other than Montana. This surcharge shall not apply to franchise fees.
4. That any payment not received by the due date shall accrue interest at the rate of one-and-one-half percent (1.5%) per month from the due date until paid in full.
5. That garbage fees will not be paid by the City General Fund, Public Safety Fund, Library Fund, or MET Transit Fund.

Schedule I – Residential and Mobile Home Collection and Disposal Fees

Monthly Fees (for unit occupied by 1 family)

Residential	\$ 9.43
Mobile home located in mobile park	\$ 8.75
Residential carry out service	\$18.86
Additional 90 gallon barrel	\$ 3.14
Residential landfill fees for newly annexed property not yet receiving City collection service	\$ 2.20
Refrigerator/Freezer pickup	\$50.00 per pickup
Refuse requiring a special pickup due to size or quantity (> 2 yds)	\$9.52 per trip

Schedule II – Commercial Collection and Disposal Fees

Commercial collection service is available subject to Solid Waste Division approval of container type, size, placement, and serviceability.

Fees per Month for Customer Owned Containers

Container Size	PER WEEK FREQUENCY OF COLLECTION						
	1	2	3	4	5	6	Saturday*
Hand load/loose	\$24.33 per minute (In addition to can or container service)						
90 Gallon Barrel	\$15.62						
½ 300 Gallon Barrel	\$17.45						
300 Gallon Barrel	\$34.90						
30 Gallon Can	\$ 6.18	\$ 12.36	\$ 18.54	\$ 24.72	\$ 30.90	\$ 40.18	\$ 12.36
1 Yard	\$28.56	\$ 57.12	\$ 85.68	\$114.24	\$142.80	\$178.50	\$ 57.12
2 Yards	\$33.11	\$ 66.22	\$ 99.33	\$132.44	\$165.55	\$206.94	\$ 66.22
3 Yards	\$37.66	\$ 75.32	\$112.98	\$150.64	\$188.30	\$235.38	\$ 75.32
4 Yards	\$42.47	\$ 84.94	\$127.41	\$169.88	\$212.35	\$265.44	\$ 84.94
6 Yards	\$51.58	\$103.16	\$154.74	\$206.32	\$257.90	\$322.38	\$103.16
8 Yards	\$60.84	\$121.68	\$182.52	\$243.36	\$304.20	\$380.25	\$121.68

Compactor containers will be assessed at 2.5 times the above rates.

*Saturday service without 6 times per week pick-up will be assessed double the one-time per week rate. This service is not available in all areas.

The above fees are for customer-owned containers. For City-owned containers, in addition to the above fees, monthly container lease rates will be charged as follows:

Container Size

< 6 yards	\$ 18.57
6 or 8 yards	\$ 24.38

Additional service will be billed at the hourly rates as follows (minimum 1 hour):

Compacter truck, 1 person	\$ 92.38
Compacter truck, 2 people	\$133.33

Commercial Collection Special Fees and Charges

Special event barrel rental (includes delivery and pickup)	\$ 6.19 per barrel
Container wash	\$ 80.95
Delivery charge for front or rear-load rental	\$ 30.00
Delivery charge for a temporary 300 gallon barrel	\$ 30.00
Compacter turnaround fee	\$ 30.00
Cable style locks for front or rear-load containers	\$ 85.71
Bar type locks/installation	\$ 125.00

Drop Box/Roll Off

Customer Owned Container

Per pull plus disposal	\$124.30
Container wash	\$ 80.95
Thaw charge	\$ 57.14
Unit relocation	\$ 50.00
Skins/liners	\$ 23.81

Disposal rates are charged per Schedule III.

In addition to the above rates, City-owned Containers will also be charged the following if applicable:

Daily rental (charged from the day of drop off)	\$ 2.86
30 cubic yards-cash only/1 time	\$228.57

Commercial landfill fees for newly annexed property not receiving City collection service will be assessed at the current disposal rate times the size and frequency of their service.

Schedule III – Landfill Fees

All businesses will be charged at least \$5.71

0-3.0 cubic yards or 0-1500 lbs¹

Municipal solid waste, construction & demolition, etc. (per ton)

Special Waste (Per Ton)¹

Dead Animals:

Horse (each)

Cow (each)

Colt, sheep, pig, etc (each)

Per ton

Tires:

Up to 17" (each)

Truck tire 17" to 24" (each)

Equipment tire - grader size (each)

Tires per ton

Asbestos:

Per ton

Per bag

Asbestos Bags

Barrels:

Whole barrels (each)

Barrels/both ends off/smashed (per ton)

Refrigeration Units:

Freon removal (each unit)

Commercial units must have freon removed before being accepted for disposal

Special Pad Fee for Liquids

	ORIGIN OF WASTE		
	City of Billings	Other Towns & Counties	Outside of Montana
		\$ 6.71	\$ 8.10
	\$ 16.67	\$ 20.00	\$ 24.19
	\$ 35.81	\$ 42.95	\$ 51.89
	\$ 71.43	\$ 85.72	\$ 103.57
	\$ 47.62	\$ 57.14	\$ 69.05
	\$ 19.05	\$ 22.86	\$ 27.62
	\$ 71.43	\$ 85.72	\$ 103.57
	\$ 2.86	\$ 3.43	\$ 4.15
	\$ 7.14	\$ 8.57	\$ 10.35
	\$ 28.57	\$ 34.28	\$ 41.43
	\$ 33.33	\$ 40.00	\$ 48.38
	\$ 76.19	\$ 91.43	\$ 110.48
	\$ 10.48	\$ 12.58	\$ 15.20
	\$ 2.86	\$ 3.43	\$ 4.14
	\$ 6.67	\$ 8.00	\$ 9.67
	\$ 16.67	\$ 20.00	\$ 24.19
	\$ 20.95	\$ 25.14	\$ 30.38
	\$ 115.00	\$ 138.10	\$ 166.67

If scale is inoperable, the vehicle will be charged by the cubic yard rated on the vehicle capacity

Loose garbage (per CY)

Compacted garbage (per CY)

Non-compactible material (per CY)

Special waste, contaminated soil, etc. (per CY)²

Whole tires (per CY)

Cut tires (per CY)

Asbestos (per CY)

	ORIGIN OF WASTE		
	City of Billings	Other Towns & Counties	Outside of Montana
	\$ 2.14	\$ 2.52	\$ 3.07
	\$ 5.48	\$ 6.57	\$ 7.97
	\$ 23.29	\$ 27.95	\$ 33.78
	\$ 49.76	\$ 59.71	\$ 72.11
	\$ 25.00	\$ 30.00	\$ 36.25
	\$ 2.14	\$ 2.57	\$ 3.10
	\$ 38.10	\$ 45.72	\$ 55.25

¹ Residential Yellowstone County customers are assessed a landfill fee on the annual tax statement according to an Agreement with Yellowstone County and accordingly are not charged for loads less than 1.5 yds or 700 pounds.

² Special Waste such as contaminated soil, sludges, and treated timbers will be accepted on a case-by-case basis dependent upon testing and approval. If accepted, landfill fees will be charged rates specified above.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 26th day of May 2015.

CITY OF BILLINGS

By: _____
Thomas Hanel, Mayor

ATTEST:

By: _____
Cari Martin, City Clerk

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Public Hearing and Resolution Creating SILMD 315, Bench Boulevard

PRESENTED BY: David Mumford, Public Works Director

Department: Public Works

PROBLEM/ISSUE STATEMENT

The Montana Department of Transportation has a project to reconstruct Bench Boulevard from just north of the roundabout at Hilltop Road to Mary Street. The project will include installation of street lighting along Bench Boulevard. SILMD 315 is a street light district that will pay the energy and maintenance costs for the street lighting installed by the project. At the April 27, 2015, City Council meeting, Council passed the Resolution of Intent to Create SILMD 315 and set a public hearing for May 26, 2015. Legal notice of the proposed district was published and mailed to all property owners in the proposed district in accordance with State law.

The new lighting will use steel mastarm style poles with LED lamps and underground wiring. The cost of installing the new lighting will be paid for by the MDT project. The adjacent property owners will only pay for electrical energy and maintenance through an assessment on their properties. The estimated annual cost for a typical 9600 square foot residential lot is \$21. Due to the difference in time between when the new lighting will be turned on and the first tax assessments are collected, the first year tax assessment may be higher or lower than the estimated annual assessment.

Assuming federal aid highway funding is extended by Congress, MDT plans to open bids on the project in June and begin construction by late July or early August. Lighting probably will not be ready to turn on until 2016. The SILMD is being created now to ensure that there will be a funding source for the maintenance and operation of the lights before they are constructed.

The proposed district will also incorporate the existing lighting on Wicks Lane between Main Street and Bench Boulevard. The properties along Wicks fronting the lighting will become part of the new district.

The deadline for written protests to be filed with the City Clerk was Friday, May 22nd. The number and percentage of valid written protests received will be reported at the May 26th Council meeting. As provided in State law, the City Council has the authority to create the district if the legal protest does not exceed 50%.

ALTERNATIVES ANALYZED

The Council may:

- Pass the resolution creating SILMD 315 to provide a source of funding for operation and maintenance of the streetlights; or
- Do not pass the resolution creating the district. If the Council does not adopt the resolution, the property owners cannot be assessed for operation and maintenance of the streetlights and the new lighting will not be installed.

FINANCIAL IMPACT

All costs of providing energy for the lighting and maintaining the lights are paid from assessments against properties within the light district. There is one City owned parcel in the proposed district, Clevenger Park. The park will be assessed on the same basis as privately owned property within the district. The estimated annual assessment for the park property is \$700. Pursuant to State law (7-12-4326 MCA) the City must also pay assessments levied against federally owned property in the district. The estimated annual assessment for the Heights Post Office property is approximately \$240.

RECOMMENDATION

Staff recommends the City Council approve the resolution creating SILMD 315.

APPROVED BY CITY ADMINISTRATOR

Attachments

SILMD Resolution Creating

Exhibit A SILMD 315 Map

RESOLUTION NO. 15-_____

A RESOLUTION CREATING SPECIAL IMPROVEMENT LIGHTING MAINTENANCE DISTRICT NO. 315 OF THE CITY OF BILLINGS, MONTANA, FOR THE PURPOSE OF SECURING AND PROVIDING ENERGY AND MAINTENANCE FOR NEW STREETLIGHTING, SETTING THE BOUNDARIES THEREOF, STATING THE GENERAL CHARACTER OF THE IMPROVEMENTS TO BE MADE, ESTABLISHING THE ESTIMATED RATE FOR ENERGY AND MAINTENANCE THEREOF, AN APPROXIMATE ESTIMATE OF THE COST OF MAINTAINING SUCH LIGHTS AND SUPPLYING ELECTRICAL CURRENT THEREFORE FOR THE FIRST YEAR, AND THE PROPORTION OF THE COST TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE METHOD OF ASSESSMENT OF SAID COSTS.

WHEREAS, the City Council of the City of Billings, Montana, on the 27th day of April, 2015, passed Resolution 15-10447, a Resolution of Intention to Create a Special Improvement Lighting Maintenance District designated as No. 315, setting the hearing on the creation of said District and hearing of protests against the extent and creation of said District, or any matter pertaining thereto, and thereafter gave notice by publication and mailing, all as required by law, and at said hearing which was held at the time and place specified in said Notice, all protests were heard and considered; and

WHEREAS, the City Council finds that the protests are insufficient to stop the creation of said district, and the protests are overruled and denied.

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

SECTION 1:

That the City Council of the City of Billings, Montana does hereby create a District, to be known and designated as Special Improvement Lighting Maintenance District No. 315, hereinafter called the District, for the purpose of securing and providing energy and maintenance for new street lights for lighting said District.

SECTION 2:

That the boundaries of the District are as set forth in Resolution of Intention No. 15-10447, hereinafter called the Resolution, on file in the office of the City Clerk of Billings, Montana, and by this reference is incorporated herein and made a part hereof.

SECTION 3:

That the City Council hereby finds and determines that each property described within the Resolution of Intent, are especially benefited and affected by said improvements, and each of the properties are hereby declared to be the property to be assessed for the cost and expense of the electrical energy for and maintenance of said District.

SECTION 4:

That the general character of the improvements to be made is hereby declared to be as described in the Resolution and is by this reference incorporated herein and made a part hereof.

SECTION 5:

The City of Billings intends to establish the contract rate for supplying electrical energy in accordance with the rate schedule approved by the Montana Public Service Commission. Said rates are currently estimated at \$6.30 per LED luminaire per month, and \$11.12 per HPS luminaire per month, and that NorthWestern Energy Company shall provide energy to the lighting fixtures. That the City of Billings shall provide normal maintenance to lighting fixtures, poles, cables and other incidental equipment, and shall at all times own said lighting fixtures, poles, cables and other incidental equipment.

SECTION 6:

The estimate of the cost of the District per year, including City administrative costs, is the sum of \$14,350; that the entire cost of said District shall be paid by the owners of the property as shown in Exhibit "A" attached hereto, with each lot, parcel or piece of land within the District to be assessed for that portion of the whole cost which it's assessable lot area bears to the total assessable lot area of the entire District, exclusive of streets, avenues, alleys and public places. The estimated cost of the District per year for property owners is on the basis of approximately \$0.00215897 per square foot. Due to the difference in the time between when lighting service will start and the time District assessments are collected with property taxes, the first assessment may cover a period of operation greater or less than one year and shall be prorated accordingly.

SECTION 7:

That the entire cost of the District shall be paid by an annual assessment against the property in the District. That all monies derived from the collection of such assessments shall be paid into a fund to be known as the "Special

SILMD 315 EXHIBIT A



Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Special Review 924 - Public Hearing - Multi-family dwellings

PRESENTED BY: Candi Millar, Planning & Community Services Department Director

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

This is a special review to allow four, nine-plex multi-family buildings (36 dwelling units) in a Residential 6,000 (R-60) zone on Lot 4, Block 1, Chalice Acres Subdivision. The property is a 1.98 acre parcel of land generally located west of 1442 Bench Boulevard. The City Council allowed the applicant to withdraw a previous application on March 23, 2015 to re-design the site plan. The Zoning Commission conducted a public hearing on the re-designed site plan on May 5, 2015, and is forwarding a recommendation of conditional approval and adoption of the findings of the 3 criteria on a 4 to 0 vote.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the request
- Conditionally approve the request
- Deny the request
- Allow the applicant to withdraw the request
- Delay action on the request for up to 30 days

The Planning Division reviewed the application with other city departments and recommended conditional approval to the Zoning Commission based on the findings of the 3 criteria. The Zoning Commission concurred with the recommendation and the findings. Before a recommendation of approval or conditional approval may 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, the 2008 Growth Policy including any neighborhood plans, and 3) 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 in so far that it is in a zoning district, R-60, where multi-family dwellings are allowed by special review approval. In fact, a previous special review for 28 dwelling units in 7 multi-family dwellings has been conditionally approved for this property (2008). The form of the application is correct and the submitted site plan is in conformance with site development and zoning regulations for the R-60 zoning district.

The previous concern about the number of off-street parking spaces has been addressed through a redesign of the building locations. This provided an additional 30 off-street parking spaces. The site plan indicates all curb and parking lanes outside of Lot 4 will be marked and signed to prevent parking in these areas. The applicant has also shown areas for solid waste storage and postal service on site. The new site plan shows exterior fencing on the south and east property boundaries. A landscaping and lighting plan has been submitted and a

proposed concrete sidewalk is shown on the southern leg of the private road. This will provide safe pedestrian access to Bench Boulevard.

The submitted Traffic Analysis has been accepted by the City Traffic Engineer and the recommendations will be implemented as submitted. The recommendations are to place a stop sign where each leg of the private road intersects Bench Boulevard and to provide new drive approaches off the private access easement for Lots 1 and 3 of Chalice Acres. (see Traffic Analysis Attachment).

The application does conform to the second and third criteria. The zoning regulations adopted by the City Council have the purpose of promoting health, safety and general welfare and to implement the 2008 Growth Policy and the Billings Heights Neighborhood Plan. The proposed site plan and buildings have been redesigned to address the previous concerns including additional off-street parking, landscaping, screening to adjacent properties, areas for mail service and solid waste storage. The building heights have been reduced from 28 feet to 24 feet 9 inches and outdoor spaces are shown for the use of the new residents.

Careful site design is necessary to ensure compatibility with adjacent uses. This site has been re-designed so details for landscaping, screening, storm water management, and solid waste collection are complete. The Heights Neighborhood Plan adopted in 2006 indicated the area between Bench Boulevard and Main Street should be developed with a mixture of housing choices and uses. There are few multi-family apartment housing units east of Main Street at this time. There are many choices for single family, two-family, elderly housing, manufactured homes and four-family dwellings but only a handful of apartment dwellings.

PROPOSED CONDITIONS:

1. The special review is limited to Lot 4, Block 1 Chalice Acres Subdivision generally located west of 1442 Bench Boulevard.
2. The special review approval is for the construction of four, 9-plex multi-family dwellings and no other use or development configuration is intended or implied by this approval.
3. Any expansion of the proposed building or off-street parking greater than 10 percent of what is shown on the submitted site plan will require an additional special review approval.
4. All exterior lighting, including security lighting shall have full cut-off shields so no part of the fixture or lens projects below the cut-off shield. Exceptions to this requirement are allowed for porch or entry doorway lighting. The maximum height of any light pole in the outdoor areas shall be 15 feet above grade.
5. No construction or demolition activity will occur before 7 am or after 8 pm daily.
6. Any centralized solid waste storage shall be enclosed by a wall on 3 sides and a closing gate or gates. The wall and gates for the solid waste storage shall be similar or complimentary in color to the adjacent buildings and shall be sight-obscuring. The wall and gates shall be tall enough that no part of the interior dumpster(s) are visible from the outside.
7. The site will be developed in substantial conformance with the revised site plans submitted April 10, 2015 including Site Plan and Section (Sheet 1 of 4), Storm Water Drainage Plan & Details (Sheet 2 of 4) and Detailed Site Plan and Landscaping (Sheet 1-A) including landscaping, parking, mail service area, solid waste storage area and building locations.
8. The applicant will install and provide, at no cost to the City or adjacent owners, the required improvements to the private access road including but not limited to all pavement, utilities, pavement markings, private driveways, signs and other road appurtenances as required. The applicant will coordinate any such improvements with the City Engineering Division.

9. 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.

10. 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.

****NOTE**** Approval of this Special Review does not constitute approval of a building permit, sign permit or fence permit. Compliance with all applicable local codes will be reviewed at the building permit level. This application is for a Special Review as noted above and no other request is being considered with this application. The Planning Division points out that the use and development of the property must be in accordance with the submitted site plan.

FINANCIAL IMPACT

If the special review is approved, the property will be developed at a higher density than allowed by right. This will increase the taxable property value and will increase fees paid to the city based on the R-60 zoning district. Development of this vacant parcel within the city limits will take advantage of existing services that are adjacent to the property supporting the existing investment in city infrastructure.

BACKGROUND

This property received a previous special review conditional approval in 2008 (Special Review 856) for seven, 4-plex multi-family dwellings (28 units). The owner has not acted on this approval since 2008, except for the filing of the Chalice Acres Subdivision to create lots for the 3 existing homes along the Bench Boulevard frontage and this large vacant lot west of those homes. The subdivision provided 2 access easements for the large vacant lot anticipating the construction of the seven 4-plex multi-family dwellings. The owner now contemplates an additional 8 dwelling units and a re-configuration from 4-plex buildings to 9-plex buildings.

Prior to the special review in 2008, another special review was approved for one of the parcels subsumed by the Chalice Acres Subdivision. This special review would have allowed two 10-plex multi-family dwellings (Special Review 767). Since this parcel was integrated into the new subdivision, the owner can no longer act on this special review approval. The City has considered several special review requests for multi-family dwellings in R-60 in Billings Heights since zoning was adopted in 1972. Fourteen applications have been made for this type of development; 3 have been denied and 3 have been withdrawn. Eight applications have been conditionally approved. Four of the 8 have been limited to 4-plex multi-family dwellings. The remaining 4 applications were approved for 5 to 10-plex multi-family dwellings. These 4 applications are located within the Eagle's Nest Subdivision west of Main Street.

This is a special review request to allow 36 dwelling units in four, nine-unit buildings on Lot 4, Block 1 of Chalice Acres Subdivision. The property is approximately 2 acres in area and is located just west of 3 single family dwellings that have frontage on Bench Boulevard. To the west is the Volunteers of America apartment complex that has access to Main Street and is zoned Highway Commercial (HC). The original site plan was lacking in several details such as postal service, solid waste storage and removal, and off-street parking. The re-submitted site

plans show these details, increased the number of off-street parking spaces from 36 to 66, and reduced the number of spaces provided on the private road from 18 to 11. All of the on-street spaces will be located entirely within Lot 4 of Chalice Acres and the remaining areas along the private road will be signed and curbs painted to indicate no parking is allowed. The height of the

proposed 9-plexes has been reduced from 28 feet to 24 feet 9 inches to better match the existing dwelling heights in the area. The site plan show a 6 foot privacy fence (vinyl) along the east and south property lines. The common solid waste storage area is now located between the northern 2 buildings and will have an enclosure. A central mail facility will be located north of Building #4 along the northern leg of the private road. A paved sidewalk will be installed along the southern leg of the private road to provide safe pedestrian access to Bench Boulevard.

The applicant has also provided a landscaping and lighting plan to ensure this amenity is provided for the multi-family development. The applicant has submitted the re-designed site plans and a typical elevation of the proposed 9-unit buildings. The buildings would be 139 feet in length and 56 feet wide. The elevation plan shows 9 tuck-under garages on each front façade with a 2nd story living area above the garage. The proposed roof line is a 3:12 pitch so the roof lines will be similar in height to other dwellings in the area. There are no exterior front entrance doors for each dwelling unit. The elevation plan shows an exterior door on each end of the building to access a common interior hallway.

The applicant states the reason for the special review request is to construct 3-bedroom rental apartments based on a market analysis in Billings Heights. The applicant states the interior entrance from each garage to the living area will be more secure than a front door for each dwelling unit. The site plan shows a private road that loops around from Bench Boulevard. The proposed road is 34 feet in width with an 18-foot concrete apron in front of the garage doors that provides an additional parking space. The off-street parking regulations for the City of Billings require 1.5 parking spaces for each dwelling unit in a multi-family development where 2 or more bedrooms are provided in each unit. The re-designed site plan provides more than 2 parking spaces for each unit (2.1 spaces). Each unit will have 1 garage space and 1 driveway parking space except for Building #4 that has only 3 driveway parking spaces. This building has to meet the required zoning setback to the east property line so 6 of the units will only have a private garage space. There is usable outdoor space around each building. All the buildings have a rear landing/patio area with an adjacent usable lawn area of at least 15 feet with the exception of Building #1. The lawn area north of building #1 is reduced to accommodate the required storm water retention area to the north. There is a larger lawn area to the east and west of Building #1.

STAKEHOLDERS

The Zoning Commission conducted a public hearing on May 5, 2015, and received the staff recommendation and testimony from the applicant, Gene Culver, and his agent, William Smith, P.E.. The Commission received no other testimony. Commission member Mike Boyett made a motion to recommend conditional approval and adoption of the findings of the 3 criteria. The motion was seconded by Commission member Barbara Hawkins. The Commission voted 4 to 0 in favor of the motion.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

Please refer to the Alternatives Analyzed section above for consistency with adopted plans and policies.

RECOMMENDATION

The Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria for Special Review 924 on a 4 to 0 vote.

APPROVED BY CITY ADMINISTRATOR

Attachments

Zoning Map

Site photos

Site Plan and Applicant Letter

Traffic Analysis

Attachment C

Site Photos – Special Review #924



New private road to Lot 4 (south entrance)

Subject Property from Bench Boulevard – south of 1432 Bench Boulevard



View of 1432 Bench from east side of Bench Boulevard

Attachment C, continued
Site Photos – Special Review #924



New private road to Lot 4 (north entrance)

View west to 1442 and 1448 Bench from across Bench Boulevard



View north east across Bench Boulevard

Attachment C, continued
Site Photos – Special Review #924



View south along Bench Boulevard



View south and east across Bench Boulevard

Attachment C, continued
Site Photos – Special Review #924



View west across Bench Blvd to new northern private road entrance



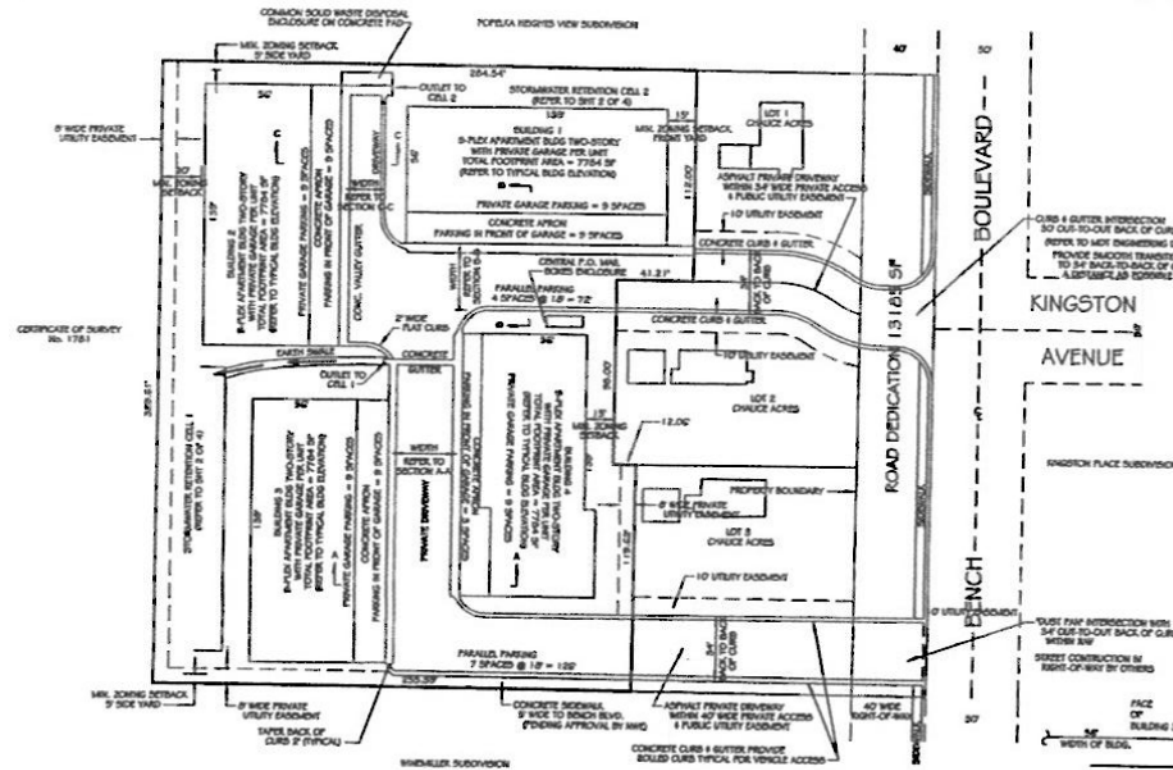
South property line – vinyl fencing, sidewalk and entrance road area

Attachment C, continued
Site Photos – Special Review #924



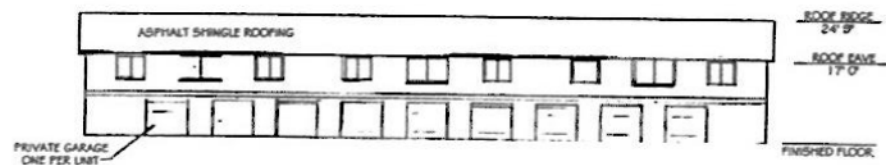
SITE PLAN

FOR
LOT 4 OF CHALICE ACRES SUBDIVISION (LOT AREA: 86,261 SF)
LOCATED IN THE NE 1/4 OF SECTION 22, T1N, R26E, P.M.M.,
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA
PREPARED TO SHOW PROPOSED DEVELOPMENT
OF 4-NINE PLEX RESIDENTIAL APARTMENT BUILDINGS,
IBC OCCUPANCY CLASSIFICATION RESIDENTIAL GROUP R-2

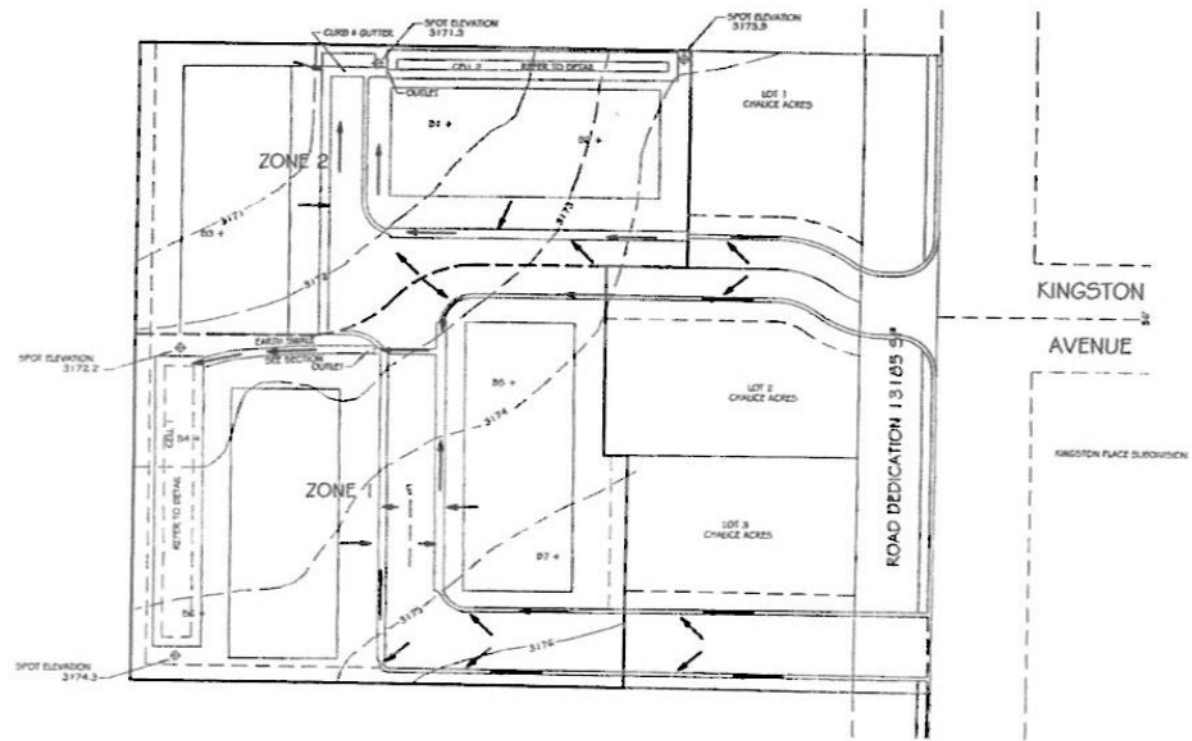


SITE PLAN

SCALE: 1" = 40'

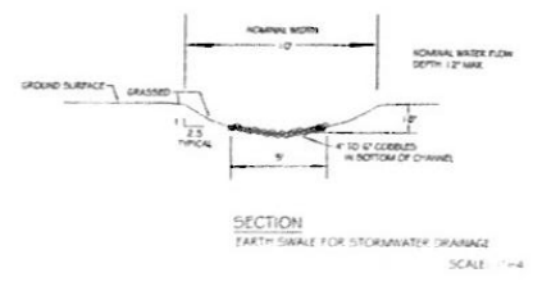


TYPICAL BUILDING FRONT ELEVATION
(SCHEMATIC)



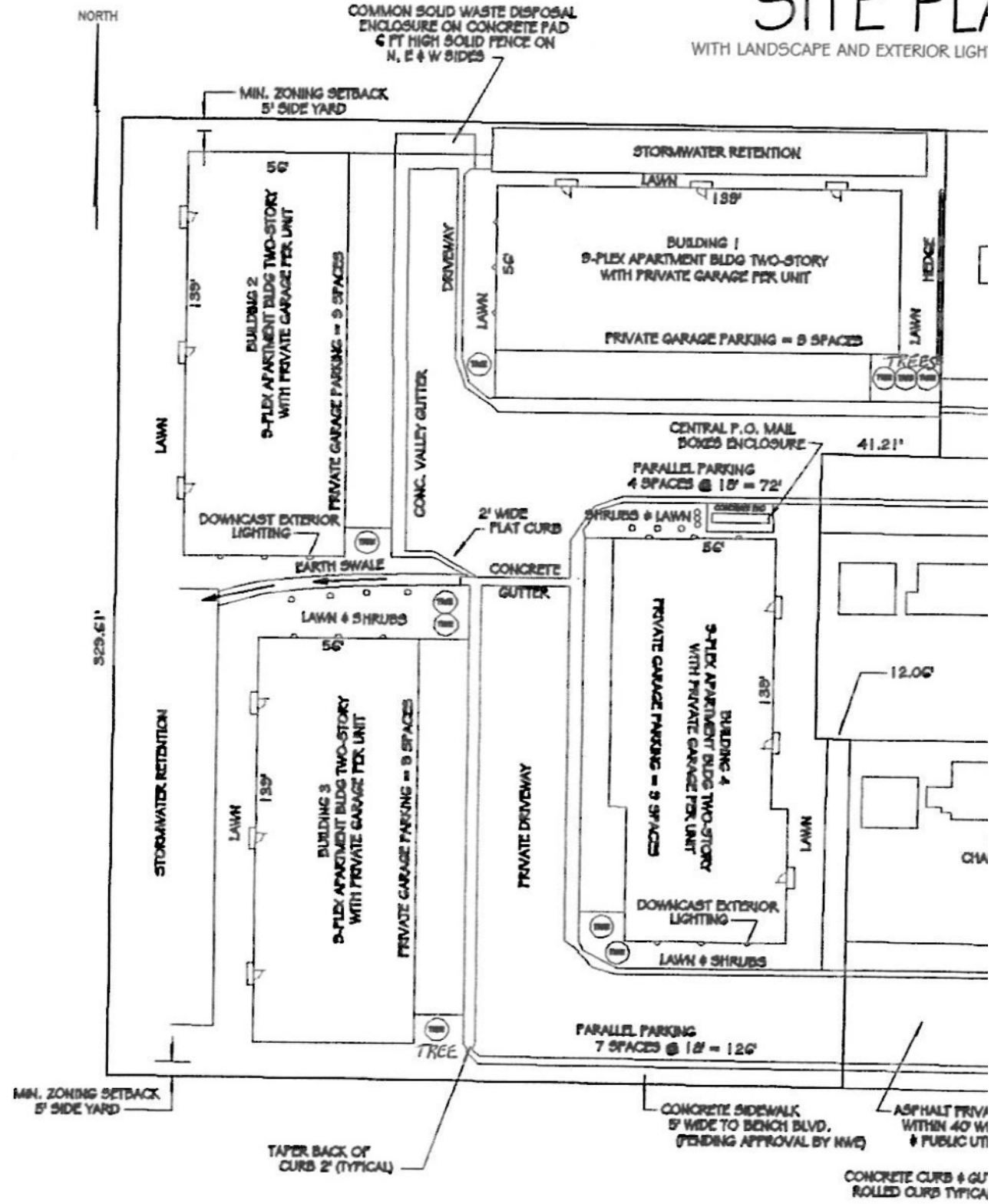
GEOTECHNICAL SOIL INVESTIGATION
BORING LOCATIONS B1-B7 (REFER TO GEOTECH REPORT)

SITE STORMWATER DRAINAGE PLAN
SCALE: 1" = 40'



SITE PLAN

WITH LANDSCAPE AND EXTERIOR LIGHT





OCTAGON

Consulting Engineers, LLC

BIOENERGY • CIVIL • MECHANICAL

April 10, 2015

Nicole Cromwell, AICP
Planning & Community Services Dept.
City of Billings
2825 3rd Ave North, 4th Floor
Billings, MT 59101

Re: City Special Review #924, Project # 15-18:
Submittal of Information for Consideration by Zoning Commission

Dear Nicole:

The following documents are submitted for the Zoning Commission's consideration at their public hearing on Tuesday May 5, 2015:

1. Revised Site Plan and Sections, sheet 1 of 4 (2 copies plotted at 24"x36")
2. Revised Site Plan and Sections, sheet 1 of 4 (2 copies plotted at 11"x17")
3. Revised Stormwater Drainage Plan and Details, sheet 2 of 4 (2 copies plotted at 11"x17")
4. New Site Plan with Landscape and Exterior Lighting Concept, sheet 1-A (2 copies plotted at 11"x17")

(Two full size copies of this enlarged site plan will be provided under separate cover by Monday 4/13 due to technical difficulties with the computer.) *copies included.*

Revisions to the layout previously considered include:

Height of Buildings:

The height of each building will not exceed 24 ft-9inches above the finished first floor slab-on-grade.

Designated Parking Spaces: A total of 77 spaces for residents and guests will be provided as follows: 36 private single car garages plus space for one car in front of 30 garage doors plus 11 parallel parking spaces along the curb of the driveway loop. This averages out to 2.1 vehicle spaces per dwelling.

The parking spaces in front of each garage door were created by moving Buildings 1, 2 and 3, and the south 1/3 of Bldg 4 an additional 6 ft from the curb. The north portion of Bldg 4 could not be moved due to the zoning required setback from west property boundary.

Additional Improvements: Sight obscuring fencing will be constructed adjacent to residential properties along the east and south boundaries; common solid waste collection enclosure located on north boundary between Bldgs 1 & 2; central post office boxes enclosure on concrete pad installed north of Bldg 4; and concrete sidewalk to access Bench Blvd along south boundary will require approval by Northwestern Energy due to their private utility easement along this boundary.

Landscape Plan and lighting concept: The general layout of lawn, shrubs and trees has been depicted on the enlarged site plan. A total of 10 trees have been shown. Down-cast luminaires will be provided over garage doors and on select ends of buildings to provide ambient light for safety of pedestrians at night while minimizing horizontal spread of light beyond this development.

During the previous Zoning Commission public hearing several references were made to the current special review approval on Lot 4 for 28 duplex units. However no details were made clear and no distinct comparisons could be made. The attached table entitled "Comparison of Four Nine-plex Buildings with Approval to Construct Seven Four-plex Buildings" provides a detailed apples-for-

P.O. Box 78 • Emigrant, MT 59027 • (406) 333-9040 • octagon@wisptest.net

Nicole Cromwell, AICP

Re: City Special Review #924, Project # 15-18:

Submittal of Information for Consideration by Zoning Commission

April 10, 2015

page 2 of 2

apples comparison of the two multiple family projects. The objective parameters measured show the two projects to result in nearly equal impacts.

During the City of Billings deliberations of the subdivision application for Chalice Acres Subdivision, the owner/developer of the property expressed their intentions to build a high density multiple-family project on Lot 4. As a result, the R-60 zoning classification was put on the property as part of the subdivision approval to provide the higher density alternatives which are not available with other residential zoning classifications. The original owners of Chalice Acres Subdivision Lots 1, 2 and 3 purchased these lots with full disclosure that a high density multiple family development would be constructed. The special review for 28 duplex units was approved by the City of Billings in 2008 shortly after the Chalice Acres subdivision plat was filed of record. This leads me to believe that the present owners of Lots 1, 2 and 3 purchased their property in full knowledge of the high density multiple-family development on the adjacent lot. This fact should be taken into consideration by the Zoning Commission at the upcoming public hearing.

Gene Culver has discussed the proposed development with the owners of Lots 1 and 2. In addition, we have agreed to meet with the owners to consider their input at their convenience. Gene and I expect to meet with them before the upcoming ZC public hearing pending their schedule.

In summary, the revised design addresses the fundamental concerns raised in the Zoning Commission's first public hearing, and the proposed four nine-plex buildings do not result in any greater impacts than the current approval for 28 duplex units. Therefore, we are confident that the result of a second public hearing will be more favorable toward this project.

Sincerely,



William E Smith, P.E.

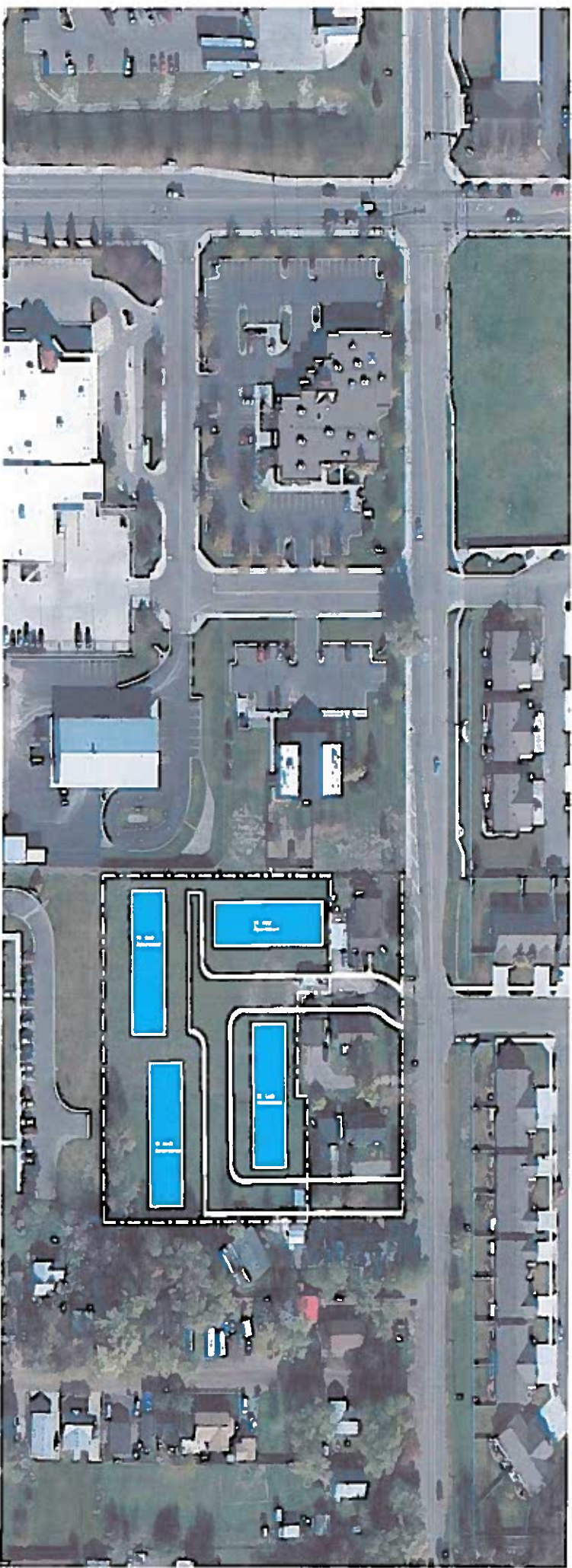
Consulting Engineer

Attachments



Chalice Acres Lot 4
Special Review of Proposed Multiple Family Development
Comparison of Four Nine-plex Buildings with
Current Approval to Construct Seven Four-plex Buildings

<u>Description of Item:</u>	<u>Current Approval</u>	<u>Proposed Special Review</u>
Number of Buildings	7 duplex buildings	4 nine-plex buildings
Number of residential units	28 dwellings	36 dwellings
Proposed floor plan	3 bdrm apts = 28 full basemnt = 28 (could add a bdrm)	3 bdrm apts = 20 2 bdrm apts = 16 full basemnt = 0
Total number of bdrms	(28x3)+ 6 in basemnt = 90	(20x3)+(16x2) = 92
Footprint Dimensions of bldg:		
with garages	(80' x 35')+(2 x 24' x 20')	139' x 56'
w/out garages	95' x 40'	None
Footprint area of bldg		
with garages	5 bldgs @ 3760 sf	4 bldgs @ 7784 sf
w/out garages	2 bldgs @ 3800 sf	
Cumulative total of fp area	26,400 sf	31,136 sf
% coverage of lot by bldgs (Total bldg area ÷ 86,261 sf)	30.6 %	36.1 %
Visual massing of bldgs:		
Along North boundary (over a visual width of 200 lf)	2 bldgs 170 ft end-to-end with one 10 ft gap in that length	1 bldg 139 ft long in that length
Along West boundary (over a visual width of 330 lf)	3 bldgs 260 ft end-to-end with two 10 ft gaps in that length	2 bldgs 305 ft end-to-end with 1 28 ft wide gap in that length
Max distance btwn adjacent bldgs on N & W boundaries	37 ft	36 ft
Clear distance btwn bldgs:		
Across north loop driveway	75 ft	64 ft
Across west loop driveway	67 ft	68 ft
Bldg height	25 ft	25 ft
Parking spaces		
Private garage	20 spaces	36 spaces
In front of unit	36 spaces	30 spaces
Parallel in driveway	9 spaces	11 spaces
Total parking spaces	65 spaces	77 spaces
Average spaces per unit	2.3 per unit	2.1 per unit



TRAFFIC ACCESSIBILITY STUDY

for

Chalice Acres Subdivision Lot 4

Billings, MT

Prepared for

KINCAID LAND, LLC

Prepared by



MARVIN & ASSOCIATES

1300 North Transtech Way
Billings, MT 59102

April 2014

TRAFFIC ACCESSIBILITY STUDY

for

Chalice Acres Subdivision Lot 4

Billings, MT

Prepared for

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Prepared by



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Marvin & Associates

**Chalice Acres Subdivision Lot 4
TRAFFIC ACCESSIBILITY STUDY**

Chalice Acres Subdivision Lot 4 Traffic Accessibility Study

INTRODUCTION

This report summarizes a traffic accessibility study completed for the Chalice Acres Subdivision Lot 4 development in Billings, Montana. The proposed Chalice Acres Lot 4 property is located on the west side of Bench Boulevard approximately 850 feet south of the Wicks Lane and Bench Boulevard intersection (see Figure 1). This property is currently undeveloped and all of the surrounding property is occupied by businesses and residences.

Octagon Engineering prepared a site plan for the developer, Kincaid Land, LLC. The developer retained Marvin & Associates to provide a Traffic Accessibility Study (TAS) after having had discussions with City of Billings Public Works staff. City of Billings staff indicated that the study should focus on the accesses and the key intersection of Wicks Lane and Bench Boulevard. Therefore, this study focuses on the two site accesses and the intersection of Wicks Lane and Bench Boulevard.

The study methodology and analysis procedures within this study employ the latest technology and nationally accepted standards in the area of site development and transportation impact assessment. Recommendations made within this report are based on accepted standards and the professional judgment of the author.

SITE LOCATION & DESCRIPTION

Figure 1 shows the proposed Chalice Acres Lot 4 site plan overlaid on a Google aerial photo. There are two accesses proposed for the Chalice Acres Lot 4 property. The northern access would be aligned to enter Bench Boulevard opposite Kingston Avenue, a local street serving an existing townhouse development. The southern access would be located approximately 180 feet south of Kingston Avenue. There would be a single circulation road within the site that would access the four apartment buildings. Each of the buildings would have 10 apartment units.

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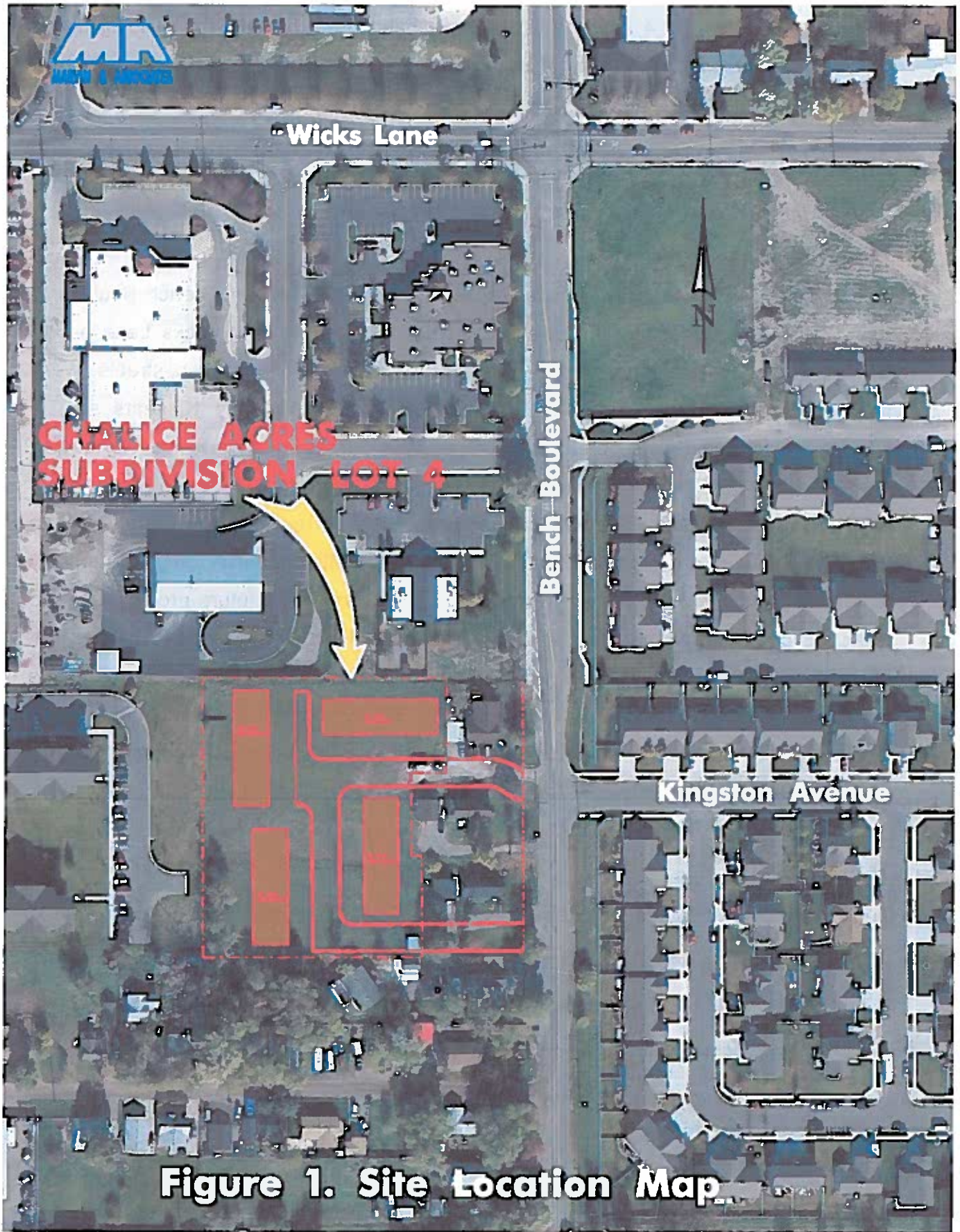


Figure 1. Site Location Map

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The Chalice Acres Lot 4 apartments will have parking in front of each building and it has been assumed that the City of Billings Building Department has or will check that the number of spaces agree with City Building Codes.

EXISTING CONDITIONS

Streets & Intersections

The adjacent and potentially impacted streets are Wicks Lane and Bench Boulevard, along with the intersection of those two streets (see Figure 1). Wicks Lane and a portion of Bench Boulevard, along with the intersection of those two streets, were reconstructed as part of the Walmart development approximately 12 years ago. A project that connected Bench Boulevard to Main Street at 6th Avenue North was constructed in 2012 and reconstruction of Bench Boulevard from Metra to Hilltop Road was completed in 2013. The new connection resulted in redistribution of traffic at the Bench Boulevard and Wicks Lane intersection. Traffic patterns are substantially different than those used to design the original intersection. A future project has also been designed that will reconstruct Bench Boulevard from Hilltop Road to HWY 87 at Main Street, north of Wicks Lane. That project will result in modifications to the Wicks Lane and Bench Boulevard intersection and the typical section all along Bench Boulevard. The future typical section on Bench Boulevard will accommodate two thru lanes with a center two-way left-turn lane with bike lanes on each side of the roadway.

Traffic Volumes

Turning movement counts were taken between 4:30 and 5:45 pm on April 1 and April 2, 2014 at the Wicks Lane and Kingston Avenue intersections with Bench Boulevard. Figure 2, on the following page, illustrates turning movement counts and average weekday traffic (AWT) on the surrounding streets and intersections. AWT volumes in Figure 2 were not counted but were estimated using turning movement counts and daily traffic variation factors from the MDT permanent count station data on Main Street.

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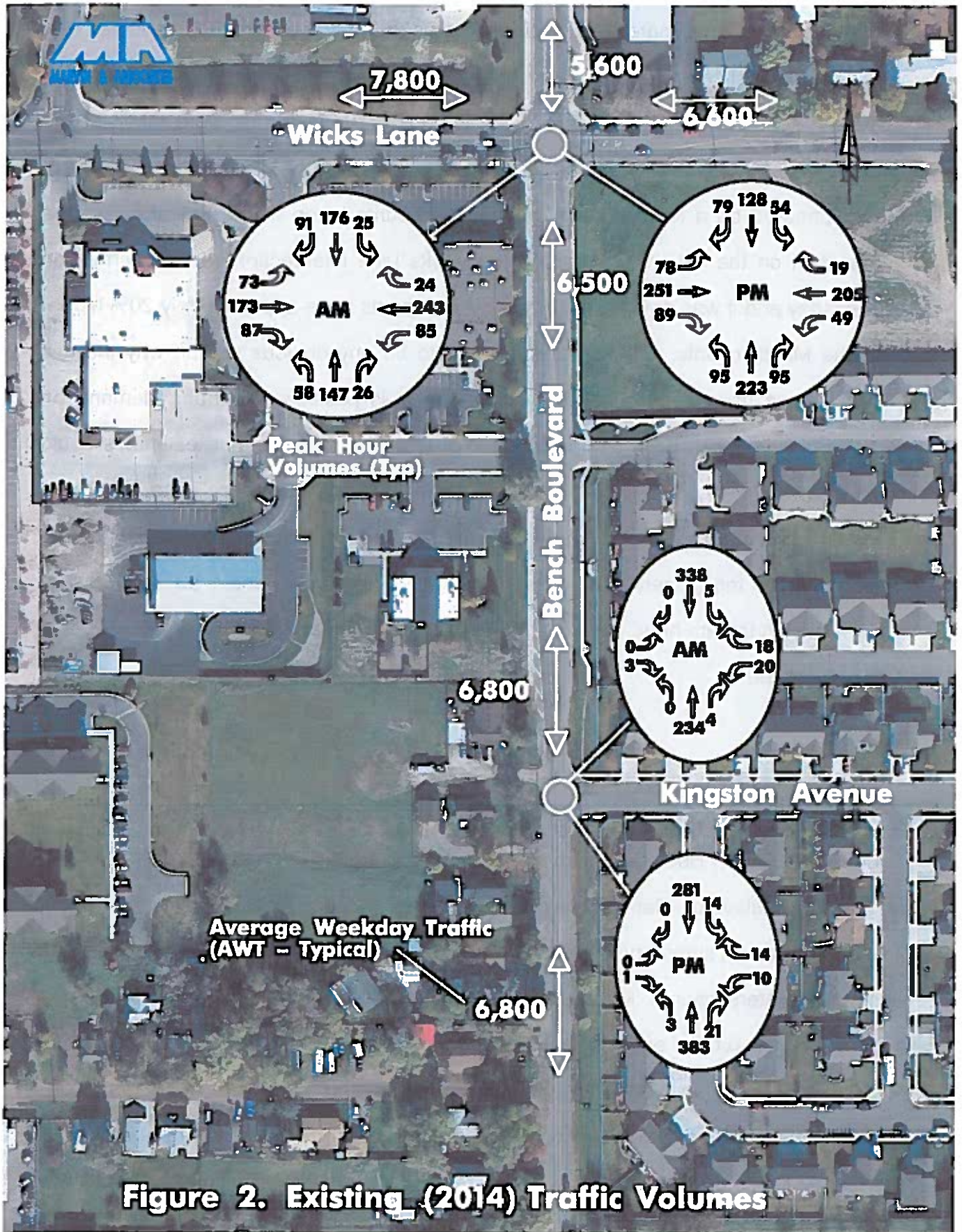


Figure 2. Existing (2014) Traffic Volumes

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The traffic counts are approximately the same as the average peak hour volumes that would be experienced at these intersections over the course of a year, according to the daily and seasonal factors. It should be noted that traffic counts were taken at the intersection of Wicks lane and Bench Boulevard on Thursday March 27, 2014. Since there appeared to be a large imbalance between counts taken at the Kingston Avenue intersection on the following Tuesday, the Wicks lane intersection was recounted on Wednesday and it was determined that the April counts were approximately 20% higher than the March counts. There doesn't appear to be any obvious reason why the two counts should have been substantially different. It is possible that traffic demand on Bench Boulevard can be highly variable. Thus, design hour volume estimates could have a low level of confidence. Peak am hour traffic volumes were calculated using directional splits, historic hourly counts, and a traffic balancing routine. Since the peak pm hour trip generation potential of the development would be substantially greater than in the am hour, it was felt that the cost of performing actual am hour counts was not justified.

Capacity

Capacity calculations were completed for the stop controlled intersection of Kingston Avenue and Bench Boulevard and for the signal controlled intersection of Wicks Lane and Bench Boulevard. Capacity calculations can be found in Appendix A of this report. Table 1 provides a summary of measures of effectiveness (MOEs) for each approach at each of the intersections. MOEs include the control delay in seconds per vehicle, the level of service (LOS), and the volume to capacity (V/C) for each of the intersection approach legs. It can be seen that all of the movements at both of the intersections have a LOS of "B" or better, which indicates that all movements are operating at acceptable levels of service.

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Table 1. Capacity Analysis Summary 2014 Existing Conditions

Intersection	MOE	NB		SB		EB		WB	
<i>Movement Group</i>		L	TR	L	TR	L	TR	L	TR
<i>Bench Boulevard & Wicks Lane Peak AM Hour</i>	Control Delay (s/veh)	10.4	10.9	9.9	11.4	11.2	12.0	11.3	12.1
	LOS	B	B	A	B	B	B	B	B
	V/C Ratio	0.16	0.26	0.06	0.34	0.20	0.35	0.21	0.36
	Queue Length (95%)	2	3	1	4	2	4	2	5
<i>Movement Group</i>		L	TR	L	TR	L	TR	L	TR
<i>Bench Boulevard & Wicks Lane Peak AM Hour</i>	Control Delay (s/veh)	10.8	12.1	10.4	10.9	11.2	12.8	11.0	11.8
	LOS	B	B	B	B	B	B	B	B
	V/C Ratio	0.23	0.45	0.16	0.26	0.20	0.46	0.15	0.30
	Queue Length (95%)	6	6	2	4	3	5	2	4
<i>Movement Group</i>		LTR		LTR		LR		LR	
<i>Kingston Avenue & Bench Boulevard Peak AM Hour</i>	Control Delay (s/veh)	8.0		7.8		10.4		13.3	
	LOS	A		A		B		B	
	V/C Ratio	0.00		0.00		0.01		0.10	
	Queue Length (95%)	0.0		0.0		0.0		0.4	
<i>Movement Group</i>		LTR		LTR		LR		LR	
<i>Kingston Avenue & Bench Boulevard Peak PM Hour</i>	Control Delay (s/veh)	7.9		8.4		9.9		14.6	
	LOS	A		A		B		B	
	V/C Ratio	0.00		0.01		0.00		0.08	
	Queue Length (95%)	0.0		0.0		0.0		0.3	

TRIP GENERATION

Trip generation rates found in the ITE Trip Generation report, Ninth Edition, were evaluated and it was found that these rates could be applied specifically to the type of development being proposed on this site. The ITE Trip Generation Code 220 for Apartments was used with the independent variable for this land-use being the number of apartments (40 units). The following rates and calculations were used:

AWT: $T=6.65(X) = 6.65(40) = 266$ AWT

Peak AM: $T=0.49(X)+3.73 = 0.49(40)+3.73 = 23$ (20% entering)

Peak PM: $T=0.55(X)+17.65 = 0.55(40)+17.65 = 40$ (65% entering)

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The following peak am and pm hour trip generation numbers would apply to the two accesses:

AM Hour:	5 Enter	18 Exit
PM Hour:	26 Enter	14 Exit

In addition to total trip generation numbers, it is sometimes important to know the type of trips to properly evaluate traffic impacts. Some percentage of total trips could be assigned to the pedestrian mode, since there are significant complimentary trip attractors within walking distance of the proposed development. However the total trip generation numbers are so low that any fraction thereof would be irrelevant.

Internal capture trips are of significant importance for certain developments. In this case, it doesn't appear that there would be any significant internal capture trips.

There are also three classifications of trip types related to use of the street system: 1) Primary purpose trips are trips for which the development is a primary destination from any particular origin. 2) Diverted linked trips are trips made to the development as a secondary destination and are diverted from a path between an origin and a primary destination. 3) Passerby trips are also trips made to a development as a secondary destination, but the primary trip path is on the adjacent street system, i.e. stop on the way home from work. For this development, it was assumed that no passerby trips could be considered.

The combination of all trip types results in the net number of new or system added trips. In this case, the net number of trips would equal the total trips as stated above.

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TRIP DISTRIBUTION

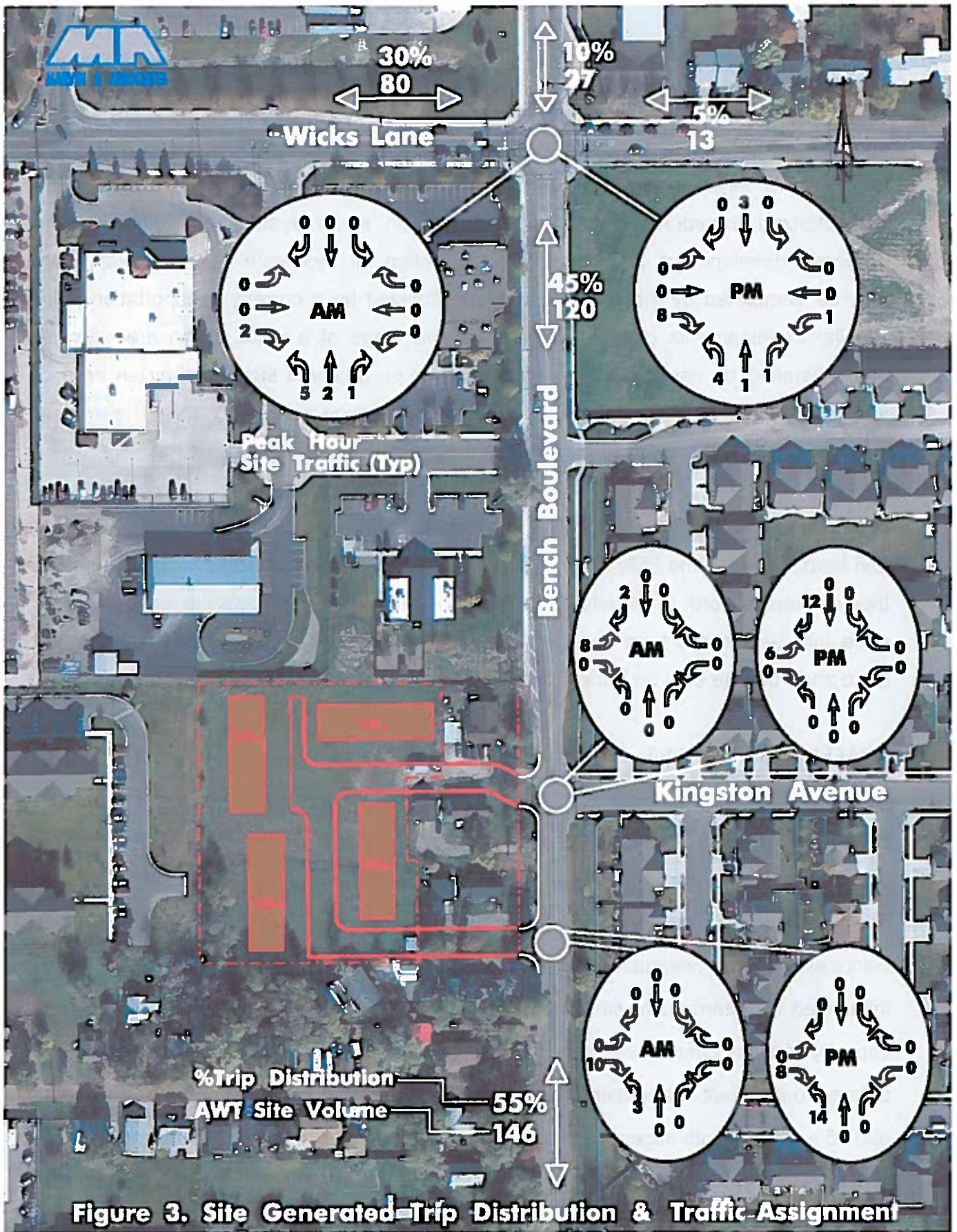
There are various methods of determining the directional distribution of trips to and from site developments and subdivisions. For large and complex developments within the middle of a large urbanized area, the task is best accomplished by creating a computerized transportation model of the urban street system and including the proposed development changes. Trip distribution for moderate sized developments may be completed by manipulation of data provided by a current transportation plan. Smaller developments or developments on the fringe of a small urban area can be easily handled by using existing traffic volumes on adjacent streets or by an area of influence method, or both. In this case, the use of existing traffic patterns at the existing intersections would provide an acceptable means of distributing trips.

The analogy method of trip distribution resulted in an estimated distribution of 45% to and from the north and 55% to and from the south on the Bench Boulevard. Of the 45% trips distributed north of the site, 30% would be directed to and from the west on Wicks Lane with 10% to and from the north on Bench Boulevard and the remaining 5% would be to and from the east on Wicks Lane.

TRAFFIC ASSIGNMENT

Assignment of site traffic to the street system and site access points is normally dependent upon several factors, directional distribution, passerby distribution and operational conditions at the site and on the street system. Directional distribution was discussed in the previous section. Assignment of traffic to the access points is influenced by internal site circulation, number of approaches, internal travel time and capacity of the access movements. In this case, it was determined that travel times and delays would result in approximately 45% of the site traffic assigned to the north access and 55% to the south access, which is directly proportional to the trip distribution.

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Figure 3 shows the percentage trip distribution, average weekday traffic (AWT) assignment, and the peak am and pm hour traffic assignments. It can be seen that in the am and pm hours all of the traffic to and from the north would use the northern approach and all of the site traffic to and from the south would use the southern approach due to the relative travel times and delays associated with each access. In actual operations, there may be vehicles accessing the site using all of the turning movement options for a variety of reasons, but the theoretical demand for those movements shown as zero would not exist based on the site development circulation and access patterns.

TRAFFIC IMPACTS

Traffic Volumes

Figure 4 presents a summary of peak am and pm hour volumes at the access points and on the surrounding street system. The turning movement volumes are calculated by adding the site traffic assignment to existing traffic volumes. Also shown in Figure 4, are the relative percentage increase that site traffic would add to existing AWT volumes. The largest percentages increases would occur on Bench Boulevard adjacent to the proposed development due to access movements into and out of the site. The percentage increase in traffic on Bench Boulevard would only be approximately 2%. Normally traffic counting samples can only estimate average traffic conditions within 10% accuracy and from the two separate counts taken at Wicks and Bench, it appears that traffic volumes can vary by more than 20% in a one week period. Therefore, it can be assumed that the 2% increase could be considered insignificant.

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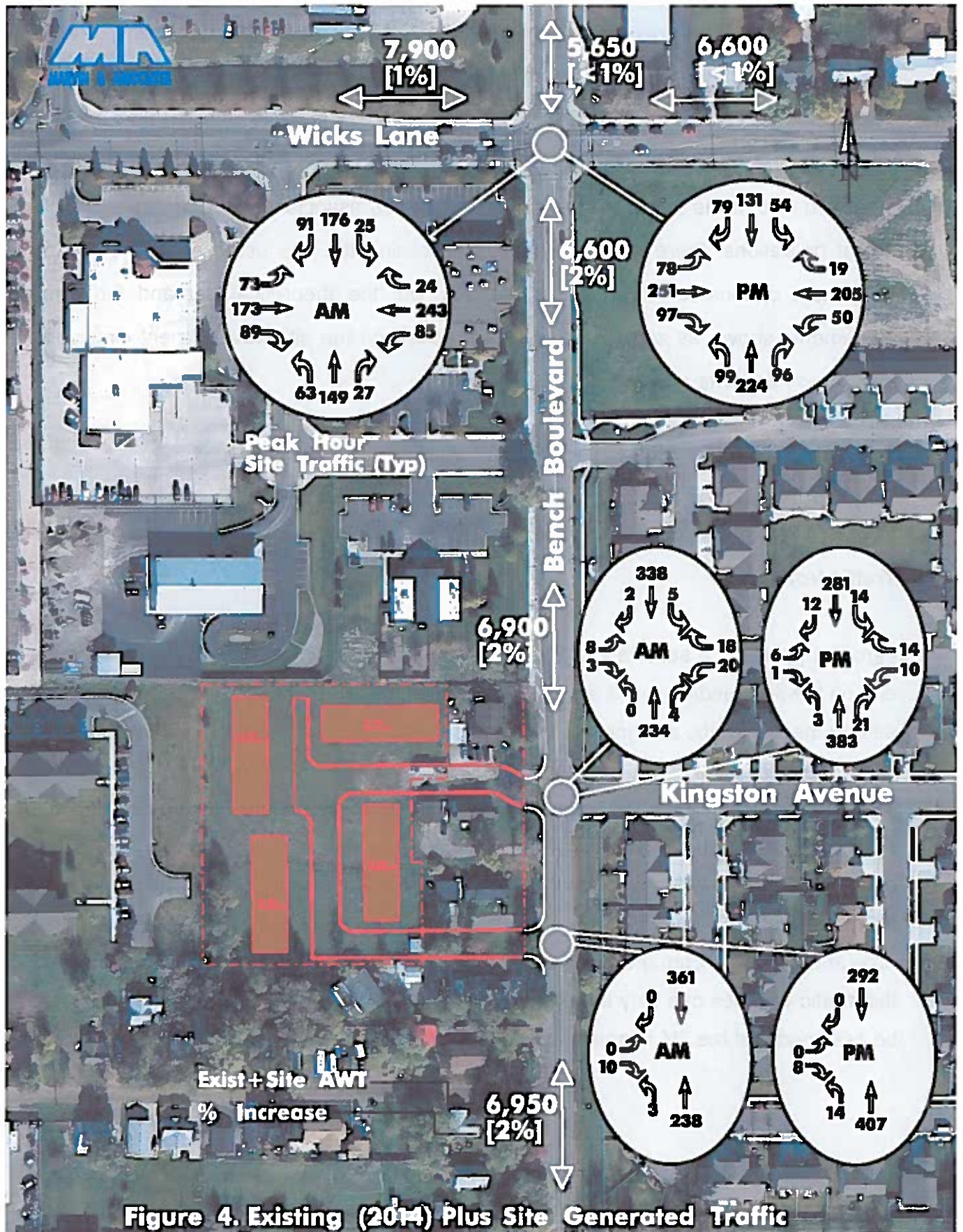


Figure 4. Existing (2014) Plus Site Generated Traffic

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Capacity Impacts

Appendix "B" contains capacity calculations for existing plus site traffic (peak hour) conditions. Table 2 is a summary of capacity impacts at the site accesses and at the intersection of Wicks Lane and Bench Boulevard in the same format as contained in Table 1.

Table 2. Capacity Analysis Summary 2014 Existing Plus Site Traffic

Intersection	MOE	NB		SB		EB		WB	
		L	TR	L	TR	L	TR	L	TR
<i>Movement Group</i>		L	TR	L	TR	L	TR	L	TR
<i>Bench Boulevard & Wicks Lane Peak AM Hour</i>	<i>Control Delay (s/veh)</i>	10.5	10.9	9.9	11.4	11.2	12.1	11.3	12.1
	<i>LOS</i>	B	B	A	B	B	B	B	B
	<i>V/C Ratio</i>	0.17	0.26	0.06	0.34	0.20	0.35	0.21	0.36
	<i>Queue Length (95%)</i>	3	4	1	4	2	4	2	5
<i>Movement Group</i>		L	TR	L	TR	L	TR	L	TR
<i>Bench Boulevard & Wicks Lane Peak AM Hour</i>	<i>Control Delay (s/veh)</i>	10.8	12.1	10.4	10.9	11.2	12.9	11.0	11.8
	<i>LOS</i>	B	B	B	B	B	B	B	B
	<i>V/C Ratio</i>	0.24	0.45	0.16	0.26	0.20	0.47	0.16	0.30
	<i>Queue Length (95%)</i>	5	5	2	4	4	6	2	3
<i>Movement Group</i>		LTR		LTR		LR		LR	
<i>Kingston Avenue & Bench Boulevard Peak AM Hour</i>	<i>Control Delay (s/veh)</i>	8.0		7.8		14.5		13.4	
	<i>LOS</i>	A		A		B		B	
	<i>V/C Ratio</i>	0.00		0.00		0.05		0.10	
	<i>Queue Length (95%)</i>	0.0		0.0		0.2		0.4	
<i>Movement Group</i>		LTR		LTR		LR		LR	
<i>Kingston Avenue & Bench Boulevard Peak PM Hour</i>	<i>Control Delay (s/veh)</i>	7.9		8.4		17.8		14.7	
	<i>LOS</i>	A		A		C		B	
	<i>V/C Ratio</i>	0.00		0.01		0.05		0.08	
	<i>Queue Length (95%)</i>	0.0		0.0		0.2		0.3	
<i>Movement Group</i>		LT				LR			
<i>Southern Site Access & Bench Boulevard Peak AM Hour</i>	<i>Control Delay (s/veh)</i>	8.0				10.7			
	<i>LOS</i>	A				B			
	<i>V/C Ratio</i>	0.00				0.03			
	<i>Queue Length (95%)</i>	0.0				0.1			
<i>Movement Group</i>		LTR				LR			
<i>Southern Site Access & Bench Boulevard Peak PM Hour</i>	<i>Control Delay (s/veh)</i>	7.9				10.1			
	<i>LOS</i>	A				B			
	<i>V/C Ratio</i>	0.01				0.02			
	<i>Queue Length (95%)</i>	0.0				0.1			

In comparing Table 1 to Table 2 it can be seen that all movements at the accesses and intersection would still operate at or above LOS "B". It can also be seen that the addition of site generated traffic to the proposed access at the Kingston Avenue intersection would operate at LOS "C" while the south access would operate at LOS "B". Since none of the MOEs would be impacted to any significant degree, it could be

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concluded that additional traffic generated by the site development would not impact the efficiency of existing traffic operations.

Safety Impacts

In addition to capacity impacts, safety of the proposed site layout and access would be a prime factor in consideration of impacts to the street system. Increased traffic volumes at the access points wouldn't necessarily result in an increased number of accidents due to increased exposure rates. At certain points along the system, usually at intersections, safety concerns are the greatest. From observations of existing conditions, the biggest factor that could be involved with potential safety would be sight distance at the approaches. Since there are no immovable objects that currently obstruct sight distance, the only obstructions would be queued vehicles. Since there are only single lanes in each direction and the capacity calculations indicate that queues will be no more than a single vehicle, conflicts should not exist. Turn lane warrants were examined and it was discovered that the projected traffic volumes would be well under the warranting values.

Pedestrians

Pedestrian access to the site from the public street system is not expected to be significant and the movement of pedestrians between adjacent developments doesn't have the potential to be substantial. Existing pedestrian traffic in the area was minimal with the only pedestrian activity occurring at the intersection of Wicks and Bench.

FUTURE ACCESS OPERATIONS

Consideration of access operations in the future need to be assessed to determine if future traffic increases on the roadway system would change the efficiency of the proposed accesses. Since a future MDT project will widen Bench Boulevard and will provide a continuous center turn-lane, bike lanes and sidewalks, evaluation of future operations assumed that the improvements would be in-place within the next 5 years. Capacity calculations using an annual growth rate of 2% along with the planned typical road section were completed (Appendix C). It was determined that the northern access

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at the intersection of Kingston Avenue would operate at LOS "C" while the southern access would operate at LOS "B". Thus, the planned access should provide acceptable levels of service in future years.

CONCLUSIONS & RECOMMENDATIONS

The proposed subdivision development would generate new vehicular trips on the existing street system. On a daily basis, new traffic on Bench Boulevard would represent an increase of approximately 2% of existing traffic volumes on Bench Boulevard. The proposed accesses to the site property would operate at acceptable levels of service initially and well into the future. Capacity calculations at the existing intersection of Wicks Lane and Bench Boulevard indicate that the proposed site development traffic would not degrade existing levels of service to any substantial degree and additional vehicle queues at that intersection would not impede operations on Bench Boulevard.

The only identifiable development conditions that need to be addressed would be associated with potential safety concerns. The study analysis indicates that no additional measures such as additional traffic lanes are warranted as a mitigation measure. Since the development accesses will be constructed as street approaches, it would be necessary to install stop signs at their intersections with Bench Boulevard. Internally, traffic speeds should be relatively low (20 mph or less). However, the internal curves are 90 degree turns and the line of sight on the inside of those curves could present a safety problem if any permanent structure or landscaping is placed in the corner areas. Therefore, the sight lines on those corners should be maintained (see Figure 5).

Figure 5 shows new driveway locations for two of the three existing residential houses fronting on Bench Boulevard. The existing driveways would be too close to the access streets and the driveway approaches should be moved to the new subdivision streets, as shown.

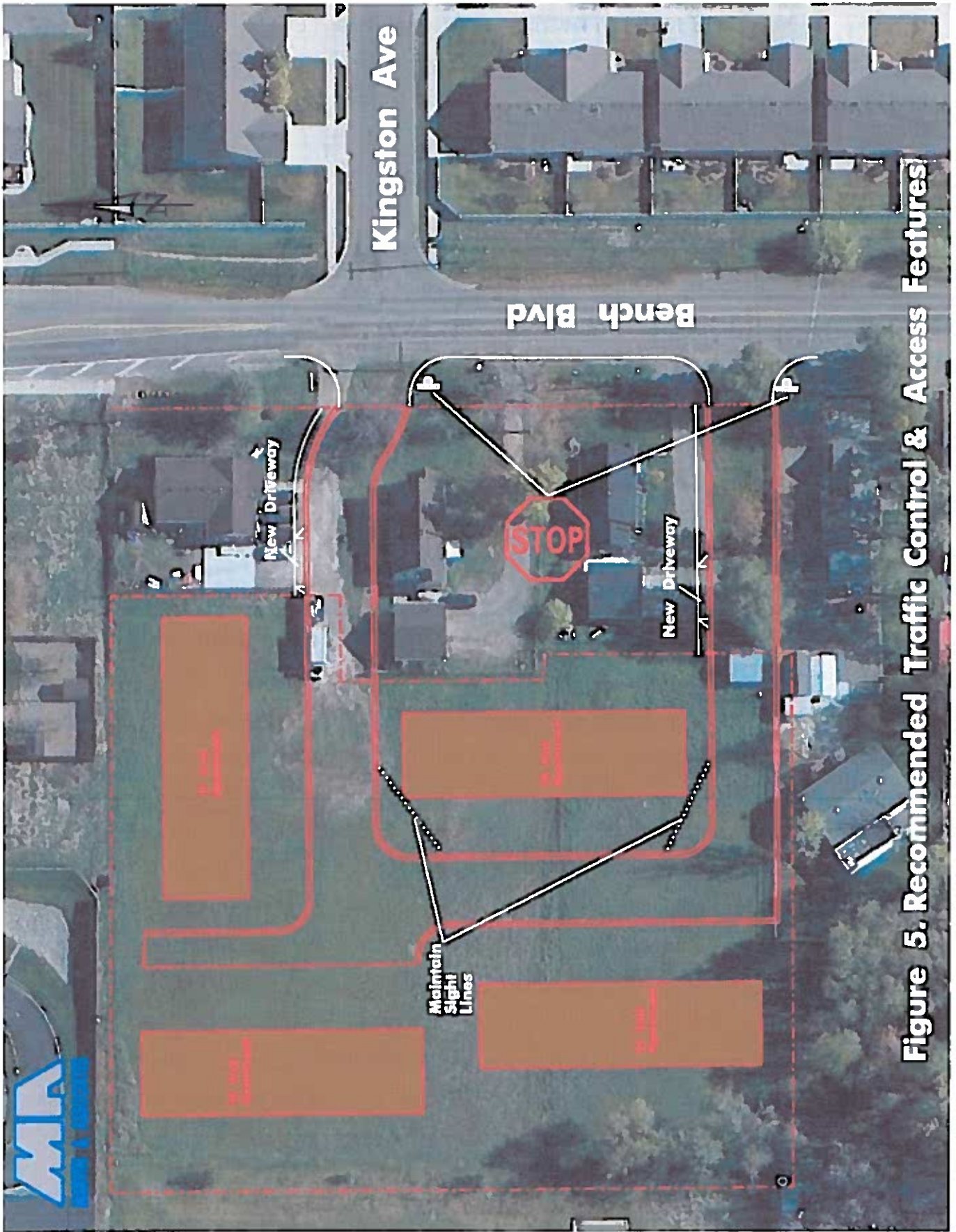


Figure 5. Recommended Traffic Control & Access Features



APPENDIX "A"

Existing Capacity Calculations

HCM Analysis Summary

2014 Existing
R Marvin
AM Hour

Wicks/Bench
4/3/14
Case: Bench Wicks Capacity Exist AM

Area Type: Non CBD
Analysis Duration: 15 mins.

Lanes			Geometry: Movements Serviced by Lane and Lane Widths (feet)											
Approach	Outbound		Lane 1		Lane 2		Lane 3		Lane 4		Lane 5		Lane 6	
EB	2	1	L	12.0	TR	12.0								
WB	2	1	L	12.0	TR	12.0								
NB	2	1	L	12.0	TR	12.0								
SB	2	1	L	12.0	TR	12.0								
Data			East			West			North			South		
			L	T	R	L	T	R	L	T	R	L	T	R
Movement Volume (vph)			73	173	87	85	243	24	58	147	26	25	176	91
PHF			0.86	0.86	0.86	0.91	0.91	0.91	0.80	0.80	0.80	0.87	0.87	0.87
% Heavy Vehicles			0	0	0	0	0	0	0	0	0	0	0	0
Lane Groups			L	TR		L	TR		L	TR		L	TR	
Arrival Type			3	3		3	3		3	3		3	3	
RTOR Vol (vph)			32			8			8			35		
Peds/Hour			5			5			5			5		
% Grade			0			0			0			0		
Buses/Hour			0			0			0			0		
Parkers/Hour (Left Right)			--		--	--		--	--		--	--		--
Signal Settings: Actuated			Operational Analysis				Cycle Length: 60.0 Sec				Lost Time Per Cycle: 9.0 Sec			
Phase:			1	2	3	4	5	6	7	8	Ped Only			
EB			LTP											
WB			LTP											
NB				LTP										
SB				LTP										
Green			25.0	26.0										0
Yellow	All Red		3.5	1.0	3.5	1.0								

Capacity Analysis Results									Approach:	
App	Lane Group	Cap (vph)	v/s Ratio	g/C Ratio	Lane Group	v/c Ratio	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS
EB	L	423	0.084	0.417	L	0.201	11.2	B	11.8	B
	TR	762	0.145	0.417	TR	0.348	12.0	B		
WB	L	441	0.088	0.417	L	0.211	11.3	B	11.9	B
	* TR	784	0.152	0.417	TR	0.364	12.1	B		
NB	L	462	0.068	0.433	L	0.156	10.4	B	10.8	B
	TR	809	0.110	0.433	TR	0.255	10.9	B		
SB	L	515	0.024	0.433	L	0.056	9.9	A	11.2	B
	* TR	793	0.145	0.433	TR	0.335	11.4	B		

NETSIM Summary Results

2014 Existing
R Marvin
AM Hour

Wicks/Bench
4/3/14
Case: Bench Wicks Capacity Exist AM

App	Lane Group	Queues Per Lane Avg/Max (veh)	Average Speed (mph)	Spillback in Worst Lane (% of Peak Period)	
EB	L	1 / 2	10.7	0.0	
	TR	2 / 4	18.4	0.0	
	All		16.9	0.0	
WB	L	1 / 2	15.1	0.0	
	TR	3 / 5	16.7	0.0	
	All		16.5	0.0	
NB	L	1 / 2	9.9	0.0	
	TR	2 / 3	17.9	0.0	
	All		16.0	0.0	
SB	L	0 / 1	12.2	0.0	
	TR	3 / 4	17.1	0.0	
	All		16.7	0.0	
Intersect.			16.5		

HCM Analysis Summary

2014 Existing R Marvin PM Hour			Wicks/Bench 4/3/14 Case: Bench Wicks Capacity Exist PM				Area Type: Non CBD Analysis Duration: 15 mins.								
Lanes			Geometry: Movements Serviced by Lane and Lane Widths (feet)												
	Approach	Outbound	Lane 1		Lane 2		Lane 3		Lane 4		Lane 5		Lane 6		
EB	2	I	L	12.0	TR	12.0									
WB	2	I	L	12.0	TR	12.0									
NB	2	I	L	12.0	TR	12.0									
SB	2	I	L	12.0	TR	12.0									
Data				East			West			North			South		
				L	T	R	L	T	R	L	T	R	L	T	R
Movement Volume (vph)				78	251	89	49	205	19	95	223	95	54	128	79
PHF				0.86	0.86	0.86	0.91	0.91	0.91	0.80	0.80	0.80	0.87	0.87	0.87
% Heavy Vehicles				0	0	0	0	0	0	0	0	0	0	0	0
Lane Groups				L	TR		L	TR		L	TR		L	TR	
Arrival Type				3	3		3	3		3	3		3	3	
RTOR Vol (vph)				36			6			32			31		
Peds/Hour				5			5			5			5		
% Grade				0			0			0			0		
Buses/Hour				0			0			0			0		
Parkers/Hour (Left Right)				---		---	---		---	---		---	---		---
Signal Settings: Actuated		Operational Analysis					Cycle Length: 60.0 Sec				Lost Time Per Cycle: 9.0 Sec				
Phase:		1	2	3	4	5	6	7	8	Ped Only					
EB		LTP													
WB		LTP													
NB			LTP												
SB			LTP												
Green		25.0	26.0												0
Yellow	All Red	3.5	1.0	3.5	1.0										

Capacity Analysis Results										Approach:	
App	Lane Group	Cap (vph)	v/s Ratio	g/C Ratio	Lane Group	v/c Ratio	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS	
EB	L	465	0.082	0.417	L	0.196	11.2	B	12.5	B	
	* TR	770	0.192	0.417	TR	0.460	12.8	B			
WB	L	363	0.062	0.417	L	0.149	11.0	B	11.6	B	
	TR	785	0.127	0.417	TR	0.304	11.8	B			
NB	L	517	0.100	0.433	L	0.230	10.8	B	11.8	B	
	* TR	795	0.195	0.433	TR	0.450	12.1	B			
SB	L	381	0.071	0.433	L	0.163	10.4	B	10.8	B	
	TR	789	0.111	0.433	TR	0.256	10.9	B			

NETSIM Summary Results

2014 Existing
R Marvin
PM Hour

Wicks/Bench
4/3/14
Case: Bench Wicks Capacity Exist PM

App	Lane Group	Queues Per Lane Avg/Max (veh)	Average Speed (mph)	Spillback in Worst Lane (% of Peak Period)	
EB	L	1 / 3	11.1	0.0	
	TR	4 / 5	17.6	0.0	
	All		16.5	0.0	
WB	L	1 / 2	8.9	0.0	
	TR	2 / 4	18.2	0.0	
	All		17.0	0.0	
NB	L	2 / 6	7.8	0.0	
	TR	3 / 6	16.2	0.0	
	All		14.2	0.0	
SB	L	1 / 2	9.6	0.0	
	TR	2 / 4	18.7	0.0	
	All		16.9	0.0	
Intersect.			15.8		

TWO-WAY STOP CONTROL SUMMARY

General Information			Site Information					
Analyst	R Marvin		Intersection	Bench & Kingston				
Agency/Co.	Marvin Associates		Jurisdiction	City of Billings				
Date Performed	4/2/2014		Analysis Year	2014 Existing				
Analysis Time Period	Peak AM							
Project Description Chalice Acres Sub Lot 4								
East/West Street: Kingston Avenue			North/South Street: Bench Boulevard					
Intersection Orientation: North-South			Study Period (hrs): 0.25					
Vehicle Volumes and Adjustments								
Major Street	Northbound			Southbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)	0	234	4	5	338	0		
Peak-Hour Factor, PHF	0.81	0.81	0.81	0.89	0.89	1.00		
Hourly Flow Rate, HFR (veh/h)	0	288	4	5	379	0		
Percent Heavy Vehicles	0	--	--	0	--	--		
Median Type	Undivided							
RT Channelized			0			0		
Lanes	0	1	0	0	1	0		
Configuration	LTR			LTR				
Upstream Signal		0			0			
Minor Street	Eastbound			Westbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	0		3	20		18		
Peak-Hour Factor, PHF	0.50	1.00	0.50	0.75	1.00	0.75		
Hourly Flow Rate, HFR (veh/h)	0	0	6	26	0	24		
Percent Heavy Vehicles	0	0	0	0	0	0		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	0	0	0	0	0		
Configuration	LR			LR				
Delay, Queue Length, and Level of Service								
Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	LTR	LTR	LR			LR		
v (veh/h)	0	5	50			6		
C (m) (veh/h)	1191	1281	482			672		
v/c	0.00	0.00	0.10			0.01		
95% queue length	0.00	0.01	0.35			0.03		
Control Delay (s/veh)	8.0	7.8	13.3			10.4		
LOS	A	A	B			B		
Approach Delay (s/veh)	--	--	13.3			10.4		
Approach LOS	--	--	B			B		

TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	R Marvin			Intersection	Bench & Kingston		
Agency/Co.	Marvin Associates			Jurisdiction	City of Billings		
Date Performed	4/2/2014			Analysis Year	2014 Existing		
Analysis Time Period	Peak PM						
Project Description Chalice Acres Sub Lot 4							
East/West Street: Kingston Avenue				North/South Street: Bench Boulevard			
Intersection Orientation: North-South				Study Period (hrs): 0.25			
Vehicle Volumes and Adjustments							
Major Street	Northbound			Southbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)	3	383	21	14	281	0	
Peak-Hour Factor, PHF	0.81	0.81	0.81	0.89	0.89	0.89	
Hourly Flow Rate, HFR (veh/h)	3	472	25	15	315	0	
Percent Heavy Vehicles	0	--	--	0	--	--	
Median Type	Undivided						
RT Channelized			0			0	
Lanes	0	1	0	0	1	0	
Configuration	LTR			LTR			
Upstream Signal		0			0		
Minor Street	Eastbound			Westbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)	0		1	10		14	
Peak-Hour Factor, PHF	0.50	1.00	0.50	0.75	1.00	0.75	
Hourly Flow Rate, HFR (veh/h)	0	0	2	13	0	18	
Percent Heavy Vehicles	0	0	0	0	0	0	
Percent Grade (%)	0			0			
Flared Approach		N			N		
Storage		0			0		
RT Channelized			0			0	
Lanes	0	0	0	0	0	0	
Configuration		LR			LR		
Delay, Queue Length, and Level of Service							
Approach	Northbound	Southbound	Westbound			Eastbound	
Movement	1	4	7	8	9	10	11
						12	
Lane Configuration	LTR	LTR	LR			LR	
v (veh/h)	3	15	31			2	
C (m) (veh/h)	1257	1077	406			730	
v/c	0.00	0.01	0.08			0.00	
95% queue length	0.01	0.04	0.25			0.01	
Control Delay (s/veh)	7.9	8.4	14.6			9.9	
LOS	A	A	B			A	
Approach Delay (s/veh)	--	--	14.6			9.9	
Approach LOS	--	--	B			A	

APPENDIX "B"

Existing Plus Site Traffic Capacity Calculations

HCM Analysis Summary

2014 Existing Plus Site
R Marvin
AM Hour

Wicks/Bench
4/3/14
Case: Bench Wicks Capacity Exist Plus AM

Area Type: Non CBD
Analysis Duration: 15 mins.

Lanes			Geometry: Movements Served by Lane and Lane Widths (feet)											
	Approach	Outbound	Lane 1		Lane 2		Lane 3		Lane 4		Lane 5		Lane 6	
EB	2	1	L	12.0	TR	12.0								
WB	2	1	L	12.0	TR	12.0								
NB	2	1	L	12.0	TR	12.0								
SB	2	1	L	12.0	TR	12.0								
Data	Fast			West			North			South				
	L	T	R	L	T	R	L	T	R	L	T	R		
Movement Volume (vph)	73	173	89	85	243	24	63	149	27	25	176	91		
PHF	0.86	0.86	0.86	0.91	0.91	0.91	0.80	0.80	0.80	0.87	0.87	0.87		
% Heavy Vehicles	0	0	0	0	0	0	0	0	0	0	0	0		
Lane Groups	L	TR		L	TR		L	TR		L	TR			
Arrival Type	3	3		3	3		3	3		3	3			
RTOR Vol (vph)	32			8			8			35				
Peds/Hour	5			5			5			5				
% Grade	0			0			0			0				
Buses/Hour	0			0			0			0				
Parkers/Hour (Left Right)	---		---		---		---		---		---			
Signal Settings: Actuated		Operational Analysis				Cycle Length: 60.0 Sec				Lost Time Per Cycle: 9.0 Sec				
Phase:	1	2	3	4	5	6	7	8	Ped Only					
EB	LTP													
WB	LTP													
NB		LTP												
SB		LTP												
Green	25.0	26.0										0		
Yellow	All Red	3.5	1.0	3.5	1.0									

Capacity Analysis Results									Approach:	
App	Lane Group	Cap (vph)	v/s Ratio	g/C Ratio	Lane Group	v/c Ratio	Delay (sec/veh)	LOS	Delay (sec/veh)	LOS
EB	L	423	0.084	0.417	L	0.201	11.2	B	11.9	B
	TR	761	0.146	0.417	TR	0.351	12.1	B		
WB	L	439	0.088	0.417	L	0.212	11.3	B	11.9	B
	* TR	784	0.152	0.417	TR	0.364	12.1	B		
NB	L	462	0.074	0.433	L	0.171	10.5	B	10.8	B
	TR	809	0.113	0.433	TR	0.260	10.9	B		
SB	L	514	0.024	0.433	L	0.056	9.9	A	11.2	B
	* TR	793	0.145	0.433	TR	0.335	11.4	B		

NETSIM Summary Results

2014 Existing Plus Site
R Marvin
AM Hour

Wicks/Bench
4/3/14
Case: Bench Wicks Capacity Exist Plus AM

App	Lane Group	Queues Per Lane Avg/Max (veh)	Average Speed (mph)	Spillback in Worst Lane (% of Peak Period)	
EB	L	1 / 2	10.4	0.0	
	TR	3 / 4	18.1	0.0	
	All		16.6	0.0	
WB	L	1 / 2	14.6	0.0	
	TR	3 / 5	16.6	0.0	
	All		16.4	0.0	
NB	L	1 / 3	7.5	0.0	
	TR	2 / 4	18.8	0.0	
	All		15.5	0.0	
SB	L	0 / 1	12.3	0.0	
	TR	3 / 4	17.2	0.0	
	All		16.8	0.0	
Intersect.			16.3		

HCM Analysis Summary

2014 Existing Plus Site
R Marvin
PM Hour

Wicks/Bench
4/3/14
Case: Bench Wicks Capacity Exist Plus PM

Area Type: Non CBD
Analysis Duration: 15 mins.

Geometry: Movements Serviced by Lane and Lane Widths (feet)

Lanes			Geometry: Movements Serviced by Lane and Lane Widths (feet)											
Approach	Outbound		Lane 1		Lane 2		Lane 3		Lane 4		Lane 5		Lane 6	
EB	2	1	L	12.0	TR	12.0								
WB	2	1	L	12.0	TR	12.0								
NB	2	1	L	12.0	TR	12.0								
SB	2	1	L	12.0	TR	12.0								
Data			East			West			North			South		
			L	T	R	L	T	R	L	T	R	L	T	R
Movement Volume (vph)			78	251	97	50	205	19	99	224	96	54	131	79
PHF			0.86	0.86	0.86	0.91	0.91	0.91	0.80	0.80	0.80	0.87	0.87	0.87
% Heavy Vehicles			0	0	0	0	0	0	0	0	0	0	0	0
Lane Groups			L	TR		L	TR		L	TR		L	TR	
Arrival Type			3	3		3	3		3	3		3	3	
RTOR Vol (vph)			36			6			32			31		
Peds/Hour			5			5			5			5		
% Grade			0			0			0			0		
Buses/Hour			0			0			0			0		
Parkers/Hour (Left Right)			---		---	---		---		---		---		---
Signal Settings: Actuated			Operational Analysis				Cycle Length: 60.0 Sec				Lost Time Per Cycle: 9.0 Sec			
Phase:			1	2	3	4	5	6	7	8	Ped Only			
EB			LTP											
WB			LTP											
NB			LTP											
SB			LTP											
Green			25.0	26.0										0
Yellow All Red			3.5	1.0	3.5	1.0								

Capacity Analysis Results

App	Lane Group	Cap (vph)	v/s Ratio	g/C Ratio	Lane Group	v/c Ratio	Delay (sec/veh)	LOS	Approach:	
									Delay (sec/veh)	LOS
EB	L	465	0.082	0.417	L	0.196	11.2	B	12.5	B
	* TR	767	0.197	0.417	TR	0.473	12.9	B		
WB	L	355	0.065	0.417	L	0.155	11.0	B	11.6	B
	TR	785	0.127	0.417	TR	0.304	11.8	B		
NB	L	515	0.104	0.433	L	0.241	10.8	B	11.8	B
	* TR	795	0.196	0.433	TR	0.453	12.1	B		
SB	L	379	0.071	0.433	L	0.164	10.4	B	10.8	B
	TR	789	0.113	0.433	TR	0.261	10.9	B		

NETSIM Summary Results

2014 Existing Plus Site
R Marvin
PM Hour

Wicks/Bench
4/3/14
Case: Bench Wicks Capacity Exist Plus PM

App	Lane Group	Queues Per Lane Avg/Max (veh)	Average Speed (mph)	Spillback in Worst Lane (% of Peak Period)	
EB	L	1 / 4	9.5	0.0	
	TR	4 / 6	17.2	0.0	
	All		15.9	0.0	
WB	L	1 / 2	7.6	0.0	
	TR	2 / 3	18.0	0.0	
	All		16.5	0.0	
NB	L	1 / 5	9.7	0.0	
	TR	3 / 5	17.4	0.0	
	All		15.8	0.0	
SB	L	1 / 2	10.1	0.0	
	TR	2 / 4	18.4	0.0	
	All		16.8	0.0	
Intersect.			16.1		

TWO-WAY STOP CONTROL SUMMARY

General Information			Site Information				
Analyst	R Marvin		Intersection	Bench & Kingston			
Agency/Co.	Marvin Associates		Jurisdiction	City of Billings			
Date Performed	4/2/2014		Analysis Year	2014 Existing Plus Site			
Analysis Time Period	Peak AM						
Project Description Chalice Acres Sub Lot 4							
East/West Street: Kingston Avenue			North/South Street: Bench Boulevard				
Intersection Orientation: North-South			Study Period (hrs): 0.25				
Vehicle Volumes and Adjustments							
Major Street	Northbound			Southbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)	0	234	4	5	338	2	
Peak-Hour Factor, PHF	0.81	0.81	0.81	0.89	0.89	0.89	
Hourly Flow Rate, HFR (veh/h)	0	288	4	5	379	2	
Percent Heavy Vehicles	0	--	--	0	--	--	
Median Type	Undivided						
RT Channelized			0			0	
Lanes	0	1	0	0	1	0	
Configuration	LTR			LTR			
Upstream Signal		0			0		
Minor Street	Eastbound			Westbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)	8		3	20		18	
Peak-Hour Factor, PHF	0.50	1.00	0.50	0.75	1.00	0.75	
Hourly Flow Rate, HFR (veh/h)	16	0	6	26	0	24	
Percent Heavy Vehicles	0	0	0	0	0	0	
Percent Grade (%)	0			0			
Flared Approach		N			N		
Storage		0			0		
RT Channelized			0			0	
Lanes	0	0	0	0	0	0	
Configuration		LR			LR		
Delay, Queue Length, and Level of Service							
Approach	Northbound	Southbound	Westbound			Eastbound	
Movement	1	4	7	8	9	10	11
Lane Configuration	LTR	LTR		LR			LR
v (veh/h)	0	5		50			22
C (m) (veh/h)	1189	1281		481			401
v/c	0.00	0.00		0.10			0.05
95% queue length	0.00	0.01		0.35			0.17
Control Delay (s/veh)	8.0	7.8		13.4			14.5
LOS	A	A		B			B
Approach Delay (s/veh)	--	--		13.4			14.5
Approach LOS	--	--		B			B

TWO-WAY STOP CONTROL SUMMARY

General Information			Site Information				
Analyst	R Marvin		Intersection	Bench & Kingston			
Agency/Co.	Marvin Associates		Jurisdiction	City of Billings			
Date Performed	4/2/2014		Analysis Year	2014 Existing Plus			
Analysis Time Period	Peak PM						
Project Description <i>Chalice Acres Sub Lot 4</i>							
East/West Street: <i>Kingston Avenue</i>			North/South Street: <i>Bench Boulevard</i>				
Intersection Orientation: <i>North-South</i>			Study Period (hrs): <i>0.25</i>				
Vehicle Volumes and Adjustments							
Major Street	Northbound			Southbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)	3	383	21	14	281	12	
Peak-Hour Factor, PHF	0.81	0.81	0.81	0.89	0.89	0.89	
Hourly Flow Rate, HFR (veh/h)	3	472	25	15	315	13	
Percent Heavy Vehicles	0	--	--	0	--	--	
Median Type	<i>Undivided</i>						
RT Channelized			0			0	
Lanes	0	1	0	0	1	0	
Configuration	<i>LTR</i>			<i>LTR</i>			
Upstream Signal		0			0		
Minor Street	Eastbound			Westbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)	6		1	10		14	
Peak-Hour Factor, PHF	0.50	1.00	0.50	0.75	1.00	0.75	
Hourly Flow Rate, HFR (veh/h)	12	0	2	13	0	18	
Percent Heavy Vehicles	0	0	0	0	0	0	
Percent Grade (%)	0			0			
Flared Approach		<i>N</i>			<i>N</i>		
Storage		0			0		
RT Channelized			0			0	
Lanes	0	0	0	0	0	0	
Configuration		<i>LR</i>			<i>LR</i>		
Delay, Queue Length, and Level of Service							
Approach	Northbound	Southbound	Westbound			Eastbound	
Movement	1	4	7	8	9	10	11
Lane Configuration	<i>LTR</i>	<i>LTR</i>		<i>LR</i>			<i>LR</i>
v (veh/h)	3	15		31			14
C (m) (veh/h)	1243	1077		403			296
v/c	0.00	0.01		0.08			0.05
95% queue length	0.01	0.04		0.25			0.15
Control Delay (s/veh)	7.9	8.4		14.7			17.8
LOS	<i>A</i>	<i>A</i>		<i>B</i>			<i>C</i>
Approach Delay (s/veh)	--	--		14.7			17.8
Approach LOS	--	--		<i>B</i>			<i>C</i>

TWO-WAY STOP CONTROL SUMMARY

General Information			Site Information					
Analyst	R Marvin		Intersection	South Access & Bench				
Agency/Co.	Marvin Associates		Jurisdiction	City of Billings				
Date Performed	4/3/2014		Analysis Year	2014 Existing Plus Site				
Analysis Time Period	Peak AM							
Project Description <i>Chalice Acres Sub Lot 4</i>								
East/West Street: <i>Southern Access</i>			North/South Street: <i>Bench Blvd</i>					
Intersection Orientation: <i>North-South</i>			Study Period (hrs): <i>0.25</i>					
Vehicle Volumes and Adjustments								
Major Street	Northbound			Southbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)	3	238			361	0		
Peak-Hour Factor, PHF	0.90	0.90	1.00	1.00	0.90	0.90		
Hourly Flow Rate, HFR (veh/h)	3	264	0	0	401	0		
Percent Heavy Vehicles	0	--	--	0	--	--		
Median Type	<i>Undivided</i>							
RT Channelized			0			0		
Lanes	0	1	0	0	1	0		
Configuration	<i>LT</i>					<i>TR</i>		
Upstream Signal		0			0			
Minor Street	Eastbound			Westbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	0		10					
Peak-Hour Factor, PHF	0.50	1.00	0.50	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	0	0	20	0	0	0		
Percent Heavy Vehicles	0	0	0	0	0	0		
Percent Grade (%)	0			0				
Flared Approach		<i>N</i>			<i>N</i>			
Storage		0			0			
RT Channelized			0			0		
Lanes	0	0	0	0	0	0		
Configuration		<i>LR</i>						
Delay, Queue Length, and Level of Service								
Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	<i>LT</i>						<i>LR</i>	
v (veh/h)	3						20	
C (m) (veh/h)	1169						653	
v/c	0.00						0.03	
95% queue length	0.01						0.09	
Control Delay (s/veh)	8.1						10.7	
LOS	<i>A</i>						<i>B</i>	
Approach Delay (s/veh)	--	--					10.7	
Approach LOS	--	--					<i>B</i>	

TWO-WAY STOP CONTROL SUMMARY							
General Information				Site Information			
Analyst	R Marvin			Intersection	South Access & Bench		
Agency/Co.	Marvin Associates			Jurisdiction	City of Billings		
Date Performed	4/3/2014			Analysis Year	2014 Existing Plus Site		
Analysis Time Period	Peak PM						
Project Description Chalice Acres Sub Lot 4							
East/West Street: Southern Access				North/South Street: Bench Blvd			
Intersection Orientation: North-South				Study Period (hrs): 0.25			
Vehicle Volumes and Adjustments							
Major Street	Northbound			Southbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)	14	407			292	0	
Peak-Hour Factor, PHF	0.92	0.92	1.00	1.00	0.90	0.90	
Hourly Flow Rate, HFR (veh/h)	15	442	0	0	324	0	
Percent Heavy Vehicles	0	--	--	0	--	--	
Median Type	Undivided						
RT Channelized			0				0
Lanes	0	1	0	0	1		0
Configuration	LT						TR
Upstream Signal		0			0		
Minor Street	Eastbound			Westbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)	0		8				
Peak-Hour Factor, PHF	0.50	1.00	0.50	1.00	1.00	1.00	
Hourly Flow Rate, HFR (veh/h)	0	0	16	0	0	0	
Percent Heavy Vehicles	0	0	0	0	0	0	
Percent Grade (%)		0			0		
Flared Approach		N			N		
Storage		0			0		
RT Channelized			0				0
Lanes	0	0	0	0	0		0
Configuration		LR					
Delay, Queue Length, and Level of Service							
Approach	Northbound	Southbound	Westbound			Eastbound	
Movement	1	4	7	8	9	10	11 12
Lane Configuration	LT						LR
v (veh/h)	15						16
C (m) (veh/h)	1247						722
v/c	0.01						0.02
95% queue length	0.04						0.07
Control Delay (s/veh)	7.9						10.1
LOS	A						B
Approach Delay (s/veh)	--	--					10.1
Approach LOS	--	--					B

APPENDIX "C"

Future Conditions Capacity at Accesses

TWO-WAY STOP CONTROL SUMMARY

General Information				Site Information			
Analyst	R Marvin			Intersection	Bench & Kingston		
Agency/Co.	Marvin Associates			Jurisdiction	City of Billings		
Date Performed	4/2/2014			Analysis Year	Year 2020 Conditions		
Analysis Time Period	Peak PM						
Project Description Chalice Acres Sub Lot 4							
East/West Street: Kingston Avenue				North/South Street: Bench Boulevard			
Intersection Orientation: North-South				Study Period (hrs): 0.25			
Vehicle Volumes and Adjustments							
Major Street	Northbound			Southbound			
Movement	1	2	3	4	5	6	
	L	T	R	L	T	R	
Volume (veh/h)	3	435	21	16	320	12	
Peak-Hour Factor, PHF	0.83	0.83	0.83	0.91	0.91	0.91	
Hourly Flow Rate, HFR (veh/h)	3	524	25	17	351	13	
Percent Heavy Vehicles	0	--	--	0	--	--	
Median Type	Undivided						
RT Channelized			0			0	
Lanes	1	1	0	1	1	0	
Configuration	L		TR	L		TR	
Upstream Signal		0			0		
Minor Street	Eastbound			Westbound			
Movement	7	8	9	10	11	12	
	L	T	R	L	T	R	
Volume (veh/h)	6		1	12		16	
Peak-Hour Factor, PHF	0.50	1.00	0.50	0.75	1.00	0.75	
Hourly Flow Rate, HFR (veh/h)	12	0	2	16	0	21	
Percent Heavy Vehicles	0	0	0	0	0	0	
Percent Grade (%)	0			0			
Flared Approach		N			N		
Storage		0			0		
RT Channelized			0			0	
Lanes	0	0	0	0	0	0	
Configuration		LR			LR		
Delay, Queue Length, and Level of Service							
Approach	Northbound	Southbound	Westbound			Eastbound	
Movement	1	4	7	8	9	10	11
Lane Configuration	L	L		LR			LR
v (veh/h)	3	17		37			14
C (m) (veh/h)	1206	1031		356			255
v/c	0.00	0.02		0.10			0.05
95% queue length	0.01	0.05		0.34			0.17
Control Delay (s/veh)	8.0	8.6		16.3			19.9
LOS	A	A		C			C
Approach Delay (s/veh)	--	--		16.3			19.9
Approach LOS	--	--		C			C

TWO-WAY STOP CONTROL SUMMARY								
General Information					Site Information			
Analyst	R Marvin				Intersection	South Access & Bench		
Agency/Co.	Marvin Associates				Jurisdiction	City of Billings		
Date Performed	4/3/2014				Analysis Year	2020 Conditions		
Analysis Time Period	Peak PM							
Project Description Chalice Acres Sub Lot 4								
East/West Street: Southern Access					North/South Street: Bench Blvd			
Intersection Orientation: North-South					Study Period (hrs): 0.25			
Vehicle Volumes and Adjustments								
Major Street	Northbound			Southbound				
Movement	1	2	3	4	5	6		
	L	T	R	L	T	R		
Volume (veh/h)	14	462			333	0		
Peak-Hour Factor, PHF	0.92	0.92	1.00	1.00	0.90	0.90		
Hourly Flow Rate, HFR (veh/h)	15	502	0	0	370	0		
Percent Heavy Vehicles	0	–	–	0	–	–		
Median Type	Undivided							
RT Channelized			0				0	
Lanes	1	1	0	0	1	0		
Configuration	L	T					TR	
Upstream Signal		0			0			
Minor Street	Eastbound			Westbound				
Movement	7	8	9	10	11	12		
	L	T	R	L	T	R		
Volume (veh/h)	0		8					
Peak-Hour Factor, PHF	0.50	1.00	0.50	1.00	1.00	1.00		
Hourly Flow Rate, HFR (veh/h)	0	0	16	0	0	0		
Percent Heavy Vehicles	0	0	0	0	0	0		
Percent Grade (%)	0			0				
Flared Approach		N			N			
Storage		0			0			
RT Channelized			0				0	
Lanes	0	0	0	0	0	0		
Configuration		LR						
Delay, Queue Length, and Level of Service								
Approach	Northbound	Southbound	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	L						LR	
v (veh/h)	15						16	
C (m) (veh/h)	1200						680	
v/c	0.01						0.02	
95% queue length	0.04						0.07	
Control Delay (s/veh)	8.0						10.4	
LOS	A						B	
Approach Delay (s/veh)	–	--					10.4	
Approach LOS	–	--					B	

Regular City Council Meeting

Meeting Date: 05/26/2015

TITLE: Special Review 927 - Public Hearing - All Beverage License w/o gaming - 4020 Montana Sapphire Drive

PRESENTED BY: Candi Millar, Planning & Community Services Department Director

Department: Planning & Community Services

PROBLEM/ISSUE STATEMENT

A special review request to locate an all beverage liquor license without gaming in a proposed new 4,500 square foot restaurant, The Divide Restaurant and Bar, an outdoor patio of 2,340 square feet, a parking lot and landscaping in a Highway Commercial (HC) zone on Lot 7, Block 1 of Montana Sapphire Subdivision. The property is 1.69 acres in size. The Zoning Commission conducted a public hearing on May 5, 2015, and is forwarding a recommendation of conditional approval and adoption of the findings of the 3 criteria on a 4-0 vote.

ALTERNATIVES ANALYZED

The City Council may:

- Approve the request
- Conditionally approve the request
- Deny the request
- Allow the applicant to withdraw the request
- Delay action on the request for up to 30 days

The Planning Division reviewed the application and the 3 criteria for special review and recommended conditional approval to the Zoning Commission. The Zoning Commission concurred with this recommendation. Before a recommendation of approval or conditional approval may 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) 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 appears to conform to all parts of the Unified Zoning Regulations. Complete compliance with the South Shiloh Overlay District for details on landscaping, screening, building design and signage will be evaluated at the time of building permit submittal. The location is in one of the zoning districts that allows an all beverage license without gaming by special review approval. The application is conforming to the purposes of the regulations and the 2008 Growth Policy. The location of an additional license in this area should have no impact on the surrounding uses or neighbors.

The application also conforms to the second and third criteria. The Montana Sapphire Subdivision is not yet fully developed so additional businesses and residents will help to improve the area. The new Shiloh Conservation Area is an amenity for this subdivision and the addition of a full service restaurant with an outdoor patio overlooking the conservation improvements will be beneficial. Planning staff recommended conditions for this special review based on the approval criteria for special review uses. The Zoning Commission recommends these conditions as follows:

1. The special review approval shall be limited to Lot 7, Block 1, Montana Sapphire Subdivision.
2. The special review approval is for the location of an all beverage license without gaming and no other use is intended or implied.
3. Any expansion of the restaurant and patio area greater than 684 square feet will require an additional special review approval.
4. There shall be no outdoor public address system or outside announcement system, whether permanent or temporary, of any kind.
5. The outdoor patio shall have a continuous 4-foot fence around the perimeter with "exit only" gates as required for public safety. There will be no direct entrance from the parking area to the fenced patio area except through the restaurant.
6. The patio is allowed to have background music or un-amplified live music. Background music is defined as amplified music that is not audible beyond the patio perimeter.
7. The solid waste storage area shall have a sight-obscuring enclosure constructed in similar materials and colors of the building. The enclosure will include a sight-obscuring gate.
8. 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.
9. 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.

****NOTE**** Approval of this Special Review does not constitute approval of a building permit, sign permit or fence permit. Compliance with all applicable local codes will be reviewed at the building permit level. This application is for a Special Review as noted above and no other request is being considered with this application. The Planning Division points out that the use and development of the property must be in accordance with the submitted site plan.

FINANCIAL IMPACT

If the requested use is approved the property will be developed and property taxes and city service fees will increase. If the requested use is denied, the property may not develop and the tax base will not increase.

BACKGROUND

This is a special review to locate an All Beverage License without gaming for a new proposed restaurant, the Divide, in the Montana Sapphire Subdivision at 4020 Montana Sapphire Drive. The property is easily accessible from Shiloh Road and is situated just north of the new Shiloh Conservation Area. The city has approved 22 locations in the area for alcoholic beverage service but the two existing locations in Montana Sapphire are more focused on bars and casino gaming and not restaurant service. There are no churches, parks with playing fields or playgrounds, or schools within 600 feet of this proposed location. The proposed restaurant will be a maximum of 4,500 square feet with an outdoor patio of 2,340 square feet. The property will have to comply with the South Shiloh Overlay District requirements due to the portion of this lot that runs east to Shiloh Road. The proposed site plan shows 42 parking spaces - this may need to increase to accommodate the additional area of the patio. The site plan appears to meet all the requirements for the zoning and site development.

STAKEHOLDERS

The Zoning Commission conducted a public hearing on May 5, 2015 and received the staff recommendation and testimony from the applicant's agent, Scott Atwood of Atwood Architecture. No other testimony was received.

Chairman Leonard Dailey, Jr. closed the public hearing. Commission member Barbara Hawkins made a motion to recommend conditional approval and adoption of the findings of the 3 criteria for Special Review 927. The motion was seconded by Mike Boyett. Commission member Dennis Ulvestad commented this was a good location and a good project. The Commission voted 4 in favor and 0 opposed to the motion.

CONSISTENCY WITH ADOPTED POLICIES OR PLANS

Please refer to the Alternatives Analyzed section above.

RECOMMENDATION

The Zoning Commission recommends conditional approval and adoption of the findings of the 3 criteria for Special Review 927 on a 4-0 vote.

APPROVED BY CITY ADMINISTRATOR

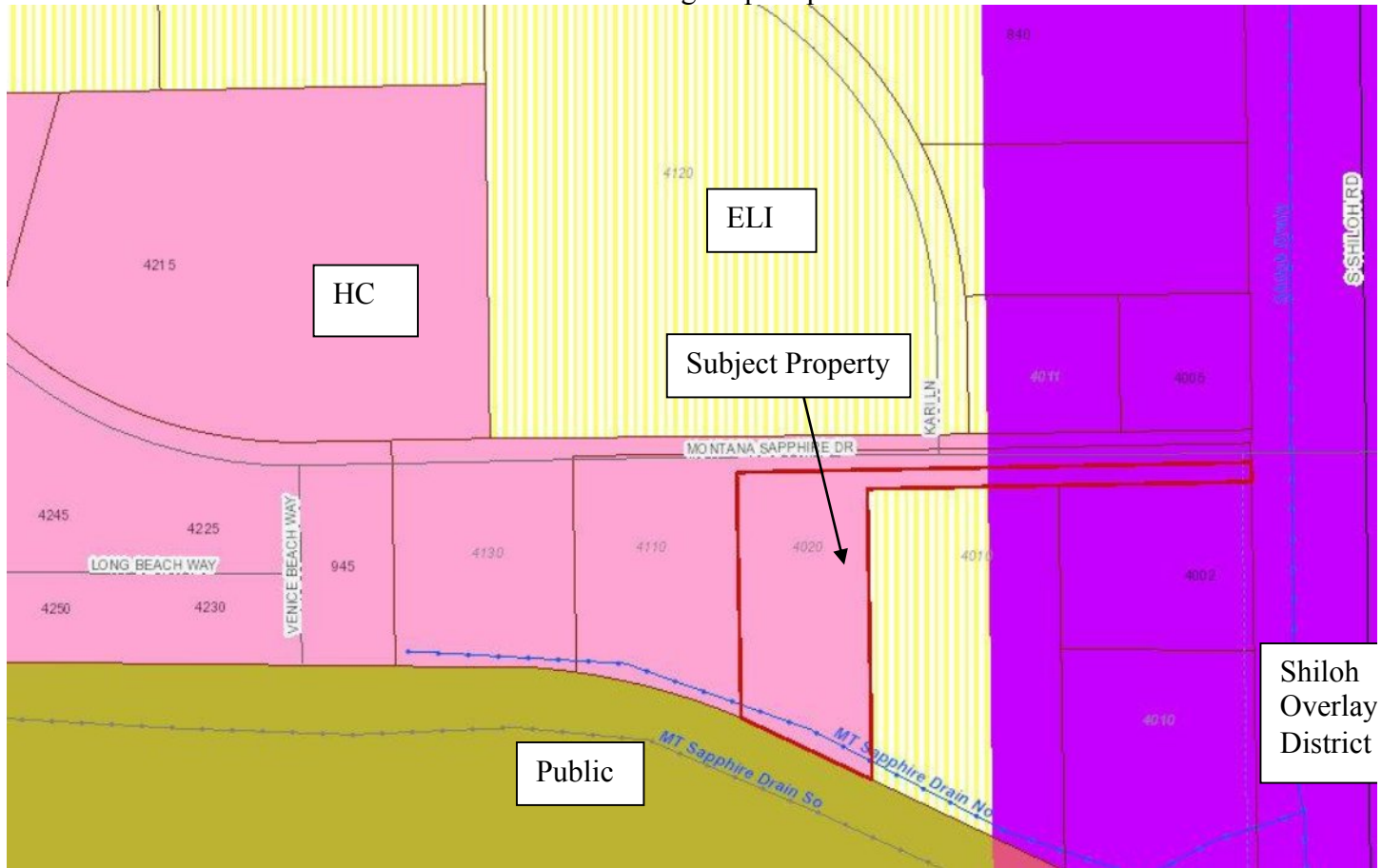
Attachments

Zoning Map

Site photos

Site plan and Applicant letter

Attachment B
Zoning Map – Special Review #927



Subject Property

Attachment C
Site Photos – Special Review #927



Subject Property from Montana Sapphire Drive



View west along Montana Sapphire Drive

Attachment C, continued
Site Photos – Special Review #927

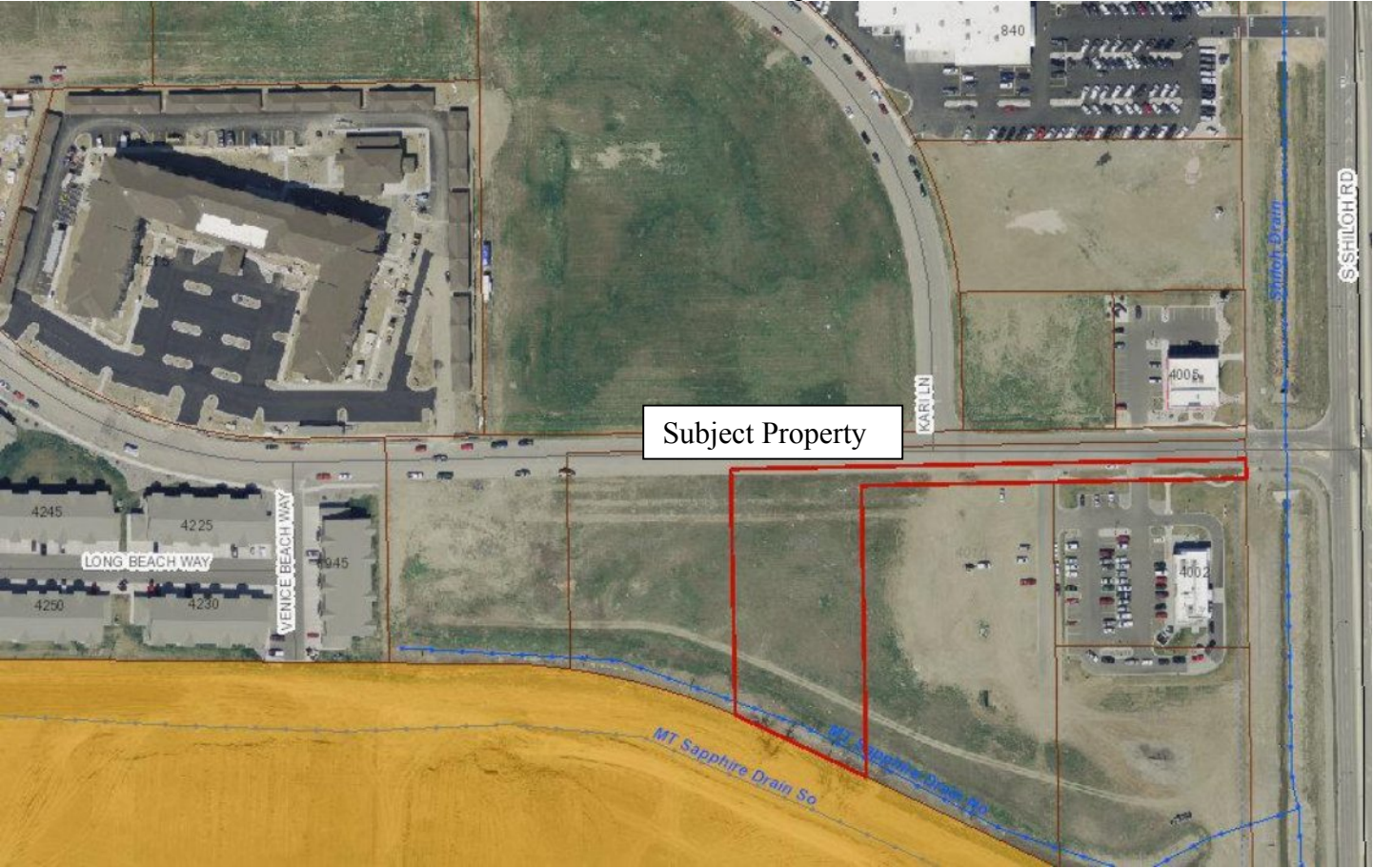


View north across Montana Sapphire Drive

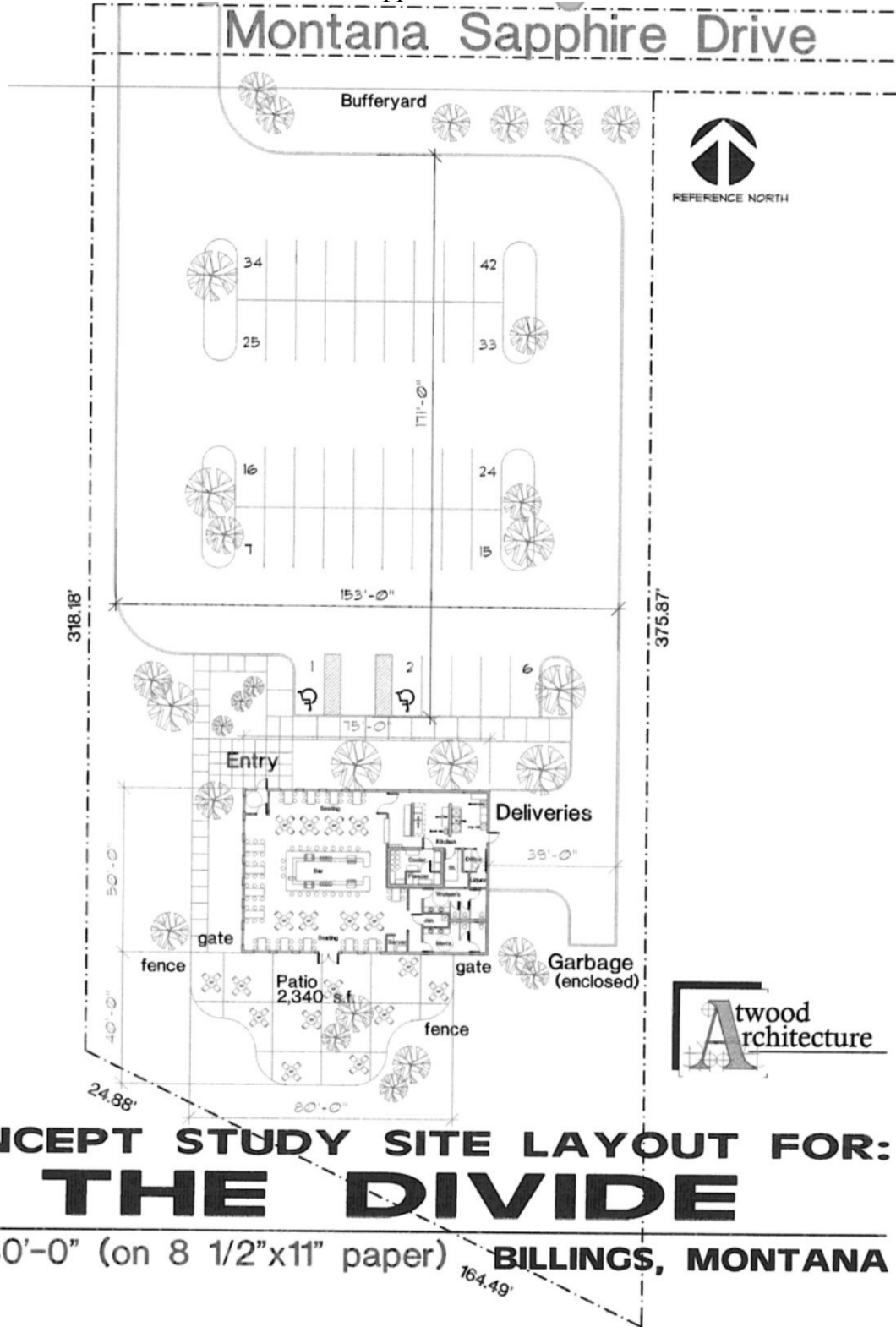


View east along Montana Sapphire Drive

Attachment C, continued
Site Photos – Special Review #927



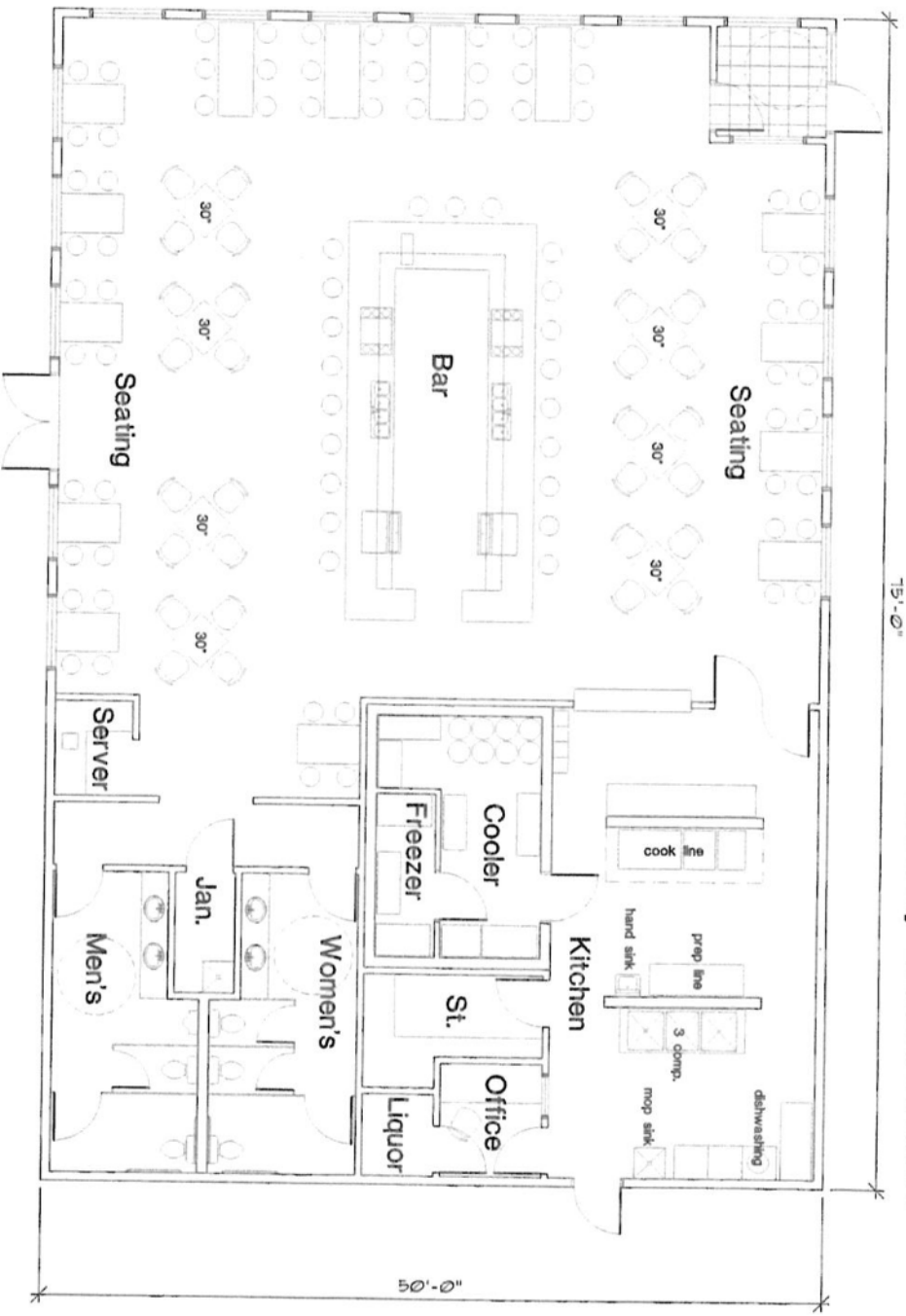
Special Review 927
Site Plan and Applicant Letter



CONCEPT STUDY SITE LAYOUT FOR:
THE DIVIDE
1" = 40'-0" (on 8 1/2"x11" paper) **BILLINGS, MONTANA**

CONCEPT STUDY PLAN FOR: **THE DIVIDE**

BILLINGS, MONTANA



Special Review Narrative The Divide Restaurant and Bar

April 6, 2015

Project Description:

An approximate 3,750 s.f. Restaurant and Bar

While not completely designed at this time, the project is seen as “non-high tech” with a western feel, using woods and stone in a warm, comfortable atmosphere. Locating the restaurant/bar adjacent to the Shiloh Conservation Area is seen as part of the atmosphere of the facility. We’ve used the term....”American Pub & Casual Dining Establishment” to describe our goals to others. We would like to note that the facility is not intended to house gaming or casino functions.

Project Address:

920 Shiloh Road (we have reason to believe this will change to an address on Montana Sapphire Drive but have not gone through that process just yet.)

Lot 7 of the Montana Sapphire Subdivision (off of Shiloh and King Avenue) - see attached

Question 1A:

We have investigated the proposed area, learned about the surrounding commercial and residential development as well as future growth expectations and determined that the area is the most suitable location to meet the goals for our proposed facility. The west end business and residential growth continues and it is expected that our facility will serve this area as well as draw from other areas of the City using the Shiloh Road transportation linkage.

Question 1B:

West end growth continues with the infilling of the Montana Sapphire Development (originally envisioned in 2002) with a variety of businesses and services. It is estimated that 70% of that development is either built out or under contract in some fashion with both residential and business development.

Question 1C:

Approval of the Special Request will allow us to build a new, attractive facility to serve the area and to employ more Billings citizens.

Question 1D:

The Special Review is an “automatic” requirement prior to the granting of an All Beverage license. We would like to note that the Special Review is NOT part of a desire for gaming or casino activity.

Questions 2 A and B

See attached exhibits showing a proposed floorplan and site layout. Because the drawings

have only been developed to a “conceptual” stage and further refinement is needed by a Kitchen Designer, it is anticipated that the facility could conceivably grow by another 250 - 500 square feet. However, we are comfortable stating that the facility will not exceed 4,500 square feet. Please note that again, due to the conceptual nature of the drawings at this time, full landscape design has not occurred just yet. We have been advised of both the City requirements and the Montana Sapphire Development requirements for bufferyards and landscaping requirements and agree to comply with them as part of the final permit submittal process.